Preliminary Ecological Appraisal

Acorn House
314–320 Gray's Inn Road
London
WC1X 8DP

19th August 2020

PJC ref: 4195E/19

This report has been prepared by

PJC Consultancy Ltd

on behalf of

Precis Advisory / Access Self Storage

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EXECUTIVE SUMMARY

PJC Consultancy Ltd was commissioned by Trinco Properties Ltd to undertake a Preliminary Ecological Appraisal of a parcel of Acorn House, 314–320 Gray's Inn Road, London. The purpose was to classify the habitats present, highlight the potential of the site to support protected species, and recommend suitable ecological enhancements and/or mitigation methods where appropriate. When implemented successfully, these recommendations will ensure that the development proceeds in line with all relevant laws pertaining protected species and their habitats, as well as contributing to an increase in site biodiversity. This report has been produced in accordance with NPPF – more specifically *Chapter* 11 '*Conserving and Enhancing the Natural Environment*' as well as the London Plan and the Camden Local Plan (London Borough of Camden, 2017).

The Site comprises just a small number of London plane trees along the pavements along the northern and western Site boundaries. These trees and the building roof provide some limited nesting opportunities for a small number of common and widespread bird species, for example feral pigeons.

In the first instance it is recommended that the four mature trees along the Site boundaries are retained and protected as part of the proposed development.

Should this not be possible all tree felling/heavy pruning works and building demolition works should be undertaken outside the main nesting bird season.

Should this not be possible, all suitable nesting habitat (including trees and the building roof) must be inspected by an ecologist to determine the presence/absence of any nesting birds prior to clearance/demolition.

All other protected and notable species are considered likely absent from the Site.

No adverse impacts on designated sites and protected and notable habitats and species, other than nesting birds, are therefore anticipated.

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CONTENTS

1 INTRODUCTION

1.1 INSTRUCTION

1.1.1 PJC Consultancy Ltd was commissioned by Precis Advisory / Access Self Storage to undertake a Preliminary Ecological Appraisal (PEA) which includes an extended phase 1 habitat survey and a preliminary bat roost assessment (PBRA) of Acorn House, 314–320 Gray's Inn Road, London, WC1X 8DP (hereafter referred to as the 'Site').

1.2 DOCUMENTS AND INFORMATION PROVIDED

1.2.1 PJC Consultancy Ltd was provided with the following documents relating to the Site:

- Belgrove House & Acorn House; Planning Pre-application Workshop (June 2019).

1.3 PROPOSED DEVELOPMENT

1.3.1 Proposals are for the redevelopment of Acorn House as a part 6, part 10 storey building to provide 33no. affordable housing units with affordable office space and a retail unit at ground and basement level together with cycle parking facilities. An external playspace is proposed at level 6 and a community room with kitchenette and landscaped terrace for residents at level 9.

1.4 SURVEY OBJECTIVES

1.4.1 The aim of this PEA is to identify potential ecological constraints and opportunities associated with the Site by undertaking both an extended phase 1 habitat survey, ecological desk study and PBRA. The objectives were to:

- Identify the habitat types present on the Site;
- Identify the potential of the Site to support protected and notable habitats and/or species;
- Identify the potential of any trees and buildings within the Site to support roosting bats;
- Highlight known or potential legal or planning policy constraints in relation to ecology and recommend avoidance, mitigation and enhancement measures to satisfy safely legal and planning policy requirements where appropriate; and
- Identify, where necessary, the requirement for further survey.

1.5 SCOPE OF THIS REPORT

1.5.1 This PEA is only concerned with the habitats and features within the property boundaries of the Site.

1.6 SITE DESCRIPTION

1.6.1 The Site address is Acorn House, Swinton Street, London, WC1X 8DP (OS Central Grid Reference: TQ 30572 82748). The Site comprises a single large six-storey commercial building. The Site itself is bordered to the west by Grays Inn Road and to the north by Swinton Street.

1.6.2 The Site is situated within a heavily urbanised area near Kings Cross within the centre of the city of London. The immediate and wider surroundings comprise urban development such as a complex network of road and rail infrastructure, and high density residential and commercial development. Small and isolated parcels of semi-natural habitats, namely formal gardens, are scattered across the surrounding environment.

1.6.3 The location of the Site within its environs can be seen in Figure 1 below.

Figure 1: Site Location Plan

1.7 LEGISLATION AND PLANNING POLICY

1.7.1 This PEA has been compiled with reference to relevant wildlife and countryside legislation, planning policy and the UK Biodiversity Framework. Their context and applicability is explained as appropriate in the relevant sections of the report and additional details are presented in Appendix I. The key articles of relevance are:

- The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations);
- The Wildlife and Countryside Act 1981, as amended (WCA);
- The Countryside and Rights of Way (CRoW) Act 2000;
- The Natural Environment and Rural Communities (NERC) Act 2006;

- National Planning Policy Framework (NPPF) 2019 (Department for Communities and Local Government, 2019);
- The Protection of Badgers Act 1992;
- The UK Post-2010 Biodiversity Framework (2011-2020);
- The London Plan: The Mayor's Spatial Strategy for Greater London; and
- Camden Local Plan (London Borough of Camden, 2017).

2 METHODOLOGY

2.1 DESK STUDY

2.1.1 A desk study was undertaken in October 2019 with the objective of collating and reviewing existing ecological information, and obtaining data and information held by relevant third parties. Biological records were requested from Greenspace Information for Greater London, which included records of non-statutory sites designated for nature conservation value and records of legally protected and notable species within the zone of influence.

2.1.2 In addition, datasets from Natural England (MAGIC, 2019) were reviewed to identify the presence of UK statutory designated sites and notable habitats within the zone of influence including woodlands listed on the Ancient Woodland Inventory, Habitats of Principal Importance (HPI) and statutory designated for their nature conservation value at the European and/or international scale namely: Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Internationally Designated Wetland (Ramsar) Sites. These sites collectively are hereafter referred to as 'European Sites'. Where measurements are included with the record, these provide the distance of the designated site from the closest point of the Site.

