

Ponds Project- Preliminary Ecological appraisal, May 2022

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1.0 Executive Summary

- 1.1 The City of London Environment department undertook a Preliminary Ecological Appraisal (PEA) to establish the ecological value of the sites and potential to support notable and/or legally protected species.
- 1.2 This report has been produced to accompany a planning application for the site.
- 1.3 Proposals include the construction of an accessibility changing area at the Men's bathing pond and access for a new hoist at the Mixed bathing pond.
- 1.4 The assessed sites comprised of two swimming facilities positioned on Hampstead Heath.
- 1.5 Details from a desk top study and site walkovers have confirmed the sites:
 - Have negligible value for roosting bats.
 - Have low value for nesting birds.
 - Have low value for reptile species.
 - Have moderate value for common toad (*Bufo bufo*)
- 1.6 Proposals should be considerate of the value for foraging bats in the wider area and best construction environmental practice should be followed to minimise indirect impacts to the wider Heath.
- 1.7 No further surveys are recommended.
- 1.8 The proposals should seek to achieve a net gain for biodiversity through off-site habitat creation which is detailed below.

2.0 Introduction

- 2.1 The City of London Ecologist for Hampstead Heath undertook a Preliminary Ecological Appraisal of two sites known as the Men's and Mixed bathing ponds on Hampstead Heath in the London Borough of Camden.
- 2.2 The PEA was undertaken by Adrian Brooker, Senior Ecologist for the Open Spaces division of the City of London Environment department. Adrian has a BSc 1st class honours in Biodiversity and Conservation and a University Certificate in Biological Recording and Species Identification. Adrian has 15 years' experience of practical conservation techniques, species monitoring, management planning and application, as well as a further 10 years working in the field of ecology, the last 4 as senior ecologist.
- 2.3 The PEA was undertaken to establish the ecological value of the sites and their potential to support notable and/or legally protected species.
- 2.4 The PEA was undertaken in accordance with guidance in the Chartered Institute of Ecological and Environmental Management (CIEEM) (2017) Guidelines for Preliminary Ecological Appraisal¹. The assessment consisted of:

- Site specific biological and species information from Greenspace Information for Greater London² (GiGL) received from GiGL on 22nd April 2022
- Site specific biological and species information from locally held records.
- A site walkover and ecological survey.

2.5 The boundaries of the areas impacted by the planned development are shown in figures 1 and 2 below.

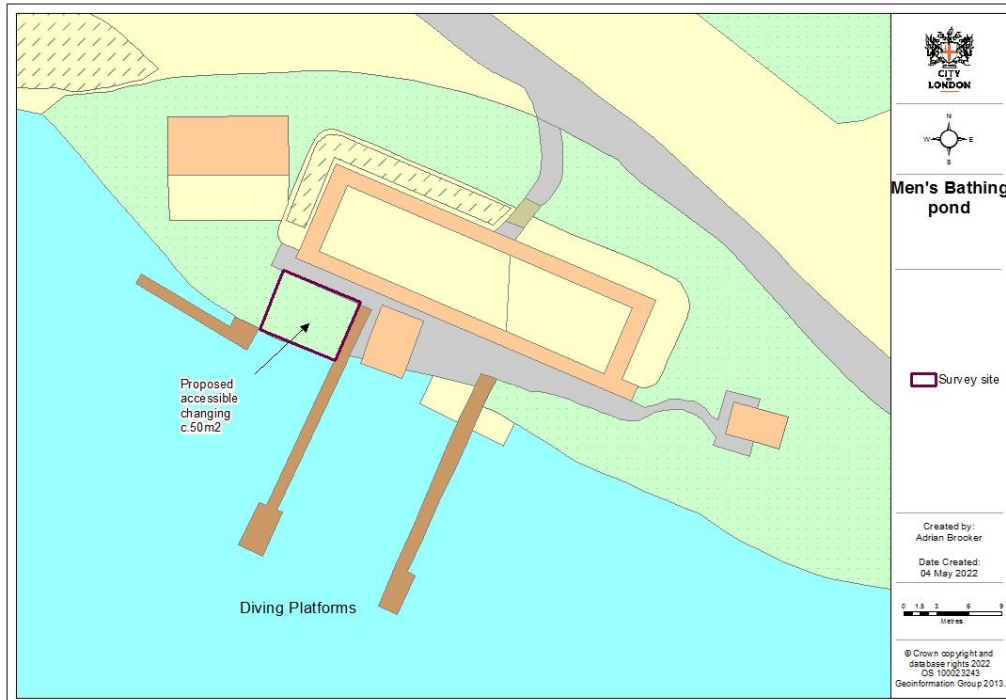


Figure 1: Men's Bathing Pond proposed accessible changing area.

