TYBALDS ESTATE, CAMDEN, GREATER LONDON

PRELIMINARY ECOLOGICAL APPRAISAL

A Report to: London Borough of Camden

Report No: RT-MME-154667-04-Rev B

Date: June 2021

MIDDLEMARCH ENVIRONMENTAL

Triumph House, Birmingham Road, Allesley, Coventry CV5 9AZ
Tel: 01676 525880 Fax: 01676 521400
E-mail: admin@middlemarch-environmental.com Web: www.middlemarch-environmental.com

REPORT VERIFICATION AND DECLARATION OF COMPLIANCE

This study has been undertaken in accordance with British Standard 42020:2013 “Biodiversity, Code of practice for planning and development”.

Report Version	Date	Completed by:	Checked by:	Approved by:
Final	30/04/2021	Victoria Aelen BSc (Hons) (Ecological Consultant); Richard Sainsbury BSc (Hons) (Ecological Consultant) and Evangeline Bevans BSc (Hons) (Ecological Project Officer)	Paul Roebuck BSc, MSc, MCIEEM (South East Manager)	Tom Docker CEcol MCIEEM (Managing Director)
Rev A	24/05/2021	Victoria Aelen BSc (Hons) (Ecological Consultant)	Paul Roebuck BSc, MSc, MCIEEM (South East Manager)	Tom Docker CEcol MCIEEM (Managing Director)
Rev B	14/06/2021	Victoria Aelen BSc (Hons) (Ecological Consultant)	Paul Roebuck BSc, MSc, MCIEEM (South East Manager)	Tom Docker CEcol MCIEEM (Managing Director)

The information which we have prepared is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management’s Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

DISCLAIMER

The contents of this report are the responsibility of Middlemarch Environmental Ltd. It should be noted that, whilst every effort is made to meet the client’s brief, no site investigation can ensure complete assessment or prediction of the natural environment.

Middlemarch Environmental Ltd accepts no responsibility or liability for any use that is made of this document other than by the client for the purposes for which it was originally commissioned and prepared.

VALIDITY OF DATA

The findings of this study are valid for a period of 24 months from the date of survey. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.

NON-TECHNICAL SUMMARY

Middlemarch Environmental Ltd was commissioned by London Borough of Camden to carry out a Preliminary Ecological Appraisal at the site of a proposed development at Tybalds Estate in Camden, London. This assessment is required to inform a planning application associated with the regeneration project for the site.

The desk study exercise identified no European statutory sites within 5 km of the survey area, one UK statutory site within 2 km and 13 non-statutory sites within 1 km. The site is not located within 10 km of a statutory site designated for bats. The desk study also provided records of protected/notable species within 1 km, including: bats, badger, amphibians, birds, invertebrates, and plants.

The walkover survey was undertaken 15th April 2021 by Victoria Aelen (Ecological Consultant) and Richard Sainsbury (Ecological Consultant). The survey area comprises the land and residential dwellings which form the Tybalds Estate; a post-war housing estate located in the Bloomsbury area, situated within an urban area of the London Borough of Camden.

In order to ensure compliance with wildlife legislation and relevant planning policy, the following recommendations are made (see Chapter 7 for full details):

- **Habitat Retention and Protection:** The development proposals should be designed (where feasible) to allow for the retention of existing notable habitats including the hedgerows, semi-mature and mature trees.

- **Biodiversity Enhancement:** In accordance with the provision of Chapter 15 of the National Planning Policy Framework (Conserving and Enhancing the Natural Environment) and Local Planning Policy (Policy A3 Biodiversity), biodiversity enhancement measures should be incorporated into the landscaping scheme of any proposed development to work towards delivering net gains for biodiversity.

- **Roosting Bats:** The recommendations made within the Preliminary Bat Roost Assessment (RT-MME 154667-05) must be adhered to.

- **Terrestrial Mammals including Hedgehog and Foxes:** Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work day to prevent animals entering/becoming trapped.

- **Nesting Birds:** Vegetation and building clearance should be undertaken outside the nesting bird season. The nesting bird season is weather dependent but generally extends between March and September inclusive (peak period March-August). If this is not possible then any vegetation/buildings to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing.

CONTENTS

1. INTRODUCTION 4

1.1 PROJECT BACKGROUND 4
1.2 SITE DESCRIPTION AND CONTEXT 4
1.3 DOCUMENTATION PROVIDED 4

2. METHODOLOGIES 6

2.1 DESK STUDY 6
2.2 PHASE 1 HABITAT SURVEY 6

3. LEGISLATION AND POLICY 7

3.1 GENERAL BIODIVERSITY LEGISLATION AND POLICY 7
3.2 NATIONAL PLANNING POLICY FRAMEWORK AND PRACTICE GUIDANCE 9
3.3 LOCAL PLANNING POLICY - LONDON BOROUGH OF CAMDEN 10

4. DESK STUDY RESULTS 14

4.1 INTRODUCTION 14
4.2 NATURE CONSERVATION SITES 14
4.3 PROTECTED / NOTABLE SPECIES 15
4.4 INVASIVE SPECIES 18

5. PHASE 1 HABITAT SURVEY 19

5.1 INTRODUCTION 19
5.2 SURVEY CONSTRAINTS AND LIMITATIONS 19
5.3 HABITATS 19
5.4 FAUNA 21
5.5 INVASIVE PLANT SPECIES 21

6. DISCUSSIONS AND CONCLUSIONS 22

6.1 SUMMARY OF PROPOSALS 22
6.2 NATURE CONSERVATION SITES 22
6.3 HABITATS 22
6.4 PROTECTED/NOTABLE SPECIES 23
6.5 INVASIVE PLANT SPECIES 25

7. RECOMMENDATIONS 26

7.1 NATURE CONSERVATION SITES 26
7.2 HABITATS 26
7.3 PROTECTED / NOTABLE SPECIES 27
7.4 INVASIVE PLANT SPECIES 27

8. DRAWINGS 28
9. PHOTOGRAPHS 31
REFERENCES AND BIBLIOGRAPHY 32
APPENDICES 33

APPENDIX 1 34
APPENDIX 2 36

1. INTRODUCTION

1.1 PROJECT BACKGROUND

In March 2021, London Borough of Camden commissioned Middlemarch Environmental Ltd to carry out an updated Preliminary Ecological Appraisal of a proposed development at Tybalds Estate in Camden, London. This assessment is required to inform a planning application associated with the regeneration project for the site.

This report provides an assessment of the entire Tybalds Estate. The planning application that this report supports, covers a smaller site area. The planning application site area is the majority but not all of the Tybalds Estate. Drawing 154667-04-01-Rev A provided within Chapter 7 further illustrates the extent of land covered by this assessment and the planning application site area.

Middlemarch Environmental Ltd has previously carried out a Preliminary Ecological Appraisal in 2012 for London Borough of Camden at these sites, the findings of which are detailed in Reports RT-MME-111475B-01. In 2019 Middlemarch Environmental Ltd completed further ecological assessments at Tybalds Estate, Camden in London, including a Preliminary Ecological Appraisal and a Preliminary Bat Roost Assessment, the findings of which are detailed in Reports RT-MME-129968-03 and RT-MME-129968-04 respectively.

To assess the existing ecological interest of the site an ecological desk study was carried out, and a walkover survey was undertaken on 15th April 2021. In addition, Middlemarch Environmental Ltd has been commissioned to undertake the following assessments at the site:

- Preliminary Arboricultural Assessment Report RT-MME-154667-01;
- Arboricultural Impact Assessment Report RT-MME-154667-02;
- Arboricultural Method Statement Report RT-MME-154667-03; and,
- Preliminary Bat Roost Assessment Report RT-MME-154667-05.

1.2 SITE DESCRIPTION AND CONTEXT

The site under consideration, hereinafter referred to as the survey area, comprises the land and residential dwellings which form the Tybalds Estate; a post-war housing estate located in the Bloomsbury area of central London. The survey area is situated within a residential district of the London Borough of Camden, central London at Ordnance Survey Grid Reference TQ305819.

The Tybalds Estate consists of several residential buildings (Babington Court, Chancellors Court, Blemundsbury, Devonshire, Falcon, Richbell, Springwater and Windmill) with associated hard and soft landscaping and parking spaces. These buildings consisted mostly of blocks of flats but with a few outbuildings in the form of store sheds, bin stores and electrical substations.

The survey area is bounded by properties on Great Ormond Street to the north, Orde Hall Street to the east, buildings off Theobalds Road to the south and Boswell Street and Old Gloucester Street to the west.

The survey area is dominated by buildings and hardstanding with small areas of amenity grassland, introduced shrub and scattered trees. Habitats recorded included: amenity grassland, bare ground with colonising vegetation, building, fence and wall, hardstanding, hedgerow, introduced shrub and scattered trees.

The wider landscape is dominated by further residential buildings, roads and recreational park space and gardens. The topography of the land was generally flat.

1.3 DOCUMENTATION PROVIDED

The conclusions and recommendations made in this report are based on information provided by the client regarding the scope of the project. Documentation made available by the client is listed in Table 1.1.