2.1.3 The zone of influence is the area over which ecological features, such as designated sites of nature conservation importance and protected and notable habitats and species, may be affected by the biophysical changes caused by the proposed development and associated activities. Due to the size of the Site and nature of the proposed development it is considered that a zone of 1km from the centre of the Site is appropriate for the gathering of information for the desk study.

2.2 EXTENDED PHASE 1 HABITAT SURVEY

2.2.1 An extended phase 1 habitat survey was undertaken on the 9th October 2019 by Thomas Knight BSc(Hons) MSc MCIEEM following the standard 'Phase 1 Habitat survey' auditing method developed by the Joint Nature Conservancy Council (JNCC, 2010) and extended to include consideration of protected species in accordance with good practice guidance for preliminary ecological appraisal (CIEEM, 2017). The Site was surveyed on foot and the existing habitats and land uses were recorded on an appropriately scaled map. In addition, the dominant plant species in each habitat were recorded, as were any evidence of protected and notable species. The potential for the Site to support protected and notable species was also assessed.

2.3 PRELIMINARY BAT ROOST ASSESSMENT

2.3.1 The building and trees within the Site were also subject to a preliminary bat roost assessment (PBRA). The external and internal inspection of the buildings and ground inspection of trees was to assess potential roosting features (PRFs) such as presented in Tables 1 and 2. The PBRA was undertaken in accordance with best practice survey standards (BCT, 2016).

Table 1: Features of trees commonly used by bats

Features of trees used as bat roosts	Signs indicating possible use by bats
Natural holes. Woodpecker holes. Cracks/splits in major limbs. Loose bark. Hollows/cavities. Dense epicormic growth (bats may roost within it). Bird and bat boxes.	Tiny scratches around entry point. Staining around entry point. Bat droppings in, around or below entrance. Audible squeaking at dusk or in warm weather. Flies around entry point. Distinctive smell of bats. Smoothing of surfaces around cavity

Table 2: Features of buildings commonly used by bats

Features of building or built structure	Signs indicating possible use by bats
Type of building. Age of building. Aspect of PRF. Wall construction – cavity walls or rubble-filled walls. Form of the roof – presence of gable ends, hipped roofs, nature and condition of the roof covering. Presence of hanging tiles, weather boarding or other forms of cladding. Nature of the eaves – sealed by a soffit or boxed eave and tightness of fit to exterior walls. Presence and condition of lead flashing. Gaps under eaves, around windows, under tiles, lead flashing. Presence and type of roof lining. Presence on roof insulation.	Tiny scratches around entry point. Staining around entry point. Bat droppings in, around or below entry point. Feeding remains below entry point. Cobweb free potential entry points. Audible squeaking at dusk or in warm weather. Flies around entry point. Distinctive smell of bats. Smoothing of surfaces around entry point.

2.3.2 The building and trees were assessed in accordance with the criteria listed above and assigned to one of five categories as listed in Table 3 below.

Table 3: Categorisation system for visual inspection of structures.

Category	Description
Confirmed roost	Bats discovered roosting within structure or recorded emerging from/entering structure at dusk and/or dawn. Structure found to contain conclusive evidence of occupation by bats, such as bat droppings. A confirmed record (as supplied by an established source such as the local bat group) would also apply to this category.
High potential	A structure 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.
Moderate potential	A structure 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.
Low potential	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.
Negligible potential	A structure with no features capable of supporting roosting bats.

2.4 SURVEY LIMITATIONS

2.4.1 It should be noted that whilst every effort has been made to provide a comprehensive description of the Site, no single investigation could ensure the complete characterisation and prediction of the natural environment.

2.4.2 The protected species assessment provides a preliminary view of the likelihood of protected species occurring on Site, based on the suitability of the habitat and any direct evidence on 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 this assessment it is considered reasonably likely that protected species may be present.

3 RESULTS

3.1 DESK STUDY

Statutory Designated Sites

3.1.1 A single statutory designated sites of nature conservation importance, Camley Street Nature Park Local Nature Reserve (LNR) is present within the zone of influence, located approximately 550m north of the Site.

3.1.2 Camley Street Nature Park LNR is approximately 0.84ha in size and is owned by the London Borough of Camden and managed by London Wildlife Trust. The wildlife interest is of high local educational and social value owing to the severe deficiency of wildlife sites in Greater London. The site is primarily an educational resource and a means of increasing local community awareness of the natural environment. This LNR likely functions as an important refuge for many wildlife species, providing natural habitat for bats, butterflies, amphibians and a variety of bird species including reed warbler *Acrocephalus sciroaceus*, reed bunting *Emberiza schoeniclus* and kingfisher *Alcedo atthis*.

Non-Statutory Designated Sites

3.1.3 Overall, 14 non-statutory designated sites of nature conservation importance are present within the zone of influence, the nearest being Calthorpe Community Garden Site of Importance for Nature Conservation (SINC) and St George's Gardens SINC located approximately 450m south and south-east respectively. These are summarised in Table 3 below.

Table 3: Non-statutory designated sites within the zone of influence

Site Name	Designation	Approximate Distance and aspect from Site	Description/reasons for designation
London's Canals	SINC – Site of Metropolitan Importance	500m north	London's canals support a wide range of aquatic flora, amongst which are found a number of locally uncommon species. Many waterside plants, including several London rarities, also grow on the brickwork and banks of the canal. The canals also support an important invertebrate fauna, diverse fish community, and breeding waterfowl.
Camley Street Natural Park	SINC – Site of Metropolitan Importance	500m north	One of Britain's oldest and most influential urban ecology parks, internationally renowned as centre of excellence in environmental education. The site features a valuable mosaic of habitats and supports a remarkable diversity of wildlife for its inner-city location.

