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**ATRI7 2 LTD**

**LORDSHIP LANE**

**PRELIMINARY ECOLOGICAL APPRAISAL**

**FEBRUARY 2024**

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ATRI7 2 LTD  
LORDSHIP LANE  
PRELIMINARY ECOLOGICAL APPRAISAL  
FEBRUARY 2024

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Appendix 1 Legislation and National Policy Summary

| DRAWINGS    | TITLE                | SCALE       |
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| GM12777-001 | Site Location Plan   | 1:5,000@A3  |
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| GM12777-003 | UKHabitat Plan       | 1:1,000@A3  |

## EXECUTIVE SUMMARY

Wardell Armstrong LLP (WA) was commissioned by Atri7 2 LTD to undertake a Preliminary Ecological Appraisal (PEA) in support of a planning application for a proposed development at the site comprising 707-725 Lordship Lane, Wood Green, London N22 5JY, centred on National Grid Reference (NGR) TQ 31199 90392.

The following conservation sites, habitats, and species (receptors) have been evaluated as being subject to potential adverse effects in the absence of mitigation and/or further survey or assessment:<sup>1</sup>:

- Nesting birds; and,
- Non-native Invasive species (Species listed on Section 9 of the Wildlife and Countryside Act 1981 (as amended)).

Additional pre-construction checks have been recommended:

- Pre-construction nesting bird check

Mitigation<sup>2</sup> and compensation<sup>3</sup> are discussed in section 4 of the report but include the following:

- Vegetation clearance undertaken outside of the bird nesting season, or an inspection carried out by an appropriately qualified ecologist.

Opportunities for ecological enhancements are set out in section 5 of this report. This includes suitable native planting to be included in the landscape scheme and provision of bat boxes, bird nest boxes, and loggers for insects.

In conclusion, it is considered that there are no significant ecological constraints to the development. With appropriate mitigation measures and additional survey/assessment the ecological receptors identified in this report would not be adversely affected by the development.

***This report is valid for 18 months from the date the habitat survey was undertaken.***

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<sup>1</sup> Note: the Preliminary Ecological Appraisal Report provides an overview of likely effects and therefore may not be sufficient to support a planning application on its own. Specialist surveys may be required to fully investigate effects and/or to support an Ecological Impact Assessment (EclA).

<sup>2</sup> Mitigation are measures required in order to reduce the severity and magnitude of identified effects to an acceptable level.

<sup>3</sup> Compensation is required where effects cannot be fully mitigated.

## **1 INTRODUCTION**

### **1.1 Terms of Reference**

- 1.1.1 Wardell Armstrong LLP (WA) was commissioned by Atri7 2 LTD on 1<sup>st</sup> February 2023 to undertake a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) in support of a proposed planning application. The project is located at 707-725 Lordship Lane, Wood Green, London N22 5JY centred on approximate National Grid Reference (NGR) TQ 31199 90392.
- 1.1.2 The project will involve the destruction of the existing building onsite, and construction of three mixed purpose accommodation and retail buildings with associated private and public green spaces, amenities, cycle and bin storage, and green roofs. The development is fully described in the associated Planning Statement (DP9, 2023).
- 1.1.3 This report has been produced with reference to current guidelines for UK Habitat (UKHAB) Classification V1.1 (Butcher et al., 2020), Guidelines for Preliminary Ecological Appraisal (CIEEM 2017<sup>4</sup>) and Biodiversity – Code of Practice for Planning and Development (BSI 2013<sup>5</sup>)
- 1.1.4 This PEA report will be used to inform a BREEAM 2018 assessment covering units LE01 to LE05.

### **1.2 Scope of Report**

- 1.2.1 The purpose of the PEAR is in broad terms to undertake the following:
- Identify and report to the project team the likely ecological constraints associated with a project, such that the site design can adequately take account of ecological features;
  - identify any mitigation measures likely to be required, following the 'Mitigation Hierarchy'<sup>6</sup>;
  - identify any additional surveys that may be required to inform an Ecological Impact Assessment (EclA); and

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<sup>4</sup> Chartered Institute of Ecology and Environmental Management (CIEEM 2017).

<sup>5</sup> British Standard BS 42020:2013 (BSI 2013).

<sup>6</sup> As defined in BS 42020:2013 (BSI 2013).

- Identify the opportunities offered by a project to deliver ecological enhancement.

1.2.2 Certain species, habitats and nature conservation sites receive legislative protection which is detailed fully within Appendix 1. Other species/groups and habitats are notable due to their identification in national and/or local planning policy or via local records. An indicative assessment of potential adverse effects to such receptors is provided, although this is not a substitute for full EcIA (CIEEM 2018) which may be required to fully inform any subsequent planning application along with additional surveys and assessments.