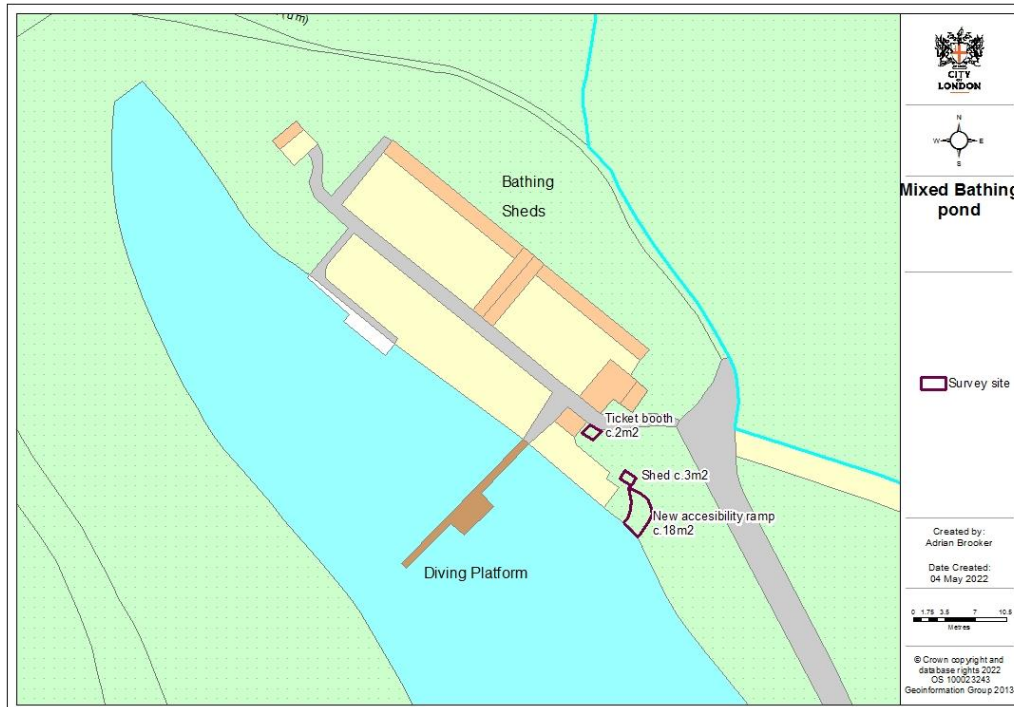


Figure 2: Mixed Bathing Pond proposed access ramp and outbuildings.

2.6 The City of London ecologist undertook an initial site walkover on 29th March 2022 with members of the surveyor’s team and a subsequent survey on 27th April 2022. It should also be noted that the ecologist has visited this site on numerous occasions in preceding years. Features within the site boundary as well as features immediately bordering it were recorded. Any fauna using the area were noted as well as habitats suitable for statutory protected species were identified where present.

3.0 Site descriptions

3.1 Two sites were surveyed as part of the appraisal. The Men’s Bathing Pond and the Mixed Bathing Pond, both located within Hampstead Heath, a large area of open green space covering 320 hectares of North London.

3.2 Men’s Bathing Pond:

- The site comprises of a small area of scrub covering an area of approximately 50m² within an enclosed compound known as the Men’s Bathing Pond situated towards the south-east of Hampstead Heath within the London Borough of Camden. The Men’s Bathing Pond is an area purposed for open water swimming with changing facilities, toilets, and swimming jetties. It is a heavily used amenity space. Grid Reference TQ27855 86576.
- Flora species on site largely consist of the introduced shrub snowberry (*Symphoricarpos albus*) intermixed with blackthorn scrub. Species on site have been coppiced so that most of the vegetation is at a height of height of c.15cm. Low growing ivy and bramble form the ground flora along with a fringe of pendulous sedge. The site is bounded to the south by a large pond and by hard standings

changing areas to the north and east. To the west a small block of mostly introduce shrubs is present and divides the site from further hardstanding. Figure 3.

3.3 Proposed development. The construction of a new accessible changing area and new swimming hoist.



Figure 3: Proposed site of Men's Pond new accessible changing area (27th April 2022).