Document Name / Drawing Number	Author
Existing Site Plan (Draft)	Matthew Lloyd Architects
210527_rev_TE_0 PROPOSED LANDSCAPE-FINAL OPT-Layout1.pdf	Unknown
Site Location Plan X-010	Matthew Lloyd Architects
X-116-PROPOSED MASTERPLAN-colour.pdf	Matthew Lloyd Architects

Table 1.1: Documentation Provided by Client

The Proposed Landscaping Plan (Ref: 210527_rev_TE_0 PROPOSED LANDSCAPE-FINAL OPT-Layout1) is provided within Chapter 8.

2. METHODOLOGIES

2.1 DESK STUDY

An ecological desk study was undertaken to determine the presence of any designated nature conservation sites and protected species in proximity to the site. This involved contacting appropriate statutory and non-statutory organisations which hold ecological data relating to the survey area. Middlemarch Environmental Ltd then assimilated and reviewed the desk study data provided by these organisations.

The consultees for the desk study were:

- Natural England - *MAGIC* website for statutory conservation sites; and,
- Greenspace Information Centre for Greater London.

The desk study included a search for:

- European statutory nature conservation sites in the UK (now referred to as the 'National Site Network') within a 5 km radius of the site (extended to 10 km for any statutory site designated for bats);
- UK statutory sites within a 2 km radius; and,
- Non-statutory sites and protected/notable species records within a 1 km radius.

The data collected from the consultees is discussed in Chapter 4. Selected raw data are provided in Appendix 1. In compliance with the terms and conditions relating to its commercial use, the full desk study data is not provided within this report.

The desk study also included a review of relevant local planning policy with regard to biodiversity and nature conservation (see Chapter 3).

2.2 PHASE 1 HABITAT SURVEY

The walkover survey was conducted following the Phase 1 Habitat Survey methodology of the Joint Nature Conservation Committee (JNCC, 2010) and the Institute of Environmental Assessment (IEA, 1995). Phase 1 Habitat Survey is a standard technique for classifying and mapping British habitats. The aim is to provide a record of habitats that are present on site. During the survey, the presence, or potential presence, of protected species was noted.

Whilst every effort is made to notify the client of any plant species listed on Schedule 9 of the Wildlife and Countryside Act (1981, as amended) present on site, it should be noted that this is not a specific survey for these species.

Data recorded during the field survey are discussed in Chapter 5.

3. LEGISLATION AND POLICY

This chapter provides an overview of the framework of legislation and policy which underpins nature conservation and is a material consideration in the planning process in England. The reader should refer to the original legislation for the definitive interpretation.

3.1 GENERAL BIODIVERSITY LEGISLATION AND POLICY

The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 (the Habitats Regulations 2019)

The Habitats Regulations 2017 (as amended) transposed the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Wild Birds Directive (Directive 2009/147/EC) (known as the Nature Directives) into English and Welsh law. Changes have been made to parts of the Habitats Regulations 2017 so that they operate effectively from 1 January 2021. The changes are made by the Habitats Regulations 2019, which transfer functions from the European Commission to the appropriate authorities in England and Wales.

All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant.

The obligations of a competent authority in the 2017 Regulations for the protection of sites or species do not change. A competent authority is a public body, statutory undertaker, minister or department of government, or anyone holding public office.

The Habitats Regulations 2019 have created a 'National Site Network' on land and at sea, including both the inshore and offshore marine areas in the UK. The National Site Network includes:

- Existing Special Areas of Conservation (SACs), which are designated due to their importance to the habitats and species listed in Annexes I and II of the Habitats Directive;
- Existing Special Protection Areas (SPAs), which are designated due to their importance for wild birds in accordance with the Wild Birds Directive; and,
- New SACs and SPAs designated under these Regulations.

SACs and SPAs in the UK no longer form part of the European Union's Natura 2000 ecological network. Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new National Site Network. However, guidance provided by Freeths (2020) recommends that SACs and SPAs can continue to be referred to as "European sites" / "European marine sites".

Designated Wetlands of International Importance (known as Ramsar sites) do not form part of the National Site Network. Many Ramsar sites overlap with SACs and SPAs and may be designated for the same or different species and habitats. All Ramsar sites remain protected in the same way as SACs and SPAs.

The 2019 Regulations establish management objectives for the National Site Network. The network objectives are to:

- Maintain or, where appropriate, restore habitats and species listed in Annexes I and II of the Habitats Directive to a favourable conservation status; and,
- Contribute to ensuring, in their area of distribution, the survival and reproduction of wild birds and securing compliance with the overarching aims of the Wild Birds Directive.

The appropriate authorities must also have regard to the:

- Importance of protected sites;
- Coherence of the National Site Network; and,
- Threats of degradation or destruction (including deterioration and disturbance of protected features) on SPAs and SACs.

The network objectives contribute to the conservation of UK habitats and species that are also of pan-European importance, and to the achievement of their favourable conservation status within the UK.

The Wildlife and Countryside Act (WCA) 1981 (as amended)
The WCA, as amended, consolidates and amends pre-existing national wildlife legislation in order to implement the Bern Convention and the Birds Directive. It complements the Habitat Regulations 2017 and the Habitats Regulations 2019, offering protection to a wider range of species. The Act also provides for the designation and protection of national conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSIs).

Schedules of the act provide lists of protected species, both flora and fauna, and detail the possible offences that apply to these species.

The Countryside and Rights of Way (CRoW) Act 2000
The CROW Act, introduced in England and Wales in 2000, amends and strengthens existing wildlife legislation detailed in the WCA. It places a duty on government departments and the National Assembly for Wales to have regard for biodiversity, and provides increased powers for the protection and maintenance of SSSIs. The Act also contains lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

The Natural Environment and Rural Communities (NERC) Act 2006
Section 40 of the NERC Act places a duty upon all local authorities and public bodies in England and Wales to promote and enhance biodiversity in all of their functions. Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity. These lists superseded Section 74 of the CRoW Act 2000.

The Hedgerow Regulations 1997
The Hedgerow Regulations make provision for the identification of important hedgerows which may not be removed without permission from the Local Planning Authority.

UK Post-2010 Biodiversity Framework
The UK Biodiversity Action Plan (BAP), published in 1994, was the UK Government's response to signing the Convention on Biological Diversity (CBD) at the 1992 Rio Earth Summit. The new UK Post-2010 Biodiversity Framework replaces the previous UK level BAP. The UK Post-2010 Biodiversity Framework covers the period 2011-2020 and forms the UK Government's response to the new strategic plan of the United Nations Convention on Biological Diversity (CBD), published in 2010 at the CBD meeting in Nagoya, Japan. This includes five internationally agreed strategic goals and supporting targets to be achieved by 2020. The five strategic goals agreed were:

- Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society;
- Reduce the direct pressures on biodiversity and promote sustainable use;
- To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity;
- Enhance the benefits to all from biodiversity and ecosystem services; and,
- Enhance implementation through participatory planning, knowledge management and capacity building.

The Framework recognises that most work which was previously carried out under the UK BAP is now focused on the four individual countries of the United Kingdom and Northern Ireland, and delivered through the countries' own strategies. Following the publication of the new Framework the UK BAP partnership no longer operates but many of the tools and resources originally developed under the UK BAP still remain of use and form the basis of much biodiversity work at country level. In England the focus is on delivering the outcomes set out in the Government's 'Biodiversity 2020: a Strategy for England's Wildlife and Ecosystem Services' (DEFRA, 2011). This sets out how the quality of our environment on land and at sea will be improved over the next ten years and follows on from policies contained in the Natural Environment White Paper.

Species and Habitats of Material Consideration for Planning in England
Previous planning policy (and some supporting guidance which is still current, e.g. ODPM Circular 06/2005, now under revision), refers to UK BAP habitats and species as being a material consideration in the planning process. Equally many local plans refer to BAP priority habitats and species. Both remain as material considerations in the planning process but such habitats and species are now described as Species and

Habitats of Principal Importance for Conservation in England, or simply priority habitats and priority species under the UK Post-2010 Biodiversity Framework. The list of habitats and species remains unchanged and is still derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006. As was previously the case when it was a BAP priority species hen harrier continues to be regarded as a priority species although it does not appear on the Section 41 list.

3.2 NATIONAL PLANNING POLICY FRAMEWORK AND PRACTICE GUIDANCE

In February 2019, the National Planning Policy Framework (NPPF) was updated, replacing the previous framework published in 2012 and revised in 2018. The government circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System, which accompanied PPS9, still remains valid. A presumption towards sustainable development is at the heart of the NPPF. This presumption does not apply however where developments require appropriate assessment under the Birds or Habitats Directives.

Chapter 15, on conserving and enhancing the natural environment, sets out how the planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing existing sites of biodiversity value;
- minimising impacts on and providing net gains for biodiversity; and,
- establishing coherent ecological networks.

If a proposed development would result in significant harm to the natural environment which cannot be avoided (through the use of an alternative site with less harmful impacts), mitigated or compensated for (as a last resort) then planning permission should be refused. With respect to development on land within or outside of a Site of Special Scientific Interest (SSSI) which is likely to have an adverse effect (either alone or in-combination with other developments) would only be permitted where the benefits of the proposed development clearly outweigh the impacts on the SSSI itself, and the wider network of SSSIs. Development resulting in the loss of deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused unless there are wholly exceptional reasons for the development, and a suitable compensation strategy is provided.