St Pancras Gardens	SINC – Site of Borough Grade II Importance	700m north-west	The site contains some fine mature trees and diverse planted shrubberies. There is a hedge of young yew *Taxus baccata* near the railway.
Claremont Square Reservoir	SINC – Site of Borough Grade II Importance	850m east	A small covered reservoir supporting grassland on the top and sides of the reservoir. The site supports a surprising diversity of wild flowers. The locally uncommon spiked sedge *Carex spicate* is also present. At the base of the reservoir's sloping sides, various exotic shrubs have been planted, adding to the overall habitat value of the site.
Claremont Close Lawns	SINC – Site of Borough Grade II Importance	900m east	The lawns of Claremont Close are of importance for their diversity of wild flowers.
Calthorpe Community Garden	SINC – Site of Local Importance	450m south-east	The site contains a number of scattered trees, an artificial stream and rockery gardens.
St Andrew's Gardens	SINC – Site of Local Importance	600m south-east	This former churchyard is now managed as a small public park. The site supports lawns, flower beds and shrubberies and trees which line the paths and boundaries. The lawns contain a number of wild flowers.
St George's Gardens	SINC – Site of Local Importance	450m south	This is an old churchyard site that is now managed as a public park. It contains many mature tree and areas of shrubbery.
Russell Square	SINC – Site of Local Importance	900m south	This square is one of the largest in central London and contains many mature trees and areas of shrubbery.
Gordon Square	SINC – Site of Local Importance	850m south-west	This is a small but very well used and typically urban, London square with numerous trees and areas of shrubbery.
Coram's Fields	SINC – Site of Local Importance	600m south	This sizeable park contains numerous mature trees and a hedge. To the east an area is being developed as a wildlife garden with a small pond supporting frogs *Rana temporia* and newts.
Lloyd Square	SINC – Site of Local Importance	800m east	The site features many mature trees as well as a herb garden.
Wilmington Square	SINC – Site of Local Importance	950m east	The site features scattered trees, areas of shrubbery and amenity grassland.

Winton Primary School Garden	SINC – Site of Local Importance	500m north-east	A small school garden which supports a pond and scattered trees.

Protected and Notable Habitats

3.1.4 No parcels of ancient woodland listed on the ancient woodland inventory were identified within the zone of influence as part of the desk study.

3.1.5 Approximately 100 small and isolated parcels of HPI listed on the priority habitat inventory were identified within the zone of influence which included solely deciduous woodland, the nearest parcel of which was located approximately 400m south of the Site.

Protected and Notable Species

3.1.6 Records of protected and notable species identified within the zone of influence are summarised in Table 4 below. For the purposes of this desk study only protected and notable species records within the last 10 years have been considered.

Table 4: Summary of protected and notable species within zone of influence

Taxon Name	Common name	Legal Status	No. of Records	Distance and Aspect of Nearest Record	Date of Most Recent Record
Bats					
Myotis daubentoniid	Daubenton's	Habitat Regs (2017), W&CA Sch5, London BAP	3	652m north-west	2010
Nyctalus sp.	Unspecified Nyctalus species	Habitat Regs (2017), W&CA Sch5, NERC S41, London BAP	2	963m west	2010
Nyctalus noctula	Noctule	Habitat Regs (2017), W&CA Sch5, NERC S41, London BAP	1	620m north-east	2011
Pipistrellus sp.	Unspecified pipistrelle species	Habitat Regs (2017), W&CA Sch5, NERC S41, London BAP	14	564m north	2015
Pipistrellus nathusii	Nathusius pipistrelle	Habitat Regs (2017), W&CA Sch5, NERC S41, London BAP	2	795m north	2011
Pipistrellus pipistrellus	Common pipistrelle	Habitat Regs (2017), W&CA Sch5, London BAP	34	471m south	2017
Pipistrellus pygmaeus	Soprano pipistrelle	Habitat Regs (2017), W&CA Sch5, NERC S41, London BAP	17	652m north-west	2017
Other mammal species					
Lutra lutra	European otter	Habitat Regs (2017), W&CA Sch5, NERC S41, London BAP	1	621m north	2013
Herptiles					

None recorded.					
Birds (including only protected bird species listed on Schedule 1 (Part 1) of the Wildlife and Countryside Act 1981 (as amended) and notable bird species listed as SPI under the NERC Act 2006.					
Acanthis cabaret	Lesser Redpoll	NERC S41	2	875m north-west	2013
Alcedo atthis	Kingfisher	W&CA Sch1	7	587m north-west	2016
Passer domesticus	House Sparrow	NERC S41, London BAP	33	173m north-east	2016
Phoenicurus ochruros	Black Redstart	NERC S41, London BAP	3	652m north-west	2014
Regulus ignicapilla	Firecrest	W&CA Sch1	2	652m north-west	2007
Turdus iliacus	Redwing	W&CA Sch1	6	693m south-east	2014
Turdus pilaris	Fieldfare	W&CA Sch1	4	709m north-west	2019
Invertebrates (including only protected invertebrate species listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and notable invertebrate species listed as SPI under the NERC Act 2006.					
Lucanus cervus	Stag beetle	W&CA Sch5, NERC S41, London BAP	11	445m south	2017
Plants (including only protected plant species listed on Schedule 8 of the Wildlife and Countryside Act 1981 (as amended) and notable plant species listed as SPI under the NERC Act 2006.					
Dianthus armeria	Deptford Pink	W&CA Sch8, NERC S41	2	602m north	2017
Dianthus gratianopolitanus	Cheddar Pink	W&CA Sch8	1	982m north	2017
Teucrium scordium	Water Germander	W&CA Sch8, NERC S41	1	576m north	2015
Centaurea cyanus	Cornflower	NERC S41	9	434m north-west	2017

3.2 EXTENDED PHASE 1 HABITAT SURVEY

Scattered Trees (A3)

3.2.1 Four scattered trees were recorded within the Site boundary, all mature London planes *Platanus x acerifolia*. Three trees were recorded along the along the western Site boundary along the pavement parallel to Grays Inn Road and a single tree along the northern Site boundary along the pavement parallel to Swinton Street.

Buildings and Hard-standing (J3.6)

3.2.2 Overall the Site is comprised almost entirely of a single large six-storey building (B1) and surrounded pavement. A full description of building B1 can be found in Table 5 below

3.3 PRELIMINARY BAT ROOST ASSESSMENT

3.3.1 A description of building B1 and trees and any potential roosting features (PRF) are detailed in Tables 5 and 6 below:

Table 5: PBRA results of building B1 within the Site

B1
Description
Six-storey commercial building with flat roof likely built around the 1960's. The walls are constructed of tiled cladding and large metal framed fronted windows. The flat roof is covered with a damp-proof membrane/sealant which is in overall good condition. The building is likely heavily illuminated on all aspects by large numbers of adjacent street lighting and from adjacent commercial and residential properties.
Evidence of Bats
None observed at the time of the survey.
Potential Roost Features
None observed at the time of the survey.
Potential to Support Roosting Bats
Negligible.