1.2.3 Provisional mitigation and enhancement opportunities are also discussed, where appropriate.

### **1.3 Background Information**

1.3.1 The planning strategy will be considered by the Local Planning Authority (LPA), namely the London Borough of Haringey.

### **1.4 Site Context**

1.4.1 The site comprises 707-725 Lordship Lane, hereafter known as the 'Site'. The building footprint covers approximately 0.9ha, and is located Wood Green, London N22 5JY, as shown as Drawing Number GM12777-001 (Site Location Plan).

1.4.2 The planning application area comprises a commercial building and associated car park and is located approximately 0.13km East of Wood Green London Underground station. The surrounding buildings are of mixed residential and commercial purposes.

### **1.5 Description of Development**

1.5.1 The project comprises the demolition of the existing building on site and construction of three buildings; one eight storey residential building with commercial space on the ground floor and associated green roofs on the 4<sup>th</sup>- 7<sup>th</sup> storey and roof, one four storey residential building, and one two storeys building divided into eight units. All buildings have associated paved public spaces and private/public green spaces. This initial early-stage design will likely be subject to change as the scheme develops.

## 1.6 National Planning Policy Framework (NPPF)

1.6.1 The NPPF<sup>7</sup> requires the Planning Authority to have a responsibility to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan. In addition, the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological that are more resilient to current and future pressures.

## 1.7 Local Planning Policy

1.7.1 Relevant current and emerging policies are summarised in Box 1, below and are discussed with regard to compliance in the final Discussion section of the report.

| Policy Reference                            | Policy Summary                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The London Plan 2021                        |                                                                                                                                                                                                                                                                                                                                                                                                            |
| Policy G1 Green Infrastructure              | <p>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.</p> <p>B Boroughs</p>                                                                                                                                       |
| Policy ENV5: Green Infrastructure Standards | Residential development of 20 dwellings (or 0.2hectares) or more, or non-residential developments of 1,000m gross floorspace or more, will, subject to the quantity, quality and accessibility of existing provision, be expected to provide new green infrastructure, based on standards set out separately in the adopted Planning Obligations SPD. Green Infrastructure should be delivered on-site and |

<sup>7</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2> (last updated 20/07/2021).

|                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                               | designed as multi-functional blue-green space to perform a range of green infrastructure functions where possible                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Green Infrastructure Strategy 2013-2026                                       | <p>The Green Infrastructure Strategy sets out 7 Objectives with Priorities for Action to create a green infrastructure network based on national and local strategies to help maintain and enhance green infrastructure in Darlington. This includes creating space and habitats for wildlife to live and breed with access to nature for people and will help make sure that biodiversity levels in Darlington remain viable in the long term.</p> <p>The priority actions to provide a connected network of healthy, wildlife rich, natural ecosystems are set out in Objective 2 of the Strategy and include the following:</p> <p>Action 1: Improve the amount and mix of protected and priority habitats and species in the urban area.</p> <p>Action 2: Improve the biodiversity value of the urban fringe and countryside.</p> <p>Action 3: Provide more stepping stones and buffer zones for wildlife to move more easily.</p> <p>Action 4: Maintain and improve the Borough's air and water quality.</p> |
| Design of New Development Supplementary Planning Document (adopted July 2011) | <p>The Design of New Development Document provides a range of detailed design guidance showing how the location, form and type of new development in Darlington's different neighbourhoods and villages should be considered through the design process over the next 10 years or so.</p> <p>Developers will be expected to:</p> <p>Creatively incorporate a variety of biodiversity features appropriate to their location to help prevent biodiversity loss, reverse habitat fragmentation, promote priority</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>habitats and maintain and enhance links to the existing network of wildlife corridors and local wildlife sites. Important design principles to consider:</p> <p>Where protected species exist on or next to a site, mitigation measures should be incorporated to protect species, enhance biodiversity and allow movement through improved connectivity to the wider green infrastructure network. Measures should be consistent with the Habitats Regulations</p> <p>Local native species should be used in all landscaping and biodiversity schemes. Locally distinctive flora and fauna and natural features like trees, hedgerows, waterbodies and grassland should be incorporated and/or enhanced. Where de-culverting watercourses and SuDS are appropriate, new habitats should be provided where practicable. The Environment Agency and the Council should be consulted on all proposals near or within a river or floodplain.</p> <p>The scale and proximity of buildings should be designed to minimise shading of biodiversity features on or next to the Site</p> |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## **2 METHODOLOGY**

### **2.1 Desk Study**

2.1.1 The desk study was informed by review of existing available information provided by Greenspace Information for Greater London (GiGL) and from available internet-based resources for a 2km search radius from the Site boundary. The search area was extended to 5km for internationally designated sites. Ordnance Survey (OS) and satellite mapping was also used to gain contextual habitat information.