3.4 Mixed Bathing Pond:

- The site comprises a small area adjacent to the Mixed Bathing Pond of c.18m² as well as two smaller areas of c.5m² combined. The larger area runs adjacent to the pond and consists of tall herbs, bare ground, hardstanding as well as overhanging tree and ivy limbs. One of the smaller sites consists of bare earth and the other of mixed scrub. The Mixed Bathing Pond is an area purposed for open water swimming with changing facilities, toilets, and swimming jetties. It is a heavily used amenity space. Grid Reference TQ27221 86237.
- Flora on site includes nettle, ivy, and yew. Figure 4.

3.5 Proposed development. An accessible ramp with equipment shed.



Figure 4: Mixed Bathing Pond proposed accessible ramp area. 27th April 2022

4.0 Methodology

Desk Top Review

4.1 A review of ecological information was undertaken for the sites including species data held locally by the City of London Corporation.

4.2 A biological records search of data held by the Greenspace Information for Greater London (GiGL) received from GiGL on 22nd April 2022 was undertaken.

On site surveys

Flora

4.3 The extent of different habitats on site were identified including the dominant botanical species and other valuable or interesting features using standard JNCC Phase 1 methodologies³.

Fauna- Protected Species

4.4 The PEA included surveys to identify the likely presence of protected species on site including identifying potential habitats such as refugia, breeding and foraging areas.

4.5 The likelihood of occurrence is ranked as follows and relies on the current survey and evaluation of existing data through the desk top study.

- Negligible - While presence cannot be absolutely discounted, the site includes very limited or poor-quality habitat for a particular species. The site may also be outside the known national range for a species.
- Low - On-site habitat is poor to moderate quality for a given species, with few or no information about their presence from desk top study. However, presence cannot be discounted due to the national distribution of the species or the nature of on-site and surrounding habitats.
- Moderate - The on-site habitats are of moderate quality, providing most or all of the key requirements for a species. Several factors may limit the likelihood of occurrence, habitat severance, habitat disturbance and small habitat area.
- High - On-site habitat of high quality for given species. Site is within a regional or national stronghold for that species with good quality surroundings and good connectivity; and
- Present - Presence confirmed for the survey itself or recent, confirmed records from information gathered through desk top study.

4.6 The species surveyed for in the site surveys included:

4.7 **Bat species (Chiroptera).** The site visits were undertaken in daylight and the evaluation of bat potential comprised an assessment of natural features on site that aimed to identify characteristics suitable for bat roosts, foraging and commuting. Consideration was also given to the availability of access to roosts, and signs of bat activity or presence. Additionally, linear natural features such as tree lines, hedgerows and river corridors are often considered valuable for foraging and commuting. Consideration was given to the presence of these features both immediately within and adjacent to the assessment area.

4.8 **Badger (*Meles meles*).** The potential for badger to inhabit or forage within the area was established as well as desktop information of species records.

4.9 **Dormouse (*Muscardinus avellanarius*).** During the walkover survey the potential for dormouse to be present on site was assessed including observations for suitable habitat.

4.10 **Water vole (*Arvicola terrestris*).** Water vole potential was assessed by the presence of ditches, lakes with holes and runs along the banks.

4.8 **Great Crested Newt (*Triturus cristatus*).** An assessment was carried out to identify habitats that may support great crested newts and other native amphibians.

4.9 **Reptiles.** The potential for reptile species on site was assessed during the walkover survey

4.10 **Birds.** The potential for the sites to support breeding birds including trees and shrubs that could support nests of common or notable birds.

4.11 **Notable invertebrates.** The quality of the invertebrate habitat and the potential for notable species was considered.

4.12 **Other Fauna.** The likely presence of Biodiversity Action Plan (BAP) priority species was considered.

No significant constraints presented themselves in preparation of this report.

5.0 Baseline Conditions

Designations

5.1 The sites are located within Hampstead Heath, a large greenspace covering 320 hectares of North London. Hampstead Heath has a rich mosaic of habitats and is important site for a wide range of rare, notable, and protected species of plant and animal. Hampstead Heath is managed by the City of London Corporation apart from the Kenwood Estate managed by English Heritage.

5.2 Hampstead Heath is a Site of Metropolitan Importance for Nature Conservation (SINC M072) as has within its boundaries a Site of Special Scientific Interest (SSSI). It is also an area of Metropolitan Open Land.