Chapter 15 identifies that development whose primary objective is to conserve or enhance biodiversity should be supported and opportunities to incorporate biodiversity improvements in and around development should be encouraged, especially where this can secure measurable net gains for biodiversity.

Chapter 11, making effective use of the land, sets out how the planning system should promote use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Opportunities for achieving net environmental gains, including new habitat creation, are encouraged.

In March 2014 the Department for Communities and Local Government released guidance to support the National Planning Policy Framework (NPPF), known as the National Planning Practice Guidance (NPPG).This has been produced to provide guidance for planners and communities which will help deliver high quality development and sustainable growth in England.

The guidance includes a section entitled ‘Natural Environment: Biodiversity, geodiversity and ecosystems and green infrastructure’, which was updated in July 2019. This document sets out information with respect to the following:

- the statutory basis for seeking to conserve and enhance biodiversity;
- the local planning authority’s requirements for planning for biodiversity;
- what local ecological networks are and how to identify and map them;
- how plan-making bodies identify and safeguard Local Wildlife Sites, including Standard Criteria for Local Wildlife Sites;
- the sources of ecological evidence;
- the legal obligations on local planning authorities and developers regarding statutory designated sites and protected species;
- definition of green infrastructure;
- where biodiversity should be taken into account in preparing a planning application;

- how policy should be applied to avoid, mitigate or compensate for significant harm to biodiversity and how mitigation and compensation measures can be ensured;
- definitions of biodiversity net gain including information on how it can be achieved and assessed; and,
- the consideration of ancient woodlands and veteran trees in planning decisions and how potential impacts can be assessed.

The NPPG July 2019 issue also includes a section entitled 'Appropriate assessment: Guidance on the use of Habitats Regulations Assessment' which provides information in relation to Habitats Regulations Assessment processes, contents and approaches in light of case law. This guidance will be relevant to those projects and plans which have the potential to impact on European Sites and European Offshore Marine Sites identified under the Conservation of Habitats and Species Regulations 2017 (as amended).

3.3 LOCAL PLANNING POLICY - LONDON BOROUGH OF CAMDEN

The Local Plan was adopted by Council on the 3rd July 2017 and sets out the Council's planning policies (and replaces the Core Strategy and Development Policies planning documents, adopted in 2010). The Local Plan will cover the period from 2016-2031.

The policy which relates to ecology is Policy A3. It is intended to support the London Biodiversity Strategy and the Camden Biodiversity Action Plan (BAP) by ensuring Camden's growth is accompanied by a significant enhancement in the borough's 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.

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

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

The London Plan 2021

The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years. It is the policies in this document that form part of the development plan for Greater London, and which should be taken into account in taking relevant planning decisions, such as determining planning applications.

This London Plan runs from 2019 to 2041. It was formally published by the Mayor on 2nd March 2021. This is a new plan, replacing all previous versions.

The policies of relevance to ecology are:

Policy G1 Green Infrastructure

A. 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.
B. 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.
C. Development Plans and area-based strategies should use evidence, including green infrastructure strategies, to:
    1) identify key green infrastructure assets, their function and their potential function
    2) identify opportunities for addressing environmental and social challenges through strategic green infrastructure interventions.
D. Development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.

Policy G2 London's Green Belt

A. The Green Belt should be protected from inappropriate development:
    1) development proposals that would harm the Green Belt should be refused except where very special circumstances exist,
    2) subject to national planning policy tests, the enhancement of the Green Belt to provide appropriate multi-functional beneficial uses for Londoners should be supported.
B. Exceptional circumstances are required to justify either the extension or de-designation of the Green Belt through the preparation or review of a Local Plan.

Policy G3 Metropolitan Open Land

A. Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt:
    1) MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt
    2) boroughs should work with partners to enhance the quality and range of uses of MOL.
B. The extension of MOL designations should be supported where appropriate. Boroughs should designate MOL by establishing that the land meets at least one of the following criteria:
    1) it contributes to the physical structure of London by being clearly distinguishable from the built-up area
    2) it includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London
    3) it contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value
    4) it forms part of a strategic corridor, node or a link in the network of green infrastructure and meets one of the above criteria.
C. Any alterations to the boundary of MOL should be undertaken through the Local Plan process, in consultation with the Mayor and adjoining boroughs. MOL boundaries should only be changed in exceptional circumstances when this is fully evidenced and justified, taking into account the purposes for including land in MOL set out in Part B.

Policy G4 Open Space

A. Development Plans should:
    1) undertake a needs assessment of all open space to inform policy.
    2) Assessments should identify areas of public open space deficiency, using the categorisation set out in Table 8.1 (the reader should refer to the full text within the plan) as a benchmark for the

different types required. Assessments should take into account the quality, quantity and accessibility of open space
3) include appropriate designations and policies for the protection of open space to meet needs and address deficiencies
4) promote the creation of new areas of publicly accessible open space particularly green space, ensuring that future open space needs are planned for, especially in areas with the potential for substantial change
5) ensure that open space, particularly green space, included as part of development remains publicly accessible.

B. Development proposals should:
1) not result in the loss of protected open space
2) where possible create areas of publicly accessible open space, particularly in areas of deficiency.

Policy G5 Urban Greening

A. 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.
B. 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 (the reader should refer to the full text within the plan), 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).
C. 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

A. Sites of Importance for Nature Conservation (SINCs) should be protected.
B. Boroughs, in developing Development Plans, should:
1) use up-to-date information about the natural environment and the relevant procedures to identify SINCs and ecological corridors to identify coherent ecological networks
2) identify areas of deficiency in access to nature (i.e. areas that are more than 1 km walking distance from an accessible Metropolitan or Borough SINC) and seek opportunities to address them
3) support the protection and conservation of priority species and habitats that sit outside the SINC network, and promote opportunities for enhancing them using Biodiversity Action Plans
4) seek opportunities to create other habitats, or features such as artificial nest sites, that are of particular relevance and benefit in an urban context
5) ensure designated sites of European or national nature conservation importance are clearly identified and impacts assessed in accordance with legislative requirements.

C. 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:
1) avoid damaging the significant ecological features of the site
2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
3) deliver off-site compensation of better biodiversity value.

D. 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.
E. Proposals which reduce deficiencies in access to nature should be considered positively.

Policy G7 Trees and Woodlands

A. London's 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.
B. In their Development Plans, boroughs should:
1) protect 'veteran' trees and ancient woodland where these are not already part of a protected site

2) identify opportunities for tree planting in strategic locations.

C. 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.

Policy SI 17 Protecting and enhancing London's waterways

A. Development Plans should support river restoration and biodiversity improvements.
B. Development proposals that facilitate river restoration, including opportunities to open culverts, naturalise river channels, protect and improve the foreshore, floodplain, riparian and adjacent terrestrial habitats, water quality as well as heritage value, should be supported. Development proposals to impound and narrow waterways should be refused.
C. Development proposals should support and improve the protection of the distinct open character and heritage of waterways and their settings.
D. Development proposals into the waterways, including permanently moored vessels, should generally only be supported for water-related uses or to support enhancements of water-related uses.
E. Development proposals along London's canal network, docks, other rivers and water space (such as reservoirs, lakes and ponds) should respect their local character, environment and biodiversity and should contribute to their accessibility and active water-related uses. Development Plans should identify opportunities for increasing local distinctiveness and recognise these water spaces as environmental, social and economic assets.

On-shore power at water transport facilities should be considered at wharves and residential moorings to help reduce air pollution.

4. DESK STUDY RESULTS

4.1 INTRODUCTION

The data search was carried out in April 2021 by Greenspace Information Centre for Greater London. All relevant ecological data provided by the consultees was reviewed and the results from these investigations are summarised in Sections 4.2 to 4.4. Selected data are provided in Appendix 1.

4.2 NATURE CONSERVATION SITES

Statutory and non-statutory nature conservation sites located in proximity to the survey area are summarised in Table 4.1.