Table 6: PBRA results of trees within or immediately adjacent the Site

All trees.
Description
Four mature London plane trees, all structurally sound with no defects observed.
Evidence of Bats
None at the time of the survey.
Potential Roost Features
None at the time of the survey.
Potential to Support Roosting Bats
Negligible.

4 DISCUSSION AND RECOMMENDATIONS

4.1 STATUTORY DESIGNATED SITES

4.1.1 A single statutory designated sites of nature conservation importance, Camley Street Nature Park LNR is present within the zone of influence, located approximately 550m north of the Site.

4.1.2 Given the urban locality and distance between the Site and Camley Street Nature Park LNR, and the size of the Site and nature of the proposed development, adverse effects upon Camley Street Nature Park LNR are not considered likely. Statutory designated sites are therefore not considered an ecological constraint and are not considered further in this report.

4.2 NON-STATUTORY DESIGNATED SITES

4.2.1 Overall, 14 non-statutory designated sites of nature conservation importance are present within the zone of influence, the nearest being Calthorpe Community Garden SINC and St George's Gardens SINC located approximately 450m south and south-east respectively.

4.2.2 Given the size of the Site and nature of the proposed development of which is not anticipated to result in any semi-natural habitat clearance works, adverse effects upon non-statutory designated sites are not considered likely. Non-statutory designated sites are therefore not considered an ecological constraint and are not considered further in this report.

4.3 PROTECTED AND NOTABLE HABITATS

4.3.1 No parcels of ancient woodland listed on the ancient woodland inventory were identified within the zone of influence. Multiple parcels of HPI listed on the priority habitat inventory were identified within the zone of influence, the nearest being an area of deciduous woodland located approximately 400m south of the Site.

4.3.2 Given the absence of ancient woodland within the zone of influence and given the distance between the Site and the nearest parcel of HPI and given the size of the Site and nature of the proposed development, adverse effects upon these protected and notable habitats are not considered likely. Protected and notable habitats are therefore not considered an ecological constraint and are not considered further in this report.

4.4 PROTECTED AND NOTABLE SPECIES

4.4.1 The Site provides very limited opportunities for protected and notable species. The suitability of habitat on Site to support species is considered below.

Bats

4.4.2 All bats are European Protected Species (EPS) and both individual animals and their roosts are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). Certain bat

species are also listed as Species of Principal Importance (SPI) under the NERC Act 2006 and are a London priority species.

4.4.3 As part of the PBRA, all buildings and trees within the Site were identified as having negligible suitability to support roosting bats and therefore roosting bats are highly likely absent from the buildings. Roosting bats are therefore not considered an ecological constraint and are not considered further in this report.

4.4.4 Semi-natural habitat was largely absent from the Site with the exception of four mature trees along the Site boundaries These trees are considered highly unlikely to function as bat foraging and/or commuting habitat due to the isolation of the Site within a heavily urbanised landscape and due to the high levels of artificial lighting from adjacent buildings, street lighting and traffic. Therefore, the proposed development is not anticipated to result in the loss or degradation of bat foraging and commuting habitat or sever important commuting routes and obstruct access between potential bat roosts and important foraging habitats. Commuting and foraging bats are therefore not considered an ecological constraint and are not considered further in this report.

Hazel Dormice

4.4.5 Dormice *Muscardinus avellanarius* are EPS and are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). Dormice are also listed as SPI under the NERC Act 2006.

4.4.6 Semi-natural habitat was absent from the Site. On this basis and given the absence of dormouse records within the zone of influence and given the isolation of the Site within a highly urban environment, dormice are considered absent from the Site and immediate surroundings. Dormice are therefore not considered an ecological constraint and are not considered further in this report.

Great Crested Newts and other Amphibians

4.4.7 Great crested newts (GCN) *Triturus cristatus* are EPS and are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act, 1981 (as amended). GCN, common toad, common frog and palmate newt *Triturus helveticus* are also London priority species.

4.4.8 Semi-natural aquatic and terrestrial habitat was absent from the Site. On this basis and given the absence of waterbodies within 250m of the Site, absence of GCN and all other amphibian records within the zone of influence and given the isolation of the Site within a highly urban environment, GCN and other amphibians are considered absent from the Site during both their aquatic and terrestrial lifecycle phases. On this basis, all amphibians are not considered an ecological constraint and are not considered further in this report.

Reptiles

4.4.9 Native, widespread reptile species (common or viviparous lizard *Zootoca vivipara*, adder *Vipera berus*, grass snake *Natrix helvetica* and slow worm *Anguis fragilis*) are protected under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended), making it an

offence to kill or injure individual animals. All widespread reptile species are included as SPI under the NERC Act 2006.

4.4.10 Semi-natural habitat was absent from the Site. On this basis and given the absence of reptile records and isolation of the Site within a highly urban environment, reptiles are considered absent from the Site and immediate surroundings. Reptiles are therefore not considered an ecological constraint and are not considered further in this report.

Birds

4.4.11 All birds, their nests and eggs are protected from killing and injury of individuals, damage and destruction of nests and destruction of eggs under the Wildlife and Countryside Act 1981 (as amended). Species listed in Schedule 1 (Part 1) of the Act are also protected from disturbance whilst nesting or whilst with dependent young, by special penalties. Some bird species such as house sparrow *Passer domesticus* and starling *Sturnus vulgaris* are also London priority species.

4.4.12 The building roof and the mature trees along the Site boundaries were considered to provide some foraging and nesting opportunities to breeding birds, although the suitability of these features to support nesting birds is significantly limited when considering the isolation of the Site within a heavily urbanised landscape and high levels of disturbance associated with the adjacent road network.

4.4.13 Works associated with any proposed development of the Site, for example building demolition and tree felling/pruning works, could therefore result in direct adverse impacts on nesting birds. On this basis nesting birds are therefore considered a potential ecological constraint. In order to comply with legislation protecting nesting birds the avoidance and mitigation measures detailed below should be adhered to.