5.3 Hampstead Heath contains within it habitats and species previously listed as priority species and habitats in the UK Biodiversity Action Plans⁴ (UKBAP) including Heathland, Acid Grassland, Hedgerows, Bat species and Common Toad.

Site Ecology

Habitats

5.4 Information from Greenspace Information for London (GiGL) suggests that there are no protected habitats present on the planned development sites. No protected habitats or flora were found on the site surveys and although the surrounding area has areas of priority habitats these will not be affected by the works.

Fauna- Protected Species

5.5 Bat species (Chiroptera)- Foraging

- The sites are likely to be of low to moderate value for foraging and commuting bats with some suitable habitat present.
- Bats have been recorded as present adjacent to the sites foraging over the ponds. However, the size and scale of the proposed developments are not believed to be impact on the bat species ability to continue to forage.
- No further surveys are recommended however proposals should consider the high value for foraging bats in the adjacent areas and any proposals should not result in any increased light spill.

5.6 Bat species (Chiroptera)- Roosting

- There is negligible value for roosting bats within the sites themselves, and as such the proposals do not stand to impact any potential roost.

5.7 Birds

- Nesting value of the sites was limited to the small area of scrub of the proposed site of the shed at the Mixed Bathing Pond and is considered low value. The area at the Men's Bathing Pond in its currently coppiced state provides negligible nesting habitat.
- Proposals should be considerate of possible nesting habitat in areas adjacent to the proposed sites but are not believed to directly impact any nesting habitat.

5.8 Other Protected Species

- Species such as dormice, water vole, and otter have not been recorded on Hampstead Heath within the last 25 years.
- Badgers- There have been 4 records of badger sightings across Hampstead Heath in the last 15 years, but no setts have been found.
- Reptiles- The City of London and volunteer group Heath Hands have been surveying reptiles across Hampstead Heath since 2009 and have 3 grass snake (*Natrix natrix Helvetica*) records from the adjacent pond areas over this time but no records from the proposed development sites. On site habitats are of low value and are unlikely to provide any significant refuge to grass snakes.
- Great Crested Newt- There are no records of great crested newts from Hampstead Heath in the last 20 years and amphibian surveys have been conducted yearly over this time.

5.9 Other Fauna

- West European Hedgehogs (*Erinaceus europaeus*) a UKBAP priority species have been recorded from the adjacent areas but the likelihood of occurrence on site is considered low.
- Common Toad (*Bufo bufo*) a UKBAP priority species have been recorded from the adjacent areas and the sites may be of moderate value for foraging and overwintering toads.

6.0 Discussion and analysis

6.1 Overall the sites are of low to moderate ecological value.

6.2 The assessed sites and their immediate vicinity have the potential to support the following ecological receptors, which could potentially be impacted by any future development.

Table 1: Baseline Summary

Receptor	Presence/Potential Presence	Comments
Designated sites	Present	The site is located within the Hampstead Heath SINC but proposals are not considered to have a significant impact on the Heath. Best construction environmental practices should be followed.
Habitats	Present nearby	No protected or rare habitats were found within the site boundaries. However, the adjacent areas support a range of priority habitats and protected species, and proposals should be sensitive to their presence.
Foraging bats	Present nearby	Bats have been recorded as present adjacent to the sites foraging over the ponds. However, the size and scale of the proposed developments

		are not believed to be impact on the bat species ability to continue to forage.
Birds	Low	There is low value for nesting birds in the proposed small, shed area at the Mixed Bathing Pond. Any clearance of this area should be undertaken outside of the nesting bird season
Reptiles	Present nearby	Grass snakes have been recorded in low numbers in the adjacent habitats. The sites themselves are of low value and are unlikely to provide any significant refuge to grass snakes.
Common Toad	Present nearby	The sites are of moderate value for foraging or overwintering common toad. Whilst the presence of toads on site cannot be discounted it is not considered that the proposed development will have any direct impacts on this species, largely due to the size of the proposed development and the extent of suitable surrounding habitat.

7.0 Recommendations

Mitigation

7.1 There is low value for nesting birds within the proposed shed area at the Mixed Bathing Pond. Proposals should be considerate of this, and any clearance work required undertaken outside of the bird nesting season (March to August).

7.2 Proposals should be considerate to the sites positioning in an area of importance for nature conservation and best industry practice should be followed to ensure that construction activities avoid direct or indirect impacts to the notable habitats and species surrounding the sites.

7.3 Proposals should not result in increased light spill across the pond area with the proposed construction of an accessible changing area. Lighting should be designed following industry best practice.