2.1.2 Specific information was sought for:

- Statutory designated sites<sup>8</sup>;
- Locally designated sites;
- Ancient woodland<sup>9</sup>;
- Protected and priority species;
- Priority (s.41) Habitats and Species<sup>10</sup>;
- Local Biodiversity Action Plan (LBAP) priority habitats and species.

2.1.3 The ecological desk study was carried out by a competent Ecologist who is a qualifying member of CIEEM, who has completed numerous ecological desk studies within the last 2 years.

### **2.2 Extended UKHab Classification Survey**

2.2.1 WA carried out a UK Habitat (UKHab) Classification Survey of the Site on 23<sup>rd</sup> May 2023. The survey was carried out by experienced WA ecologists. The survey was completed under supervision of a full member of CIEEM, who has completed numerous ecological habitat surveys within the past 15 years.

2.2.2 The survey followed the 'UK Habitat Classification' (Butcher et al., 2020) methodology with each of the main habitats classified according to the relevant criteria including vegetation composition expressed according to the DAFOR<sup>11</sup> system.

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<sup>8</sup> Locations provided by MAGIC <http://magic.defra.gov.uk/MagicMap.aspx>

<sup>9</sup> As defined by Natural England in their Inventory of Ancient Woodlands [http://www.gis.naturalengland.org.uk/pubs/gis/tech\\_aw.htm](http://www.gis.naturalengland.org.uk/pubs/gis/tech_aw.htm)

<sup>10</sup> As defined under Section 41 (England) of the Natural Environment and Rural Communities (NERC) Act 2006.

<sup>11</sup> D = dominant, A = abundant, F = frequent, O = occasional, R = Rare

- 2.2.3 In addition to the mapping and description of habitats, the survey was 'extended' to include the incidental observations of protected and/or notable species and the potential for such species to occur on Site (and in the surrounding landscape where relevant) were also recorded onto secure digital media for mapping and data collection. The extended element of the survey was based on professional judgement.
- 2.2.4 Specific habitat features are mapped on Drawing Number GM12777 -003 (UKHabitat Plan) with appropriate reference numbers identifying features of particular note.

### 2.3 Bats: Preliminary Roost Assessment of Buildings

- 2.3.1 In conjunction with the Extended UKHabs Classification Survey undertaken on 13<sup>th</sup> April 2023, a full external Preliminary Roost Assessment (PRA) of the building subjected to redevelopment was undertaken by an experienced ecologist from WA. The PRA results are detailed on Appendix 2 of this report.
- 2.3.2 The aim of the PRA survey was to assess the suitability of the building to support roosting bats, identify any evidence of roosting bats and determine whether there is a requirement for further surveys.
- 2.3.3 Any features determined to be suitable for roosting bats and the overall condition of the building was noted. Field signs such as droppings, feeding remains and dead or living bats were also recorded.
- 2.3.4 Equipment used for the PRA included a torch and binoculars.
- 2.3.5 The building was categorised using the assessment criteria in Table 4.1 of the 3<sup>rd</sup> ed. Of the Bat Conservation Trust (BCT) Guidelines (Collins, 2016)<sup>12</sup> as set out below:

**High:** Structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitats;

**Moderate:** Structure or tree with one or more potential roost sites that could be used by numbers of bats due to their size, shelter, protection, conditions, and surrounding habitats, but unlikely to support a roost of high conservation concern;

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<sup>12</sup> Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3<sup>rd</sup> edn). The Bat Conservation Trust, London.

**Low:** Structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation);

A tree of sufficient size and age to contain Potential Roost Features (PRFs) but with none seen from the ground or features seen with only very limited roosting potential; and

**Negligible:** Structure or tree with no potential to support bats.

## 2.4 Assessment of foraging / commuting habitat for bats

2.4.1 The surrounding habitat both within and adjacent to the Site was also surveyed to assess its potential to be used by foraging and commuting bats. This information was combined with a review of aerial photography and OS data to provide contextual information about the local habitat and its likely use by bats.

2.4.2 The assessment follows the criteria in Table 4.1 of the 3<sup>rd</sup> edition of the Bat Conservation Trust *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016):

**High:** Continuous, high-quality habitat that is well connected to the wider landscape that is more likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees, and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland.

**Moderate:** Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub grassland or water.

**Low:** Habitat that could be used by small numbers of commuting bats such as gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitats. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as lone tree (not in parkland situation) or patch of scrub.