Site Name	Designation	Proximity to Survey Area	Description
UK Statutory Sites			
Camley Street Nature Park	LNR	1.5 km north	The reserve provides natural habitat for birds, butterflies, amphibians and a rich variety of plant life. Species of interested include earthstar fungi *Geastrum* sp., reed warbler *Acrocephalus scirpaceus*, kingfisher *Alcedo atthis*, mallard *Anas platyrhynchos*, and reed bunting *Emberiza schoeniclus*. The site is also notable for bats.
Non-statutory Sites			
Coram's Field	SINC: Local	190 m north	There are numerous mature London plane *Platanus* x *hispanica*, mostly at the perimeter, and a hedge of beech *Fagus sylvatica*. At the western edge of the site, white mulberry *Morus alba* and black mulberry *Morus nigra* have been planted, while ground flora is dominated by species characteristic of acid grassland and a variety of ruderal plants. This area is currently grazed by goats and includes several raised beds and fruit trees. To the east an area is being developed as a wildlife garden with a small pond, supporting frogs and newts.
Russel Square	SINC: Local	230 m west	This square is one of the largest in central London and contains many mature trees. These are mostly London planes, situated chiefly at the perimeter and at its centre. Other trees include common lime *Tilia* x *europaea*, beech, oak *Quercus* sp., false acacia *Robinia pseudoacacia*, tree-of-heaven *Ailanthus altissima*, hawthorn *Crataegus monogyna*, and holly *Ilex aquilifolium*. A hornbeam *Carpinus betulus* hedge has recently been planted at the site's boundary.
Lincoln's Inn Field	SINC: Local	390 m south	This is the largest of the London squares, famous for its many specimens of London plane, some of them of possibly being amongst the first planted in this country. Other trees include tree-of-heaven, ash *Fraxinus excelsior*, holly, holm oak *Quercus ilex*, pedunculate oak *Quercus robur*, false acacia, and flowering cherry *Prunus* sp. Extensive shrubberies line the perimeter, while a newly planted hedge surrounds the amenity grassland area. The trees and shrubs provide nest sites for common birds, including blackbird, song thrush *Turdus philomelos*, magpie *Pica pica*, and blue tit *Cyanistes caeruleus*.
St Andrew's Garden	SINC: Local	400 m north-east	This former churchyard is now managed as a public park and comprises lawns, flower beds, and shrubberies. Mature common lime, beech, and London plane trees line the paths and boundaries.
St George's Garden	SINC: Local	410 m north	An old churchyard site that is now managed as a public park. It contains many mature trees, particularly London plane, weeping ash *Fraxinus excelsior* var. *pendula*, and common lime. There are areas of shrubbery which contain insect-attracting plants, as well as providing nesting cover for blackbirds *Turdus merula* and wrens *Troglodytes troglodytes*.

Table 4.1: Summary of Nature Conservation Sites (continues)

Site Name	Designation	Proximity to Survey Area	Description
Calthorpe Community Garden	SINC: Local	540 m north-east	The garden is located in a very built up area of London just off the Grays Inn Road. The site contains a number of scattered trees, including beech, ash, hawthorn, and oak. There is an artificial stream planted with yellow iris *Iris pseudacorus*, pendulous sedge *Carex pendula*, and hard rush *Juncus inflexus*. The rockery gardens are planted with a number of insect-attracting species. A beech hedge and a small pond are also present.
Gordon Square	SINC: Local	690 m north-west	This is a small but very well used and typically urban London square with numerous London plane trees as well as common lime, beech, hornbeam, flowering cherry, and purple cherry-plum *Prunus cerasifera* var. *Pissardii*. The square's edges have dense shrubberies of mostly non-native species. Breeding birds include wren, robin, blackbird, blue tit, and mistle thrush *Turdus viscivorus.*
Phoenix Garden	SINC: Local	770 m south-west	The garden is located in the heart of London just off Shaftsbury Avenue with an open meadow area and pond. There are dense shrubberies with young trees planted within. Many native wild flowers have also been planted and the pond has diverse vegetation around its edges.
Wilmington Square	SINC: Local	790 m north-east	A town square which has been planted with a wide range of native trees and shrubs.
Spa Fields Garden	SINC: Local	810 m east	A medium sized, recently landscaped park with a range of habitats, including species-rich ornamental flower beds, amenity grassland lawns, areas where ornamental grape *Vitis* 'Brant' vines are being grown, scattered trees, and ornamental shrubberies.
Lloyd Square	SINC: Local	890 m north-east	The square features many mature trees, including limes, London planes, and horse-chestnuts *Aesculus hippocastanum*.
St John's Gardens	SINC: Local	990 m east	This tiny park is the most southerly-placed site of nature conservation importance in Islington. Many mature trees are found here and birds that have been recorded include dunnock *Prunella modularis* and willow warbler *Phylloscopus trochilus*.
Skinner Street Open Space	SINC: Local	990 m north-east	A diverse park containing areas of amenity lawn and mature trees.
Key: LNR: Local Nature Reserve SINC: Site of Importance for Nature Conservation Local: Site of Local Importance.			

Table 4.1: Summary of Nature Conservation Sites (continued)

No Sites of Special Scientific Interest (SSSIs) are located within a 2 km radius of the survey area; however, the survey area does fall within a SSSI Impact Risk Zone for Hampstead Heath Wood SSSI, which is located 5.93 km north-west.

4.3 PROTECTED / NOTABLE SPECIES

Table 4.2 and the following text provide a summary of protected and notable species records within a 1 km radius of the study area. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Study Area	Species of Principal Importance?	Legislation / Conservation Status
Mammals - Bats					
Unidentified bat *Vespertilionidae* sp.	6	2016	190 m west	#	#, LBAP

Table 4.2: Summary of Protected/Notable Species Records Within 1 km of Survey Area (continues)

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Study Area	Species of Principal Importance?	Legislation / Conservation Status
Unidentified bat *Chiroptera* sp.	1	2016	250 m south-west	#	#, LBAP
Common pipistrelle *Pipistrellus pipistrellus*	17	2016	375 m north-east	-	ECH 4, WCA 5, WCA 6, LBAP
Pipistrelle *Pipistrellus* sp.	1	1993	485 m south-east	#	ECH 4, WCA 5, WCA 6, LBAP
Soprano pipistrelle *Pipistrellus pygmaeus*	4	2016	715 m south-west	✓	ECH 4, WCA 5, WCA 6, LBAP
Nathusius's Pipistrelle *Pipistrellus nathusii*	1	2011	910 m north-west	-	ECH 4, WCA 5, WCA 6, LBAP
Mammals - Others					
Badger *Meles meles*	1	2016	†	-	WCA 6, PBA
Amphibians					
Common frog *Rana temporaria*	2	2004	350 m east	-	WCA 5 S9(5)
Common toad *Bufo bufo*	1	2015	980 m south-east	✓	WCA 5 S9(5)
Birds					
Fieldfare *Turdus pilaris*	3	2019	150 m east	-	WCA1i
Firecrest *Regulus ignicapilla*	1	2017	240 m north-west	-	WCA1i
Red kite *Milvus milvus*	1	2017	240 m north-west	-	WCA1i
Redwing *Turdus iliacus*	13	2017	240 m north-west	-	WCA1i
Black redstart *Phoenicurus ochuros*	8	2019	645 m south-west	-	WCA1i
Marsh harrier *Circus aeruginosus*	1	2016	900 m north-west	-	WCA1i
Invertebrates					
Stag beetle *Lucanus cervus*	5	2018	410 m north-east	✓	ECH 2, WCA 5 S9(5), LBAP

Key:
#: Dependent on species.
†: Badger records are confidential and therefore proximity is not provided within the report.

ECH 2: Annex II of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. Animal and plant species of community interest whose conservation requires the designation of Special Areas of Conservation.
ECH 4: Annex IV of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. Animal and plant species of community interest in need of strict protection.
PBA: Protection of Badgers Act 1992.

WCA 1i: Schedule 1 Part 1 of Wildlife and Countryside Act 1981 (as amended). Birds protected by special penalties at all times.
WCA 5: Schedule 5 of Wildlife and Countryside Act 1981 (as amended). Protected animals (other than birds).
WCA 5 S9(5): Schedule 5 Section 9(5) of Wildlife and Countryside Act 1981 (as amended). Protected animals (other than birds). Protection limited to selling, offering for sale, processing or transporting for purpose of sale, or advertising for sale, any live or dead animal, or any part of, or anything derived from, such animal.
WCA 6: Schedule 6 of Wildlife and Countryside Act 1981 (as amended). Animals which may not be killed or taken by certain methods.

Species of Principal Importance: Species of Principal Importance for Nature Conservation in England.
LBAP: Local Biodiversity Action Plan of London.

Note. This table does not include reference to the Berne Convention (Convention on the Conservation of European Wildlife and Natural Habitats), the Bonn Convention on the Conservation of Migratory Species of Wild Animals or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Table 4.2: Summary of Protected/Notable Species Records Within 1 km of Survey Area (continued)

Birds
The desk study provided records of eight bird species listed as Species of Principal Importance, comprising: dunnock *Prunella modularis*, herring gull *Larus argentatus,* house sparrow *Passer domesticus*, lapwing *Vanellus vanellus,* lesser redpoll *Acanthis cabaret,* song thrush *Turdus philomelos*, spotted flycatcher *Muscicapa striata* and starling *Sturnus vulgaris*.

The desk study provided records of eight bird species listed under the RSPB Amber List, comprising: house martin *Delichon urbicum,* kestrel *Falco tinnunculus,* lesser black-backed gull *Larus fuscus,* meadow pipit *Anthus pratensis,* mealy redpoll *Acanthis flammea*, swift *Apus apus,* tawny owl *Strix aluco* and willow warbler *Phylloscopus trochilus.*

The desk study provided records of six bird species listed as a Species of Conservation Concern in London, comprising: baltic gull Larus *fuscus fuscus*, grey wagtail *Motacilla cinerea*, goldcrest *Regulus regulus*, woodcock *Scolopax rusticola*, mistle thrush *Turdus viscivorus* and swallow *Hirundo rustica*.

Invertebrates
The desk study provided records of purple emperor *Apatura iris* and a sawfly *Cleptes semiauratus*, invertebrate species listed as a Species of Conservation Concern in London

Plants
The desk study provided records of corn flower *Centaurea cyanus*, a species of plant which is listed as Species of Principal Importance.

The desk study also provided records of one species of plant that is listed as Nationally Scarce, comprising: chives *Allium schoenoprasum*, wild cabbage *Brassica oleracea*, fritillary *Fritillaria meleagris* and large leaved lime *Tilia platyphyllos*.