Compensation and Biodiversity net gain

7.4 Due to the size and scale of the proposed development as well as the sites amenity usage it is proposed to compensate for any loss of biodiversity in the adjacent wider Heath where it will provide greater biodiversity value.

7.5 It is proposed to compensate for the loss of a maximum of 23m² of existing habitat at the Mixed Bathing Pond as well as a further 50m² at the Men's Bathing Pond with the creation of 140m² of Mixed scrub. This Mixed scrub will be created largely on areas of existing modified grassland as well as an area of introduced scrub and another of mostly bare ground. The areas proposed are shown in Figure 5.



Figure 5. Off-site proposed habitat creation.

7.6 A Biodiversity Net Gain (BNG) Assessment of the proposed development and planned compensation was undertaken on the 5th May 2022 using Biodiversity Metric 3.1⁵ and the results of metric displayed below.

Table 2.1 Baseline Biodiversity Units

Pre- development onsite baseline				
Habitat Type	Area (hectares)	Distinctiveness	Condition	Habitat Units
Blackthorn scrub	0.0056	Medium	Poor	0.03
Mixed scrub	0.0018	Medium	Poor	0.01
Vacant/Derelict/Bare ground	0.0002	Low	Moderate	0.00
Mixed scrub	0.002	Medium	Moderate	0.00

Off site habitat baseline				
Vacant/Derelict/Bare ground	0.0012	Low	Moderate	0.01
Introduced scrub	0.0052	Low	N/A	0.01
Modified grassland	0.0021	Low	Moderate	0.01
Modified grassland	0.0052	Low	Moderate	0.02
Total Habitat Units				0.09

Table 2.2 Off site habitat creation

Off site habitat creation				
Proposed habitat	Area (hectares)	Distinctiveness	Condition	Habitat Units
Mixed scrub	0.0012	Medium	Moderate	0.01
Mixed scrub	0.0052	Medium	Moderate	0.04
Mixed scrub	0.0021	Medium	Moderate	0.02
Mixed scrub	0.0052	Medium	Moderate	0.04
Total Habitat Units				0.11

7.7 The baseline biodiversity units of the sites and the off-site areas proposed for compensation are calculated as 0.09 biodiversity units

7.8 The proposed habitat creation off-site is calculated to produce 0.11 biodiversity units which will be a gain of 0.02 biodiversity units or an uplift of 47.86%.

7.9 The proposals are therefore in compliance with local and national planning policy and also exceed the expectations in the upcoming BNG mandate of a 10% gain in biodiversity units on development projects.

8.0 Conclusions

8.1 The sites are of low to moderate ecological value.

8.2 There is expected to be no impact on protected habitats or species on the site.

8.3 Proposals should be considerate of the potential value for bats in the wider area and not increase light spill across the wider Heath.

8.4 Best environmental construction practice should be followed.

8.5 Proposals should seek to achieve net gain for biodiversity through compensatory habitat creation.

Relevant Environmental Legislation

Current key legislation relating to ecology includes the Wildlife and Countryside Act 1981 (as amended)⁶; The Conservation of Habitats and Species Regulations 2010 ('Habitats & Species Regulations')⁷, The Countryside and Rights of Way Act 2000 (CRoW Act)⁸, and The Natural Environment and Rural Communities Act, 2006⁹.

References

- ¹ Chartered Institute of Ecological and Environmental Management (CIEEM) (2017) Guidelines for Preliminary Ecological Appraisal¹, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester
- ² Greenspace Information for Greater London CIC (GiGL) <https://www.gigl.org.uk/our-data-holdings/>
- ³ Joint Nature Conservation Committee (2010), Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit. JNCC, Peterborough.
- ⁴ UK Biodiversity Action Plan (2007). UKBAP Priority Species and Habitats. <http://www.ukbap.org.uk/newprioritylist.aspx>
- ⁵ The Biodiversity Metric 3.1 (JP039). <http://publications.naturalengland.org.uk/publication/6049804846366720>
- ⁶ HM Government, (1981); Part I and Part II of Wildlife and Countryside Act (as amended). HMSO
- ⁷ HM Government, (2010); The Conservation of Habitats and Species Regulations 2010. Statutory Instrument 2010 no. 490 Wildlife Countryside. OPSI
- ⁸ HM Government, (2000); The Countryside and Rights of Way Act. HMSO
- ⁹ HM Government, (2006); Natural Environment and Rural Communities Act 2006. HMSO