4.4.14 In the first instance it is recommended that the four mature trees along the Site boundaries are retained and protected as part of the proposed development.

4.4.15 Should this not be possible all tree felling/heavy pruning works and building demolition works should be undertaken outside the main nesting bird season. The nesting bird season for most British bird species is between March and August (inclusive). However, the building roof has potential to support nesting feral pigeons *Columba livia domestica* which can be known to nest throughout the year.

4.4.16 All suitable nesting habitat (including trees and the building roof) must be inspected by an ecologist to determine the presence/absence of any nesting birds prior to clearance. In the event of an active nest being identified, a temporary exclusion zone would need to be placed around the nest and development paused until the dependent young have fledged which may be several weeks. The ecologist will determine safe working distances and the distances will be dependent upon the bird species present.

4.4.17 In the event that the proposed development will result in the loss of any of the mature London plane trees, the permanent loss of these trees should be compensated for by incorporating new suitable foraging and nesting habitat into the landscape designs. Habitat creation examples including planting a variety of native fruit and nut bearing tree and shrub species and/or installation of artificial bird boxes (see section 4.5 below for more details in

respect to creation of nesting and foraging bird habitat and installation of bird boxes).

Badgers

4.4.18 Badgers and their setts are protected under The Badger Act (1992).

4.4.19 No evidence of badger field signs (for example hairs, latrines, dung pits, snuffle holes, mammal paths or scratching posts) or setts were recorded within the Site during the survey.

4.4.20 Semi-natural habitat was absent from the Site. On this basis and given the isolation of the Site within a highly urban environment, badgers are considered absent from the Site and immediate surroundings. Badgers are therefore not considered an ecological constraint and are not considered further in this report.

Other Mammal Species

4.4.21 Water voles *Arvicola amphibious* and their places of shelter are protected under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or take any water vole, damage, destroy or obstruct access to any place of shelter or protection that the animals are using, or disturb voles while they are using such a place.

4.4.22 Otters *Lutra lutra* are protected under the Conservation of Habitats and Species Regulations (2017) as amended and under the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to kill, injure or capture an otter, intentionally or recklessly disturb otters; or to damage, destroy or intentionally or recklessly obstruct access to a holt or other resting places. Water voles and otters are also listed as SPIs and are a London priority species.

4.4.23 Suitable riparian and aquatic habitat was absent from within the Site and immediate surroundings.

4.4.24 On this basis the Site was identified as having negligible potential to support otter and water vole and are therefore not considered an ecological constraint and are not considered further in this report.

4.4.25 The European hedgehog is classified as an SPI under the NERC Act 2006. Therefore, the presence of this species on site would be a material consideration in the planning process.

4.4.26 Semi-natural habitat was absent from the Site. On this basis and given the isolation of the Site within a highly urban environment, hedgehogs are considered absent from the Site and immediate surroundings. Hedgehogs are therefore not considered an ecological constraint and are not considered further in this report.

Invertebrates

4.4.27 A number of invertebrate species such as stag beetles are afforded protection under the Conservation of Habitats and Species Regulations (2017) (as amended) and under Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended). Many invertebrate species including the stag beetle are also SPIs and London priority species.

4.4.28 Semi-natural habitat was absent from the Site. On this basis and given the isolation of the Site within a highly urban environment, protected and notable invertebrate species are considered absent from the Site and immediate surroundings. Protected and notable invertebrate species are therefore not considered an ecological constraint and are not considered further in this report.

Plants

4.4.29 Wild plants are protected under the Wildlife and Countryside Act 1981 (as amended) which prohibits the unauthorised intentional uprooting of any wild plant species and forbids any picking, uprooting or destruction of plants listed on Schedule 8 of which there are over 150. In addition, nine plant species are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). Many plant species are also listed as SPI under the NERC Act 2006.

4.4.30 Other than the four mature London plane trees, no other semi-natural habitats or floral species were recorded within the Site.

4.4.31 On this basis, protected and notable plants including non-native invasive plant species are not considered an ecological constraint and are not considered further in this report.

4.5 ECOLOGICAL ENHANCEMENTS

4.5.1 Under Section 40 of the NERC Act 2006 there is a duty to have regard to biodiversity conservation. In addition, the National Planning Policy Framework and the City of London and the London Borough of Camden encourages ecological enhancement to be integrated into development projects in order to achieve an overall net-gain in biodiversity.

4.5.2 The enhancement recommendations detailed below should be considered and incorporated into the proposed development designs in order to provide additional foraging, commuting, shelter and breeding opportunities for a variety of protected and notable species.

Birds

4.5.3 In order to enhance the Site for birds and given their designation as SPI and London BAP species, house sparrow terraces (i.e. Schwegler 1SP or similar) and black redstart (i.e. Schwegler 2HW or similar) nest boxes should be installed on to the proposed new building. The sparrow terraces should be positioned at least 2m above ground level facing between north and east to avoid strong sunlight and winds. The black redstart boxes should be positioned at least 3m above ground level in a shaded position.

4.5.4 Bird boxes will be checked annually in September/October. Debris and nesting material within the boxes should be removed. Damaged or fallen boxes should be replaced/repaired.

Green/living roof

4.5.5 Green/living roofs should be incorporated into the proposed development designs. The green/living roofs should be designed to enhance the potential for biodiversity within the Site. The green/living roofs will provide a variety of microhabitats to encourage a range of invertebrate species which consequently provide foraging opportunities to bats and birds.

4.5.6 The green/living roof should incorporate:

- bare shingle, sedum blanket, which provides an important nectar and pollen resource;
- sand piles, which is particularly important for burrowing invertebrates, and
- log piles to provide additional deadwood habitat on site, this will encourage species such as the stag beetle, which are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended), under Schedule 5 of the Wildlife and Countryside Act, 1981 (as amended) and are a London priority species and species of principle importance.

4.5.7 The bare shingle, log piles and sand piles also provide important areas of open bare ground, which warm up quickly to provide a beneficial heat source to a range of butterflies, bees and spiders.

