

From: [REDACTED]
Sent: 21 February 2022 22:56
To: Jonathan McClue; Planning Planning
Subject: Application Number 2021/3225/P objection

Follow Up Flag: Follow up
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[EXTERNAL EMAIL] Beware – This email originated outside Camden Council and may be malicious. Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Dear Jonathan,

As trustees of Mortimer Terrace Nature Reserve (MTNR) we have several concerns about the proposed plans, the close proximity to the development means that it will have a negative impact upon the bio-diversity of Mortimer Terrace Nature Reserve not to mention the neighbouring community space of Kentish Town City Farm (which also is a site that manages habitat for wildlife). In addition to these two spaces there is also a piece of Network Rail land (in the north of the development near Murphy's offices) that MTNR trustees have had the chance to observe from within Murphy's Yard at the boundary fence parting the land from Murphy's. This spit of railway verge was alive with a variety of small song birds. The land appears as a peninsula of wildlife habitat surrounded by Murphy's site on three sides, there is habitat that would support bats and small mammals. We believe a survey of this network rail owned land to access the impact of the development both at demolition and construction stage as well as the impact of the development once completed re sunlight, over shadowing, wind corridors and the increase in human activity of those using and occupying the new development.

Mortimer Terrace Nature Reserve is home to bats, these were observed in a survey conducted in 2021 and as such all bats on the nature reserve are protected by The Conservation of Habitats and Species Regulations 2017 through their inclusion on Schedule 2. Regulation 41 prohibits

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats)
- Deliberate disturbance of bat species as:
 - a) to impair their ability:
 - (i) to survive, breed, or reproduce, or to rear or nurture young;
 - (ii) to hibernate or migrate³

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

- Damage or destruction of a breeding site or resting place
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part

thereof.

The bats are also protected by The Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5. Under this Act, it is an offence to:

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

The development itself is treelined on at least two sides, trees planted by Murphy's Yard management when they first took ownership of the site, this is habitat that allows bats to forage along the line of trees and commute between Mortimer Terrace Nature Reserve and Murphy's Yard and from Murphy's Yard to the piece of Network Rail land (previously mentioned). As the proposed development site is so close to the bats of Mortimer Terrace Nature Reserve and because the development site currently has bat friendly habitat we are concerned that the development will have a negative impact on Mortimer Terrace Nature Reserve bats, that may well be the same bats that use parts of Murphy's yard.

Mortimer Terrace Nature Reserve is a Grade 1 Site of Importance for Nature Conservation (SINC), the Nature Reserve is also a designated Local Green Space in the Neighbourhood plan and as such an adjacent development should ensure it complements the Nature Reserves 'setting'. Development that negatively impacts on a SINC may only be permitted in exceptional circumstances where mitigation can be proven.

Mortimer Terrace Nature Reserve Trustees also have concerns about the overshadowing that will impact the reserve. The reserve has a wide variety of flora and fauna and is more biodiverse than Hampstead Heath.

Mortimer Terrace Nature Reserve has a wildlife pond. Plants that oxygenate the water require direct sunlight. _____ Kentish Town City Farm) _____

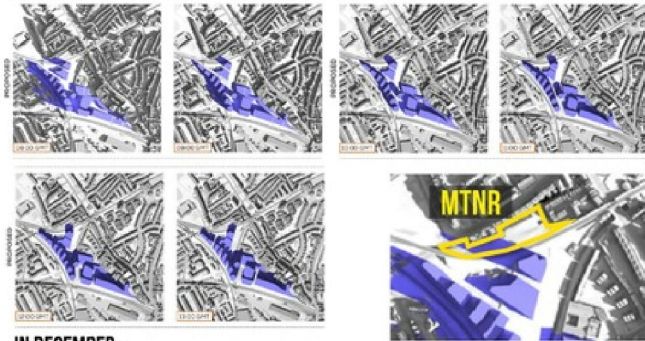
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"Daylight and Sunlight Report (impacts on existing occupiers)
APPENDICES.PDF" Pg190

"Daylight and Sunlight Report (without appendices) page 71 (referred to in this as 'adjacent railway land') Mortimer Terrace Nature Reserve is located between the railway line and the 5 storey building mentioned page 69

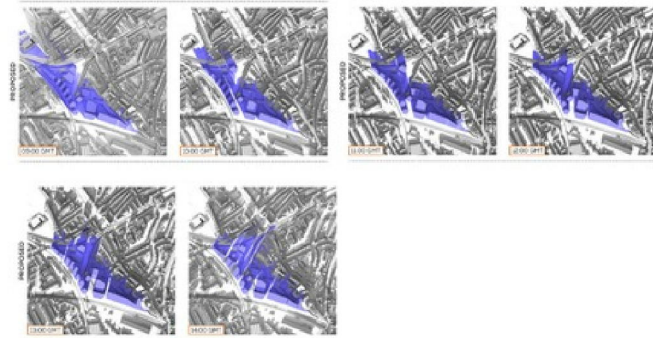
The trustees of Mortimer Terrace Nature Reserve therefore object to the plans in current form.

SHADOWS FALLING OVER THE MORTIMER TERRACE NATURE RESERVE

IN MARCH:



IN DECEMBER:



best,

Emily O'Mara,

Mortimer Terrace Nature Reserve Trustee