The desk study provided records of ten plants species listed as a Species of Conservation Concern in London, comprising: nettle leaved goosefoot *Chenopodium murale*, common calamint *Clinopodium ascendens*, lily-of-the-valley *Convallaria majalis*, common cudweed *Filago vulgaris*, early meadow-grass *Poa infirma*, wild clary *Salvia verbenaca*, brookweed *Samolus valerandi*, orpine *Sedum telephium*, London rocket *Sisymbrium irio* and navelwort *Umbilicus rupestris*.

4.4 INVASIVE SPECIES

Table 4.3 provides a summary of invasive species records within a 1 km radius of the study area. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Study Area	Legislation / Conservation Status
Cotoneaster *Cotoneaster horizontalis*	**8**	2010	110 m north-west	WCA 9, LISI 2
Butterfly-bush *Buddleja davdii*	31	2017	110 m north-west	LISI 3
False-acacia *Robinia pseudoacacia*	20	2012	110 m north-west	LISI 4
Snowberry *Symphoricarpos albus*	8	2009	110 m north-west	LISI 2
Tree-of-heaven *Ailanthus altissima*	27	2020	110 m north-west	LISI 3
Cherry laurel *Prunus lauroceraus*	16	2010	140 m south-east	LISI 3
Evergreen oak *Quercus ilex*	3	2003	160 m south-west	LISI 5
Perfoliate alexanders *Smyrnium perfoliatum*	1	2000	290 m north	WCA 9, LISI 2
Gallant soldier *Galinsoga parviflora*	5	2013	360 m west	LISI 3
Green alkanet *Pentaglottis sempervirens*	11	2017	380 m north-east	LISI 6
Japanese knotweed *Fallopia japonica*	10	2014	380 m north-east	WCA 9, LISI 3
Goat's-rue *Galega officinalis*	1	2005	390 m north	LISI 4
Spanish bluebell *Hyacinthoides hispanica*	2	2012	400 m east	LISI 4
Small balsam *Impatiens parviflora*	3	2009	410 m north	LISI 2
Three-cornered garlic *Allium triquetrum*	5	2014	490 m north	WCA 9, LISI 4
Ragweed *Ambrosia artemisiifolia*	1	2009	540 m north-east	LISI 5
Blue passionflower *Passiflora caerulea*	4	2009	720 m north-east	LISI 6
Dartford cotoneaster Cotoneaster obtusus	2	2009	860 m north-east	LISI 2
Cotoneaster *Cotoneaster* sp.	1	2012	880 m west	WCA 9, LISI 2
Shaggy soldier *Galinsoga quadriradiata*	10	2012	930 m north-east	LISI 3

Key:
WCA9: Schedule 9 of Wildlife and Countryside Act 1981 (as amended). Invasive, non-native, plants and animals.
LISI: London Invasive Species Initiative
LISI 2: Species of high impact or concern present at specific sites that require attention (control, management, eradication etc).
LISI 3: Species of high impact or concern which are widespread in London and require concerted, coordinated and extensive action to control/eradicate.
LISI 4: Species which are widespread for which eradication is not feasible but where avoiding spread to other sites may be required.
LISI 5: Species for which insufficient data or evidence was available from those present to be able to prioritise.
LISI 6: Species that were not currently considered to pose a threat or have the potential to cause problems in London.

Table 4.3: Summary of Invasive Species Records Within 1 km of Survey Area

5. PHASE 1 HABITAT SURVEY

5.1 INTRODUCTION

The results of the Phase 1 Habitat Survey are presented in the following sections. An annotated Phase 1 Habitat Survey Drawing (Drawing C154667-04-01-Rev A) is provided in Chapter 8. This drawing illustrates the location and extent of all habitat types recorded on site. Any notable features or features too small to map are detailed using target notes. Photographs taken during the field survey are presented in Chapter 9.

The survey was carried out on 15th April 2021 by Victoria Aelen (Ecological Consultant) and Richard Sainsbury (Ecological Consultant). Table 5.1 details the weather conditions at the time of the survey.

Parameter	Condition
Temperature (ºC)	9
Cloud (%)	80
Wind (Beaufort)	F1-2
Precipitation	Nil

Table 5.1: Weather Conditions During Field Survey

5.2 SURVEY CONSTRAINTS AND LIMITATIONS

Due to access constraints the area between Richbell and Springwater, and the area east of Falcon could not be fully surveyed, however the area could be seen through the fence line and the majority of habitats could be viewed.

5.3 HABITATS

The following habitat types were recorded on site during the field survey:

- Amenity grassland;
- Bare ground;
- Buildings;
- Fence and wall;
- Hardstanding;
- Hedgerows;
- Introduced shrub; and,
- Scattered trees.

These habitats are described below. They are ordered alphabetically, not in order of ecological importance.

Amenity grassland
Small areas of amenity grassland were present across the site (Plate 9.1). All areas had a short sward with limited species present.

Chancellors Court
Areas of mown amenity grassland were present to the north, east and west of the block. Two small areas were present to the north with hardstanding pathway running through the centre. This led to a larger area to the east which comprised of a small playground with climbing equipment. An open area of grassland was present to the west of the block. Species within these areas included Yorkshire fog *Holcus lanatus*, perennial rye-grass *Lolium perenne*, ribwort plantain *Plantago lanceolata*, daisy *Bellis perennis*, dandelion *Taraxacum officinale agg.*, clover *Trifolium* sp., cleavers *Galium aparine* and creeping cinquefoil *Potentilla reptans*.

Blemundsbury
Areas of closely mown amenity grassland were present to the north and south of the block. Species present included Yorkshire fog, perennial rye-grass, ribwort plantain, daisy, dandelion, clover sp., cleavers and creeping cinquefoil.

Falcon
A narrow strip of mown amenity grassland was present west of the Falcon block, adjacent to Old Gloucester Street. Another small area of mown amenity grassland was also present to the southeast of the block. Species present included clover sp., creeping cinquefoil, cleavers, perennial rye-grass, ribwort plantain, daisy, creeping buttercup, wild strawberry *Fragaria vesca*, dandelion. moss sp., forget-me-not *Myosotis* sp. and violet *Viola* sp.

Richbell
A narrow strip of mown amenity grassland was present west of the Richbell block, adjacent to Boswell Street. This area also comprised introduced shrub. Species present included perennial rye-grass, clover sp., creeping cinquefoil, cleavers, ribwort plantain, dandelion, daisy, bramble *Rubus fruticosus agg*., nettle *Urtica dioica* and Spanish bluebell *Hyacinthoides hispanica*.

Windmill
A small area of grassland was present to the north of Windmill. This area was interplanted with beds of introduced shrub. Species present included perennial rye-grass, clover sp., daisy, ribwort plantain, dandelion and daisy.

Bare Ground
A small area of bare ground with colonising vegetation was located near the northern boundary of the survey area, north of Babington Court. Species recorded with this habitat included Yorkshire fog, nettle and annual mercury *Mercurialis annua*.

Another small area was recorded to the east of Springwater. Species recorded included violet sp, perennial rye-grass and Spanish bluebell.

Building
There were a number of buildings throughout the site (Plate 9.2), the majority of which were high rise, brick-built buildings with flat roofs, concrete ledges and balconies.

A building with a substation and a bin store were present within the eastern section of the survey area (Target Note 2). Three rows of store sheds were present along the northern boundary (Target Note 4). A more detailed description of the buildings can be found within the Preliminary Bat Roost Assessment reports (RT-MME-154667-05).

Fence and Wall
Metal rail fencing, ranging from 1-2 m in height (Plate 9.2) was widespread across the survey area, predominantly along paths and boundaries. The fencing was in a good state of repair and did not support any notable vegetation.

Several brick retaining walls were located in the eastern section of the site to the north-east of Blemundsbury. The walls were of a good condition and did not support any notable vegetation.

Hardstanding
Concrete and tarmac footpaths, roads and car parking areas were present throughout all survey areas (Plate 9.2). These areas were generally devoid of vegetation.

Hedgerow
A number of hedgerows were recorded along the site boundaries, these are labelled on drawing C154667-04-01 for ease of reference and are further described below:

H1- A species-poor intact hedgerow was present to the north of windmill which comprised solely of conifer *Pinophyta* sp. (Plate 9.3). This hedgerow was approximately 9 m in length with a 2 m gap in the centre to accommodate a pathway. The hedgerow was approximately 1.5 m in height and 1 m in width.

H2- A species-poor intact hedgerow was present to the south of Richbell along the boundary of a car park. This hedgerow comprised solely of privet *Ligustrum* sp. and measured 14 m in length, 2 m in height and 1 m in width.

H3- A species-poor intact hedgerow was present to the south of Falcon along an area of amenity grassland. This hedgerow comprised solely of privet and measured 8 m in length, 3 m in height and 1 m in width.

H4- A species-poor intact hedgerow was present to the south of Falcon along the boundary of a car park. This hedgerow comprised solely of privet and measured 14 m in length, 2 m in height and 1 m in width.