4.5.8 In addition, wildflower plugs comprising 50% locally native species including Agrimony *Agrimonia* eupatoria, kidney vetch *Anthyllis* vulneraria, common knapweed *Centaurea nigra*, lady's bedstraw *Galium verum,* perforate st john's-wort *Hypericum perforatum*, field scabius *Knautia arvensis*, oxeye daisy *Leucanthemum vulgare*, bird's-foot-trefoil *Lotus corniculatus*, wild marjoram *Origanum vulgare*, bulbous buttercup *Ranunculus bulbosus,* salad burnet *Sanguisorba minor*, autumn hawkbit *Leontodon autumnalis,* viper's-bugloss *Echium vulgare,* rough hawkbit *leontodon hispidus,* common toadflax *Linaria vulgaris,* musk-mallow *malva moschata,* hoary plantain *Plantago media*, cowslip *Primula veris*, selfheal *Prunella vulgaris*, meadow buttercup *Ranunculus acris*, wild mignonette *Reseda lutea*, bladder campion *Silene vulgaris*, biting stonecrop *Sedum acre*, white stonecrop *Sedum album*, red valerian *Centranthus ruber*, hare's-foot clover *Trifolium arvense*, corn cockle *Agrostemma githago*, corn marigold *Chrysanthemum segetum*, corn chamomile *Anthemis arvensis*an and cornflower *Centaurea cyanus* should be incorporated into the green/living roof to further encourage invertebrate diversity, providing pollen and nectar sources for a range of generalist species; whilst also providing specialists foodplants including the kidney vetch, which is the sole foodplant for the small blue *Cupido minimus* butterfly, which is a London priority species. In addition, these plant species will enhance the site for the humming-bird hawk-moth *Macroglossum stellatarum* which feeds on red valerian and the caterpillars on bedstraw species. This, in turn, enhances the foraging potential of the site for a range of bats and bird species.

4.5.9 Black redstarts *Phoenicurus ochruros* are listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) and are a London priority species and therefore, the green/living roof should be designed in order to enhance the site for black redstarts. Black redstarts preferred foraging areas include open, sparsely vegetated rocky terrain and have been found to adapt to live in urban areas, including green roofs, where sites mimic rocky habitats. Black redstarts typically avoid areas of dense vegetation including parks and landscaped areas in urban environments. Therefore, the green/living roof should be designed to mimic, as closely as possible, the black redstarts natural environment, incorporating open areas of bare shingle, larger stones, an aggregate base of crushed brick and features contours with heights of between 5cm and 15cm, with wildflower planting and sedums planted in to the aggregate base. The green roof should be designed in accordance with best practice guidelines for green roof design, which have been found to be favorable for black redstart, such as the example within figure 1 below.

4.5.10 It should be noted that the outline specification/prescription detailed above should be treated as a guide only. The exact specification, long term maintenance and management requirements of the green/living roof installation would be subject to the green/living roof approved suppliers and experienced maintenance contractors.

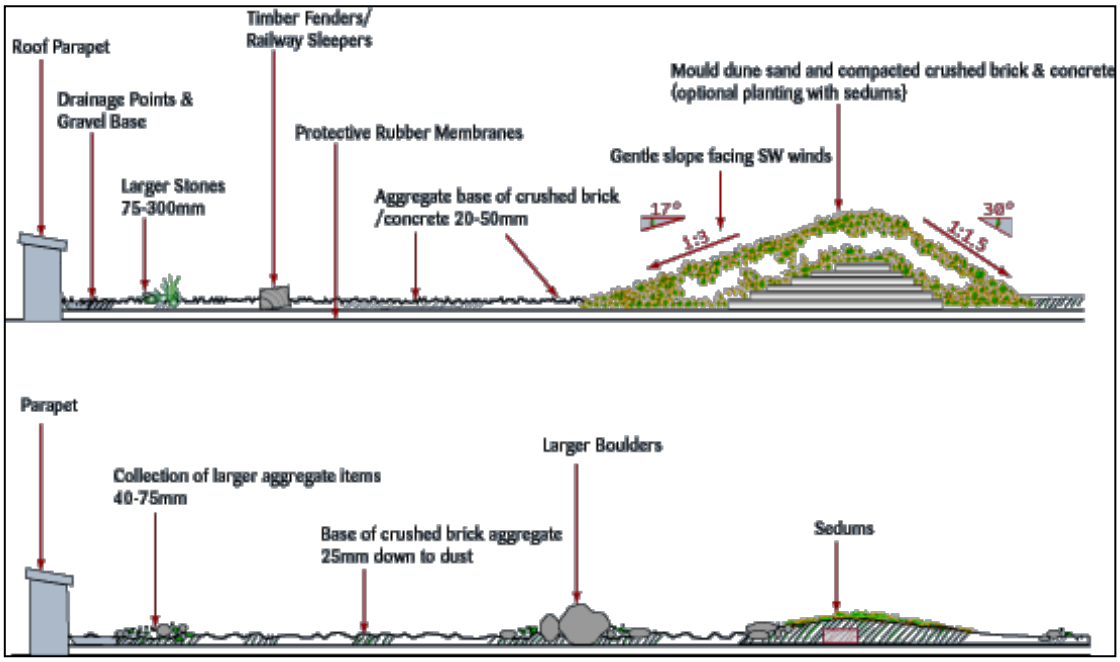

Figure 1: Example of a green roof designed for black redstarts (Black Redstarts.org.uk, 2018)

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APPENDICES

APPENDIX I: LEGISLATION AND PLANNING POLICY

Legislation

The Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (which consolidate and update the Conservation of Habitats and Species Regulations 2017) is the UK transposition of the European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, or the 'Habitats Directive'. The directive provides protection of key habitats and species of European importance. Those key habitats and species are listed in Annexes II and IV of the directive.

Those species protected under the regulations and most likely encountered during development include:

- All bat species
- Hazel dormouse
- Great crested newt
- Common otter

The Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) is the primary legislation for the protection of wildlife in Great Britain. This legislation is the means by which the Convention on the Conservation of European Wildlife and Natural Habitats (the 'Bern Convention') and the European Union Directives on the Conservation of Wild Birds (79/409/EEC) and Natural Habitats and Wild Fauna and Flora (92/43/FFC) are implemented in Great Britain. 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 respectively. The Countryside and Rights of Way (CRoW) Act 2000 makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site

Those species protected under the act and most likely encountered during development include:

- All bat species
- All nesting birds
- Hazel dormouse
- Great crested newt
- Common otter
- Water vole
- All native reptile species
- White-clawed crayfish

The Protection of Badgers Act 1992

The Protection of Badgers Act 1992 consolidates and strengthens previous legislation (including the Badgers (Further Protection) Act 1991). Under the act, it is an offence to:

- Wilfully kill, injure or take a badger (or attempt to do so).
- Cruelly ill-treat a badger.
- Dig for a badger.
- Intentionally or recklessly damage or destroy a badger sett, or obstruct access to it.
- Cause a dog to enter a badger sett.

- Disturb a badger when it is occupying a sett.

The Natural Environment and Rural Communities Act (NERC) 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 provides a list of habitats and species, which are of 'principal importance for the conservation of biodiversity.' This list aids 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.

Hedgerows Regulations 1997

These regulations were produced to protect important countryside hedges from removal. The regulations only cover hedgerows that are at least 20m long or, if shorter, connected to other hedgerows at both ends or part of a longer hedgerow. They must be in or adjacent to common land, village greens, site of special scientific interest, local nature reserves, or land used for agriculture, forestry or breeding or keeping of horses, ponies or donkeys.

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.

This legislation is of relevance when undertaking works with potential to affect wild mammals e.g. works near burrows, warrens or dens, regardless of other legislative protection.

Species and Habitat Specific Legislation

Plants

Wild plants are protected under Section 13 of the Wildlife and Countryside Act 1981 (as amended). It prohibits the unauthorised intentional uprooting of any wild plant species and forbids any picking, uprooting or destruction of plants listed on Schedule 8 of which there are over 150.

The Conservation of Habitats and Species Regulations 2017 (as amended) have nine plants listed within Annex IV these are; creeping marshwort *Apium repens*, early gentian *Gentianella anglica*, fen orchid *Liparis loeselii*, floating-leaved water plantain *Luronium natans*, killarney fern *Trichomanes speciosum*, lady's slipper *Cypripedium calceolus*, shore dock *Rumex rupestris*, slender naiad *Najas flexilis*, and yellow marsh saxifrage *Saxifraga hirculus*. It is an offence to deliberately pick, collect cut, uproot or destroy any protected plant, or keep, transport, sell, or exchange, any live or dead such plant species, this applies to all stages of its life cycle.

Invasive Species

Schedule 9, Section 14 of the Wildlife and Countryside Act (1981, as amended) prohibits the introduction into the wild of any species that is not ordinarily resident in and is not a

regular visitor to Great Britain in a wild state, or any species of the 69 plants listed on Schedule 9.

The frequently encountered invasive species within proposed development sites include floating pennywort *Hydrocotyle ranunculoides*, giant hogweed *Heracleum mantegazzianum*, Himalayan balsam *Impatiens glandulifera*, Japanese knotweed *Fallopia japonica*, New Zealand *pygmyweed Crassula helmsi*, rhododendron *Rhododendron ponticum* and certain hybrids of the above, some species may be native yet are listed for conservation purposes.

Plant or soil material contaminated by Japanese knotweed that is to be discarded is considered to be a 'controlled waste' under the Environmental Protection Act 1990 (EPA 1990). It is an offence to deposit, treat, keep, or dispose of controlled waste without a licence. Furthermore knotweed that has been cut down and removed must be received by an authorised person to be disposed of correctly. A licence can be obtained from the Environment Agency (EA). The release or planting of a listed species in the wild can be permitted under a licence granted by the relevant statutory body.

Invertebrates

A number of invertebrates such as silver studded blue butterfly *Plebejus argus*, stag beetles *Lucanus cervus* and white letter hairstreak *Stymondia w-album* are fully protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended). This legislation makes it illegal to intentionally kill, injure, or take a protected invertebrate, or to damage, destroy, or obstruct access to any structure or place used for shelter or protection by such a species; and disturb any protected species occupying such a structure or place.

Three invertebrates are listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017, fisher's estuarine moth *Gortyna borelii lunata*, the large blue butterfly *Maculinea arion* and lesser whirlpool ram's-horn snail *Anisus vorticulus*. It is an offence deliberately to kill, capture, or disturb a listed species, or to damage or destroy the breeding site or resting place of such an animal.

Amphibians

There are four widespread amphibian species, common frog *Rana temporaria*, common toad *Bufo bufo*, palmate newt *Lissotriton helveticus* and smooth newt *Lissotriton vulgaris*. All of the four widespread species receive partial protection under Schedule 5 of the Wildlife and Countryside Act (1981, as amended) making it an offence to offer them for sale or trade.

Great crested newts *Triturus cristatus* and natterjack toads *Epidalea calamita* are fully protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and the Conservation of Habitats and Species Regulations 2017. Reintroduced populations of 'native' pool frogs *Pelophylax lessonae* also receive the same protection. It is illegal to possess a protected species (alive or dead), deliberately capture, injure or kill, to intentionally or recklessly disturb, or to deliberately take or destroy the eggs of these protected species. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to breeding or resting place used by these protected species'. All life stages of each species' are afforded the same level of protection.

In order to undertake any activity, which would, otherwise result in any of the above offences being committed, it may be necessary to obtain a European Protected Species (EPS) licence from the relevant statutory body (Natural England (NE), Countryside Council for Wales (CCW) or Scottish natural Heritage (SNH)). It is possible to undertake surveys which would otherwise involve unlawful acts, such as disturbance, by obtaining a survey license which provides authorisation for scientific and educational purposes

Reptiles

The four common reptile species, adder *Vipera berus*, grass snake *Natrix helvatica*, common lizard *Zootoca vivipara* and slow worm *Anguis fragilis* are protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended) against deliberate and/or intentional killing, injuring and trade.

If common reptile species are found to be present or considered potentially present within a proposed development site. To ensure that no subsequent offence will be committed a precautionary method of working (written by a suitably qualified ecologist) and submitted to the relevant authority may be required to enable works to proceed with limited risks of offences being caused.