Introduced shrub
Introduced shrub was present across the site in ornamental planters and within areas of amenity grassland (Plate 9.1). Species included firethorn *Pyracantha* sp., nettles, bramble, dandelion, thistle, green alkanet *Pentaglottis sempervirens*, daffodil *Narcissus pseudonarcissus* subsp. *pseudonarcissus*, Mexican orange *Choisya ternata*, variegated spindle *Euonymus Harlequin*, rose *Rosa* sp., privet, iris *Iris* sp., Spanish bluebell, barberry *Berberis vulgaris* and sun spurge *Euphorbia helioscopia*.

Scattered trees
Scattered trees were predominantly located along roadsides and within areas of amenity grassland. The trees were a variety of ages from young to mature. Species included London plane *Platanus x hispanica*, cherry *Prunus* sp., rowan *Sorbus aucuparia*, silver birch *Betula pendula* (Plate 9.4), common lime *Tilia x europaea* and hornbeam *Carpinus betulus*. A full species list can be found within the Preliminary Arboricultural Assessment report (RT-MME-154667-01).

5.4 FAUNA

During the survey field signs of faunal species were recorded. The time of year at which the survey is undertaken will affect species or field signs directly recorded during the survey.

Birds
The following species of bird were observed during the survey: herring gull *Larus argentatus*, robin *Erithacus rubecula* and wood pigeon *Columba palumbus*.

5.5 INVASIVE PLANT SPECIES

Spanish bluebell was found growing in the amenity grassland to the west of the Richbell block and in the bare ground habitat to the east of Springwater. Green alkanet was found growing in the introduced shrubs habitat.

Cotoneaster *Cotoneaster* sp. was noted growing in the ornamental shrubs within the Blemundsbury site.

6. DISCUSSIONS AND CONCLUSIONS

6.1 SUMMARY OF PROPOSALS

It is understood that the regeneration project will involve the conversion of the lower ground/ground floors of three blocks of flats: Blemundsbury (5 flats), Richbell (2 flats) and Falcon (3 flats). Three terraces of storage sheds along the site's northern boundary are to be demolished and subsequently replaced with two new buildings (Eastern and Western Mews). Three new buildings are proposed to be built on hardstanding between current apartment blocks (Block B, C and D). A lift will also we added to the southern aspect of the current Devonshire development. Additional landscaping and bulky waste store will also be implemented on site. The proposed works will also include installation of photo-voltaic panels on the flat rooves of three blocks (Blemundsbury, Richbell and Falcon).

6.2 NATURE CONSERVATION SITES

The desk study exercise identified no European statutory sites within 5 km of the survey area, one UK statutory site within 2 km and 13 non-statutory sites within 1 km. The site is not located within 10 km of a statutory site designated for bats. The significance of these sites to the proposed development is discussed below.

UK Statutory Sites
Camley Street Nature Park (LNR) is located 1.5 km north. Given the distance separating this site from the survey area and the built-up nature of the intervening habitats, no adverse impacts are anticipated as a result of the proposed development.

No Sites of Special Scientific Interest (SSSIs) are located within a 2 km radius of the survey area; however, the survey area does fall within a SSSI Impact Risk Zone for Hampstead Heath Wood SSSI, which is located 5.93 km north-west. However, it is understood that the proposed development does not fall within any of the 'risk categories' (see Appendix 1). Therefore, no adverse impacts upon this SSSI are anticipated.

Non-Statutory Sites
The closest non-statutory site is Coram's Field (SINC: Local), located 190 m north. A further 12 non-statutory sites are located in excess of 230 m from the survey area. Given the distance separating these sites from the survey area and the built-up nature of the intervening habitats, no adverse impacts are anticipated.

6.3 HABITATS

The ecological importance of the habitats present on site is determined by their presence on the list of Habitats of Principal Importance in England and on the Local BAP. It also takes into account the intrinsic value of the habitat. Those habitats which are considered to be of intrinsic importance and have the potential to be impacted by the site proposals are highlighted as notable considerations.

A discussion of the implications of the site proposals with regard to the habitats present on site is provided in the text below. A separate discussion of the value of the habitats on site to protected or notable species is provided in Section 6.4.

Hedgerows
A hedgerow is defined as any boundary line of trees or shrubs over 20 m long and less than 5 m wide, and where any gaps between the trees or shrub species are less than 20 m wide (Bickmore, 2002). All hedgerows consisting predominantly (i.e., 80% or more cover) of at least one woody UK native species are listed as a Habitat of Principal Importance in England. The hedgerows on site do not meet these criteria and have been identified as species-poor hedgerows, however they have the potential to support a range of protected species (as discussed in Section 6.4) and is of intrinsic value as a connectivity and landscape feature. Therefore, the development should be designed to retain this habitat where possible. However, where the removal of these hedgerows is required to facilitate development, replacement planting should be introduced on the Estate to mitigate for the removal of the hedgerows. Recommendations are provided in Section 7.2.

Scattered trees
The mature and semi-mature trees on site are of intrinsic value as they cannot be easily replaced in the short to medium term. The proposed development has been designed so that all existing scattered trees on site are retained throughout the proposed works. Recommendations regarding retention and protection of trees are detailed in Section 7.2.

The Proposed Landscaping Plan (Ref: 210527_rev_TE_0 PROPOSED LANDSCAPE-FINAL OPT-Layout1) indicates that enhancement tree planting will be incorporated within the development area. The planting will include both ornamental and native tree species such as Sliver Birch *Betula pendula* with a woodland glade being created to the west of Chancellors Court.

Amenity grassland, bare ground with colonising vegetation, buildings, fence and wall, hardstanding, and introduced shrub
The remaining habitats on site are well represented locally, have low-species diversity or can easily be replaced within the proposed development. Therefore, they are not a notable consideration for the proposed development.

The Proposed Landscaping Plan (Ref: 210527_rev_TE_0 PROPOSED LANDSCAPE-FINAL OPT-Layout1) indicates that enhancement shrub planting will be incorporated within the development area. The shrub planting will be incorporated within both private and communal gardens and raised planters with an allotment area being created to the east of Babington Court.

Habitats considered to be of relevance to the site are summarised in Table 6.1.

Habitat Type	Habitat of Principal Importance?	Local BAP Habitat?	Summary of Potential Impacts
Scattered trees	-	-	Direct loss, damage or disturbance, root compaction.
Species Poor Hedgerow	-	✓	Direct loss, damage or disturbance, root compaction.

Table 6.1: Summary of Potential Impacts on Notable Habitats

6.4 PROTECTED/NOTABLE SPECIES

The following paragraphs consider the likely impact of the site proposals on protected or notable species. This is based on those species highlighted in the desk study exercise (Chapter 4) and other species for which potentially suitable habitat occurs within or adjacent to the survey area.

Mammals

Bats
The desk study provided records of at least five species of bat within a 1 km radius of the survey area, the closest of which was 190 m west. The buildings and trees within the survey area were subject to a Preliminary Roost Assessment (RT-MME-154667-05), which identified a number of roosting features. The demolishment of the building and removal of trees may result in direct impact on roosting bats.

The survey area offered limited foraging opportunities as it was dominated by the built environment; however, the introduced shrub beds, trees and hedgerows along the boundaries provide some suitable habitat, with connectivity to some small areas of greenspace within the wider landscape. Bats are, therefore, a notable consideration in relation to the proposed development and recommendations have been made within Section 7.3.

In order to improve the site for bats, bat boxes should be incorporated within the proposed planting areas across the site. Bat boxes provide roosting bats with additional suitable roost locations, encouraging them to utilise the habitats on site. This in turn has the potential to enhance the species diversity at the site. It is recommended that the following bat boxes should be implemented on site:

- Schwegler 2F bat boxes should be installed on suitable trees within the development area. Bat boxes should be positioned in sunny locations, mainly to the south or west, but a variety of different positions would provide a range of climatic conditions. The boxes should be positioned a minimum of 4 m above ground to prevent any negative interference.

Badger
The desk study provided one record of badger within a 1 km radius of the survey area. The exact locations of badger records are confidential due to animal welfare reasons. The survey area was considered to be sub-optimal for badger its was dominated by the built environment and are located within a predominantly urban area. No evidence of badger, such as setts or latrines, was identified on any of the sites during the survey. Therefore, it is considered unlikely that badger would be present within the site and they are not a notable consideration in relation to the proposed development.

Hedgehog
The desk study provided no records of hedgehog within a 1 km radius of the survey area. The grassland, introduced shrubs and hedgerows offer potential refuge and foraging opportunities for hedgehog, with good connectivity to residential gardens in the wider landscape. Therefore, there is a possibility that hedgehog may utilise the site in some capacity. To ensure no harm to this species during the construction phase of the proposed development, a recommendation regarding terrestrial mammals has been made within Section 7.3.

Amphibians
The desk study provided records of common frog and common toad within a 1 km radius of the survey area, the closest of which was 350 m east. No records of great crested newt *Triturus cristatus* were provided. The survey area was considered to be sub-optimal for amphibians as it was dominated by the built environment, the areas of grassland are well managed and regularly disturbed, no breeding habitat is present within the sites, and they are located within a predominantly urban area. Reference to Ordnance Mapped survey data and aerial imagery indicates that there are no ponds within a 500 m radius, which could provide potential breeding habitat. Therefore, given the lack of suitable habitat on site and within the local vicinity, it is considered unlikely that great crested newt and/or common amphibians would be present within the site and they are not a notable consideration in relation to the proposed development.