Birds

All birds, their nests and eggs are protected by the Wildlife and Countryside Act (1981, as amended). It is an offence to intentionally kill, injure, or take any wild bird, or take or destroy an egg of any wild bird. It is also an offence to damage or destroy the nest of any wild bird (whilst being built, or in use). Therefore, clearance of vegetation within the site boundary, or immediately adjacent to the site during the nesting season could result in an offence occurring under the Act. The bird breeding season can be taken to run between the 1 February and 31 August and is subject to geographical and seasonal factors. There are 79 species of birds listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

Barn owls *Tyto alba* are listed as 'Amber' status under the Birds of Conservation Concern (BoCC) and are categorised as a species of European Conservation Concern. The Barn Owl is given the highest level of legal protection possible under Schedule 1 of the Wildlife and Countryside Act 1981. It is therefore illegal to kill, injure or take a barn owl, or to take or destroy its eggs. It is also illegal to intentionally or recklessly take, damage, or destroy the nest of any wild bird while it is in use or being built, release or allow the escape of a barn owl into the wild or possess any bird (dead or alive) or part of bird without a licence which is obtainable through the country agencies (EN, SNH, and CCW).

Badgers

Badgers *Meles meles* are protected under the Protection of Badgers Act (1992) and the Wildlife and Countryside Act (1981, as amended). As such it is an offence to wilfully take, kill, injure or ill-treat a badger, or possess a dead badger or any part of a badger. Under the Act their setts are also protected against obstruction, destruction, or damage in any part.

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. The Act defines a badger sett as 'any structure or place, which displays signs indicating the current use by a badger' and Natural England takes this definition to include seasonally used setts.

Work that may disturb badgers or their setts is illegal without a development licence from the relevant statutory body (NE, CCW, SNH). As a precautionary principle, a buffer distance between a badger sett and the works will be determined, based upon guidance from an appropriately experienced ecologist. This buffer distance should be based upon the size and activity levels at the sett, the topography between the sett and the works and the nature of the works.

Bats

All native UK bat species are fully protected by UK law under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) and Schedule 6 of the Wildlife and Countryside Act (1981, as amended), and under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. It is illegal to deliberately capture, injure or kill a bat or to intentionally or recklessly disturb bats. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to a breeding or resting place used by a bat.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH). Works or mitigation activities involving interference with bats or bat shelters must be carried out by a licensed bat worker.

Dormice

Dormice *Muscardinus avellanarius* are protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2017. Under the current legislation it is illegal to intentionally or deliberately kill, injure or capture dormice, deliberately disturb dormice (whether in a nest or not); or to damage, or destroy dormouse breeding sites or resting places.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH).

Otters

The otter *Lutra lutra* is fully protected under Schedule 5 (in respect of section 9(4)(b) and (c) and (5) only) of the Wildlife and Countryside Act (1981, as amended) and are listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. It is therefore illegal to deliberately capture, injure or kill an otter, possess an otter (dead or alive), or any other part of an otter, or intentionally or recklessly disturb otters. It is also illegal to damage, destroy or intentionally or recklessly obstruct access to a holt or other resting place used by an otter.

Any activity that would result in a contravention of the above legislation would likely require an EPS licence from the relevant statutory body (NE, CCW or SNH).

Water voles

Water voles *Arvicola amphibious* are protected under Schedule 5 of the Wildlife and Countryside Act (1981, as amended). It is an offence to possess, control or sell water voles or to intentionally kill, injure or take water voles. It is also an offence to intentionally or recklessly damage, destroy or obstruct access to a place that water voles use for shelter or protection or disturb water voles whilst using such a place.

A licence is required for catching/handling water voles, or for field surveys that are intrusive or disturbing where the surveyor suspects' water voles are present. A licence can be obtained by applying to the relevant statutory body (NE, SNH, and CCW,). Please note that the legislation does not permit licences to be issued in relation to development of land.

Biodiversity Policies

National Planning Policy Framework (NPPF) 2018

Published in 2018 the NPPF sets out the Government's planning policies for England and how these are expected to be applied by local authorities. It replaces all the Planning Policy Statements and Guidance (PPSs and PPGs). The NPPF emphasises the need for sustainable development, whilst specifying the need for protection of designated sites and priority habitats and priority species (as listed in section 41 of the Natural Environment and Rural Communities (NERC) Act 2006). Paragraph 170 of The National Planning Policy Framework (NPPF) states:

"Planning policies 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;
c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."

Paragraph 174 states that "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 biodiversity56; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation57; 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."

Furthermore, paragraph 175 states that when determining planning applications, 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.

Paragraph 176 states:
"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 sites59; 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."

Paragraph 177 states:
"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."

<u>The UK Biodiversity Framework (2011-2020).</u>
The UK Biodiversity Framework is an important framework that is owned, governed and implemented by the four UK countries, assisted by Defra and JNCC in their UK co-ordination capacities. Although differing in details and approach, the four UK countries have published strategies which promote the same principles and address the same global

targets: joining–up our approach to biodiversity across sectors; and identifying, valuing and protecting our 'Natural Capital' to protect national well–being now and in the future. This new framework has been developed to enhance the recovery of priority habitats and species in England (published under section 41 of the NERC Act 2006), thereby contributing to the delivery of the England Biodiversity Strategy. The framework has been developed and endorsed by the England Biodiversity Group and wider partnership. It is the starting point for a more integrated approach to biodiversity conservation in England, building on the strengths of the former UK Biodiversity Action Plan (BAP) process and improving those areas where insufficient progress was being made.

London Borough of Camden Local Plan

The London Borough of Camden Local Plan (adopted 2017) sets out the relevant policies for the control of development in regard to the natural environment and biodiversity.

Policy A3 Biodiversity

The Council will protect and enhance sites of nature conservation and biodiversity. We will:
a. designate and protect nature conservation sites and safeguard protected and priority habitats and species;
b. grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site or adversely affect the status or population of priority habitats and species;
c. seek the protection of other features with nature conservation value, including gardens, wherever possible;
d. 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.

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.