Reptiles
The desk study provided no records of reptiles within a 1 km radius of the survey area. The survey area was considered sub-optimal for reptiles as it was dominated by the built environment, the areas of grassland are well managed and regularly disturbed and located within a predominantly urban area. Therefore, it is considered unlikely that reptiles would be present within the site and they are not a notable consideration in relation to the proposed development.

Birds
The desk study provided records of six species of bird listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), the closest of which was 150 m east, as well as records of several Species of Principal Importance within a 1 km radius of the survey area. Schedule 1 species are unlikely to breed on site due to specific habitat ranges and breeding requirements. The buildings, trees, introduced shrub beds, hedgerows and grassland within the site offer suitable nesting and foraging habitat for common bird species.

The development of the site has the potential to cause disturbance to breeding birds if timed to occur within the nesting bird season. A recommendation regarding the appropriate timing of site clearance activities has been made within Section 7.3. Given the extent of suitable habitat within the wider landscape, no long-term impacts upon birds are anticipated. Nevertheless, as some losses will occur, a recommendation regarding general habitat enhancement has been provided within Section 7.2.

In order to improve the site for birds, bird boxes should be incorporated within the proposed planting areas across the site. Bird boxes provide nesting birds with additional suitable nesting locations, encouraging them to utilise the habitats on site. This in turn has the potential to enhance the species diversity at the site. It is recommended that the following bird boxes should be implemented on site:

- Schwegler 1B 32 mm hole-fronted nest boxes (or a suitable alternative) for tit species fixed to trees or other external features. The boxes should be installed at a height of at least 2 m from the ground and should face away from the midday sun (south) to avoid chicks or eggs within from overheating; and,
- Schwegler 2H open-fronted nest boxes (or a suitable alternative) for robins, dunnocks and wrens fixed to trees, shrubs or external features. The boxes should be installed at a height of at least 2 m from the ground and should face away from the midday sun (south) to avoid chicks or eggs within from overheating.

- 3S Schwegler Starling next boxes are recommended as these boxes can be hung on walls, fences or larger trees using the Schwegler Aluminium Nail.
- Vivara Pro Barcelona WoodStone Open Nest Box should be installed in undergrowth such as scrub or hedgerows to provide cover for the nest. These open nest boxes are suitable for wrens, robins, spotted flycatchers, pied and grey wagtails, song thrushes and blackbirds.

Invertebrates
The desk study provided five records of stag beetle within a 1 km radius of the survey area, the closest of which was 410 m north-east. The survey area offered no suitable habitat for stag beetle. The grassland, introduced shrub beds, hedgerows and trees offer suitable habitat for common invertebrate species.

Although any invertebrates may be temporarily displaced during the construction phase of the proposed development, providing new habitats are created as part of the development, no long-term impacts are anticipated. A recommendation regarding general habitat enhancement, which would increase the value of the site for invertebrates, has been provided within Section7 .2.

Other Species
The following protected species are not considered to be material considerations due to the lack of desk study records and absence of suitable habitats within the development site and its surroundings: dormouse *Muscardinus avellanarius*, harvest mouse *Micromys minutus*, pine marten *Martes martes*, polecat *Mustela putorius*, otter *Lutra lutra*, water vole *Arvicola amphibius*, and white-clawed crayfish *Austropotamobius pallipes*.

Summary
Species considered to be of relevance to the proposed development are summarised in Table 6.2.

Species / Species Group	Species of Principal Importance?	Summary of Potential Impacts
Bats	#	Direct harm/injury, habitat loss, disturbance through increases in lighting.
Hedgehog	✓	Direct harm/injury.
Birds	#	Direct harm/injury, habitat loss.
Key: #: Species dependent		

Table 6.2: Summary of Potential Impacts on Notable Species

6.5 INVASIVE PLANT SPECIES

The desk study provided numerous records of 20 invasive plant species within a 1 km radius of the survey area, the closest of which was 110 m north-west. Spanish bluebell was found growing in the amenity grassland to the west of the Richbell block and in the bare ground habitat to the east of Springwater. Spanish bluebell is a LISI 4 species. Green alkanet was found growing in the introduced shrubs habitat and is a LISI 6 species. Cotoneaster *Cotoneaster* sp. was noted growing in the ornamental shrubs within the Blemundsbury site. A number of cotoneaster species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), making it illegal to cause their spread in the wild, as well as on the London Invasive Species Initiative, which makes them a species of concern. Invasive plant species are, therefore, a notable consideration in relation to the proposed development and a recommendation has been made within Section 7.4.

7. RECOMMENDATIONS

All recommendations provided in this section are based on Middlemarch Environmental Ltd's current understanding of the site proposals, correct at the time the report was compiled. Should the proposals alter, the conclusions and recommendations made in the report should be reviewed to ensure that they remain appropriate.

The ecological mitigation hierarchy should be applied when considering development which may have a significant effect on biodiversity. The ecological mitigation hierarchy, as set out in the National Planning Policy Framework (NPPF), and the National Planning Practice Guidance (NPPG) should follow these principles:

- **Avoidance** – development should be designed to avoid significant harm to valuable wildlife habitats and species.
- **Mitigation** – where significant harm cannot be wholly or partially avoided, it should be minimised by design or through the use of effective mitigation measures.
- **Compensation** – where, despite whatever mitigation would be effective, there would still be significant residual harm, as a last resort, compensation should be used to provide an equivalent value of biodiversity.

7.1 NATURE CONSERVATION SITES

There are no recommendations made regarding nature conservation sites.

7.2 HABITATS

The following recommendations are made regarding the habitats present on site:

R1 **Habitat Retention and Protection:** The development proposals should be designed (where feasible) to allow for the retention of existing notable habitats including the hedgerows, semi-mature and mature trees. Protection measures comprise:

- Trees/Hedgerows: Any trees/hedgerows on or overhanging the site, which are retained as a part of any proposed works should be protected in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and construction - recommendations". Protection should be installed on site prior to the commencement of any works on site.

If retention is not possible, appropriate replacement planting should be incorporated into the soft landscape scheme in accordance with the ecological mitigation hierachy. Only native and/or wildlife attracting species should be planted.

R2 **Biodiversity Enhancement:** In accordance with the provision of Chapter 15 of the National Planning Policy Framework (Conserving and Enhancing the Natural Environment) and Local Planning Policy (Policy A3 Biodiversity), biodiversity enhancement measures should be incorporated into the landscaping scheme of any proposed development to work towards delivering net gains for biodiversity. This will involve, for example:

- Planting of habitats which will be of value to wildlife, such as:
  - native seed/fruit bearing species to provide foraging habitat for mammals and birds;
  - nectar-rich species to attract bees, butterflies and moths;
  - species which attract night flying insects which will be of value to foraging bats, for example: evening primrose *Oenothera biennis*, goldenrod *Solidago virgaurea*, honeysuckle *Lonicera periclymenum* and fleabane *Pulicaria dysenterica*.
- Inclusion of hedgehog passes under any fence lines to allow connectivity between the site and the wider area.
- Provision of nesting/roosting habitat, such as installation of nest boxes for species such as house sparrow, dense scrub for species such as song thrush, and bat boxes for species such as pipistrelle.

7.3 PROTECTED / NOTABLE SPECIES

To ensure compliance with wildlife legislation and relevant planning policy (Policy A3 Biodiversity), the following recommendations are made:

R3 **Roosting Bats:** The recommendations made within the Preliminary Bat Roost Assessment (RT-MME-154667-05) must be adhered to.

R4 **Terrestrial Mammals including Hedgehog and Foxes:** Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work day to prevent animals entering/becoming trapped.

R5 **Nesting Birds:** Vegetation and building clearance should be undertaken outside the nesting bird season. The nesting bird season is weather dependent but generally extends between March and September inclusive (peak period March-August). If this is not possible then any vegetation/buildings to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them should be delayed until the young have fledged and the nest has been abandoned naturally, for example via the implementation of an appropriate buffer zone (species dependent) around the nest in which no disturbance is permitted until the nest is no longer in use.

7.4 INVASIVE PLANT SPECIES

The following recommendation is made regarding invasive plant species:

R6 **Invasive Plants:** The works must not cause Spanish bluebell, green alkanet and cotoneaster to spread in the wild. They must either be left in situ or removed with care during vegetation clearance and disposed of in an appropriate manner. Vigilance should be used throughout the course of the works to ensure that the works are not causing invasive plant species to spread in the wild.

8. DRAWINGS

Drawing C154667-04-01-Rev A – Phase 1 Habitat Map

The Proposed Landscaping Plan (Ref: 210527_rev_TE_0 PROPOSED LANDSCAPE-FINAL OPT-Layout1)

C154667-04-01-RevA

Legend

- Planning application site area
- Tybalds Estate site
- Scattered tree
- Fence
- Species-poor intact hedgerow
- Amenity grassland
- Bare ground
- Building
- Hardstanding
- Introduced shrub
- No access
- Target note

1 Play ground
2 Building with substation
3 Bin store
4 Storage sheds
5 Raised planting beds

N

0 20 40 m

Project	Tybalds Estate, Camden, London
Drawing	Phase 1 Habitat Map
Client	The London Borough of Camden
Drawing Number: C154667-04-01-RevA	Revision: Rev A
Scale @ A3: 1:1,000	Date: June 2021
Approved By: VA	Drawn By: RP

MIDDLEMARCH ENVIRONMENTAL
Triumph House, Birmingham Road, Allesley, Coventry CV5 9AZ
T:01676 525880 F:01676 521400
E:admin@middlemarch-environmental.com

Landscape Plan for Tybalds Square

9. PHOTOGRAPHS

Plate 9.1: Amenity Grassland and Introduced Shrubs

Plate 9.2: Building with Fencing and Hardstanding

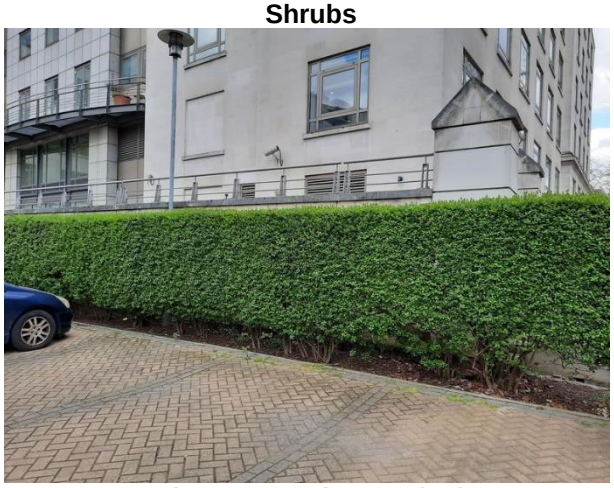

Plate 9.3: Hedgerow (H2)

Plate 9.4: Scattered Tree

REFERENCES AND BIBLIOGRAPHY

British Standards Institution (2013). *British Standard 42020: 2013. Biodiversity – Code of practice for planning and development.* British Standards Institution, London.

British Standards Institution. (2012). *British Standard 5837:2012, Trees in relation to design, demolition and construction – recommendations.* British Standards Institution, London.

Freeths (2020). *The Habitats Regulations Assessment regime after 31 December 2020 – how will it look?* Available: https://www.freeths.co.uk/2020/10/22/the-habitats-regulations-assessment-regime-after-31-december-2020-how-will-it-look/?cmpredirect

Institute of Environmental Assessment. (1995). *Guidelines for Baseline Ecological Assessment, Institute of Environmental Assessment*. E&FN Spon, An Imprint of Chapman and Hall. London.

Joint Nature Conservation Committee (2010). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit (reprint).* Joint Nature Conservation Committee, Peterborough.

Joint Nature Conservation Committee (2012). *UK Post-2010 Biodiversity Framework*. Available: http://jncc.defra.gov.uk/pdf/UK_Post2010_Bio-Fwork.pdf

Middlemarch Environmental Ltd (2021) *Preliminary Arboricultural Assessment, Tybalds Estate, Camden, Greater London*. Report RT-MME-154667-01.

Middlemarch Environmental Ltd (2021) *Arboricultural Impact Assessment, Tybalds Estate, Camden, Greater London*. Report RT-MME-154667-02.

Middlemarch Environmental Ltd (2021) *Arboricultural Method Statement, Tybalds Estate, Camden, Greater London*. Report RT-MME-154667-03.

Middlemarch Environmental Ltd (2021) *Preliminary Bat Roost Assessment, Tybalds Estate, Camden, Greater London*. Report RT-MME-154667-05.

Ministry of Housing, Communities and Local Government (2019). *National Planning Policy Framework*. Available: https://www.gov.uk/government/publications/national-planning-policy-framework--2

APPENDICES

APPENDIX 1: Summary of Statutory Nature Conservation Sites

APPENDIX 2: Overview of Relevant Species Specific Legislation

APPENDIX 1

Summary of Statutory Nature Conservation Sites

UK Statutory Sites

Local Nature Reserves (England)

Reference
1008823
Name
CAMLEY STREET NATURE PARK
Hectares
0.84
Hyperlink
https://designatedsites.naturalengland.org.uk/SiteLNRDetail.aspx?SiteCode=L1008823

Ancient Woodland (England)

No Features found

National Nature Reserves (England)

No Features found

Sites of Special Scientific Interest (England)

No Features found

SSSI Impact Risk Zones

SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)

1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?
2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:
All Planning Applications
Infrastructure
Airports, helipads and other aviation proposals.
Wind & Solar Energy
Minerals, Oil & Gas
Rural Non Residential
Residential
Rural Residential
Air Pollution
Livestock & poultry units with floorspace > 500m², slurry lagoons > 4000m².
Combustion
General combustion processes >50MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.
Waste
Composting
Discharges
Water Supply
Notes 1
Notes 2
GUIDANCE - How to use the Impact Risk Zones
/Metadata_for_magic/SSSI IRZ User Guidance MAGIC.pdf

EU Statutory Sites

Ramsar Sites (England)

No Features found

Proposed Ramsar Sites (England)

No Features found

Special Areas of Conservation (England)

No Features found

Possible Special Areas of Conservation (England)

No Features found

Special Protection Areas (England)

No Features found

Potential Special Protection Areas (England)

No Features found

MAGIC

UK Statutory Sites within 2 km

Legend

- Local Nature Reserves (England)
- National Nature Reserves (England)
- Sites of Special Scientific Interest (England)
- SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)

Ancient Woodland (England)

- Ancient and Semi-Natural Woodland
- Ancient Replanted Woodland

Projection = OSGB36
xmin = 525200
ymin = 179400
xmax = 536000
ymax = 184500
0 0.55 1.1 km

Map produced by MAGIC on 29 April, 2021.
Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

APPENDIX 2

Overview of Relevant Species Specific Legislation

Bats

Bats and the places they use for shelter or protection (i.e. roosts) receive legal protection under the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 (Habitats Regulations 2019). They receive further legal protection under the Wildlife and Countryside Act (WCA) 1981, as amended. This protection means that bats, and the places they use for shelter or protection, are capable of being a material consideration in the planning process.

Regulation 41 of the Habitats Regulations 2017, states that a person commits an offence if they:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats; or
- damage or destroy a bat roost (breeding site or resting place).

Disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.

It is an offence under the Habitats Regulations 2017 for any person to have in his possession or control, to transport, to sell or exchange or to offer for sale, any live or dead bats, part of a bat or anything derived from bats, which has been unlawfully taken from the wild.

Changes have been made to parts of the Habitats Regulations 2017 so that they operate effectively from 1st January 2021. The changes are made by the Habitats Regulations 2019, which transfer functions from the European Commission to the appropriate authorities in England and Wales.

All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant.

The obligations of a competent authority in the 2017 Regulations for the protection of species do not change. A competent authority is a public body, statutory undertaker, minister or department of government, or anyone holding public office.

Whilst broadly similar to the above legislation, the WCA 1981 (as amended) differs in the following ways:

- Section 9(1) of the WCA makes it an offence to *intentionally* kill, injure or take any protected species.
- Section 9(4)(a) of the WCA makes it an offence to *intentionally or recklessly** damage or destroy, *or obstruct access to*, any structure or place which a protected species uses for shelter or protection.
- Section 9(4)(b) of the WCA makes it an offence to *intentionally or recklessly** disturb any protected species *while it is occupying a structure or place which it uses for shelter or protection*.

*Reckless offences were added by the Countryside and Rights of Way (CRoW) Act 2000.

As bats re-use the same roosts (breeding site or resting place) after periods of vacancy, legal opinion is that roosts are protected whether or not bats are present.

The reader should refer to the original legislation for the definitive interpretation.

The following bat species are Species of Principal Importance for Nature Conservation in England: barbastelle bat *Barbastella barbastellus*, Bechstein's bat *Myotis bechsteinii*, noctule *Nyctalus noctula*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared bat *Plecotus auritus*, greater horseshoe bat *Rhinolophus ferrumequinum* and lesser horseshoe bat *Rhinolophus hipposideros*. Species of Principal Importance for Nature Conservation in England are material considerations in the planning process. The list of species is derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006.

Hedgehogs

Hedgehogs receive some protection under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended); this section of the Act lists animals which may not be killed or taken by certain methods, namely

traps and nets, poisons, automatic weapons, electrical devices, smokes/gases and various others. Humane trapping for research purposes requires a licence.

Hedgehogs are a Species of Principal Importance for Nature Conservation in England and are thus capable of being material considerations in the planning process.

Birds

The Conservation of Habitats and Species Regulations 2017, (Habitats Regulations 2017) and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 (Habitats Regulations 2019) places a duty on public bodies to take measures to preserve, maintain and re-establish habitat for wild birds.

Nesting and nest building birds are protected under the Wildlife and Countryside Act WCA 1981 (as amended).

Subject to the provisions of the act, if any person intentionally:

- kills, injures or takes any wild bird;
- takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
- takes or destroys an egg of any wild bird, he shall be guilty of an offence.

Some species (listed in Schedule 1 of the WCA) are protected by special penalties. Subject to the provisions of the act, if any person intentionally or recklessly**:**

- disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird, he shall be guilty of an offence.

Several bird species are Species of Principal Importance for Nature Conservation in England, making them capable of being material considerations in the planning process.