**Negligible:** Negligible habitat features on site likely to be used by commuting or foraging bats.

## 2.5 Evaluation and Assessment of Features

2.5.1 Evaluation of the importance / likely importance of ecological features and the likelihood of impacts affecting important features was made, where possible, using professional judgement in accordance with published guidance (CIEEM 2017).

2.5.2 Protected and s.41 species were evaluated in order to identify potential adverse effects in Table 2, based on the following criteria:

- Desk study records;
- Evidence found during the survey;
- Presence, extent, quality and viability of suitable on-site habitat;
- Ecological connectivity to viable off-site habitats; and
- Perceived impacts of habitat loss/impact to individuals in relation to proposals.

2.5.3 A 'traffic light' system is used in Tables 1, 2 and 3 to highlight potential constraints and opportunities whereby:

- **Green:** No constraint or limited constraint unlikely to be of planning and/or legal significance.
- **Yellow:** Potential constraints which require further survey and/or mitigation and may be of planning and/or legal significance depending on the outcome of further survey/assessment.
- **Red:** Constraints which have already been identified by the PEA survey/desk-based assessment and are likely to be of planning and/or legal significance.

## 2.6 Nomenclature

2.6.1 Vascular plant names follow '*New Flora of the British Isles*' (Stace 2019) with vernacular names as provided in the Botanical Society of the British Isles website (BSBI, 2013)<sup>13</sup>. All other flora and fauna names following the National Biodiversity Network (NBN) Atlas (NBN Atlas Partnership, 2021). The common and scientific name of species/taxa is provided (if available) when first mentioned in the text, with only the vernacular name referred to thereafter.

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<sup>13</sup> <http://rbg-web2.rbge.org.uk/BSBI/intro.php>

## **2.7 Limitations / Deviations**

- 2.7.1 Ecological surveys are limited by factors that affect the presence of plants and animals such as time of year, weather, migration patterns and behaviour. The survey was undertaken in May which is within the optimum recommended survey period for habitat surveys (April to August) and therefore represents a valid sample of ecological evidence present on that date/season. The report is not designed, nor is it required to present a complete inventory of flora/fauna.
- 2.7.2 The absence of desk study records is not relied upon to determine absence of a particular species/habitat. Often, the absence of records is a result of under-recording within the given search area and as such the experience of the ecologist concerned together with a range of additional factors, in particular the presence/absence of potentially supporting habitat; is used to infer likely presence/absence of ecological receptors.
- 2.7.3 The interior of the building was occupied during the site visit and therefore was not surveyed. As the building is an active business with high levels of light and disturbance it is considered unlikely that the interior has the potential to support a bat roost, therefore this limitation does not adversely affect the results of the survey.

## **2.8 Quality Assurance & Environmental Management**

- 2.8.1 The surveys and assessments have been overseen by and the report checked and verified by a full member of CIEEM, who is bound by its code of professional conduct. All surveys and assessments have been undertaken with reference to the recommendations given in British Standard BS 42020, and as stated within specialist guidance, as appropriate and referenced separately.

### **3 RESULTS AND EVALUATION**

#### **3.1 Statutory and Non-Statutory Designated Sites**

- 3.1.1 One Statutory Site, namely Alexandra Palace & Park Local Nature Reserve (LNR) and was found as a result of the desk study. The location of this designation, relative to the Site, is shown on Drawing GM12777-02 (Designated Site Plan).
- 3.1.2 A total of 27 Non-Statutory Sites, all Sites of Importance for Nature Conservation (SINC), which are recognised by the Greater London Authority and London borough councils as important wildlife sites, were found as a result of the desk study. For the purpose of brevity, only those of major relevance, considering their importance and distance to Site, have been evaluated in Table 1, below.
- 3.1.3 Designated sites which are considered potentially sensitive to the development proposals by virtue of their supported species or habitat assemblages, the distance/ecological connectivity to the Site and the nature of the perceived impacts are discussed in detail in the final sections of the report.
- 3.1.4 Designations for which potential adverse effects are not anticipated are excluded from further assessment.

| Site Name and Status <sup>14</sup>          | Distance and direction from Site | Reason for Designation/identification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Potential Constraints                                                                                                                                                     |
|---------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Alexandra Palace & Park LNR                 | 1.7km W                          | This designation provides a range of habitats that support a wide range of flora and fauna. The reserve is particularly important for birds, with more than 100 species recorded, including regular visits from a Peregrine Falcon <i>Falco peregrinus</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                | Given the distance to the site, the lack of ecological connectivity and the nature of the proposals, it is considered unlikely that there will be any impacts to the LNR. |
| Palace Gates SINC                           | 620m W                           | Young woodland dominated by sycamore <i>Acer pseudoplatanus</i> with some oak <i>Quercus robur</i> , birch <i>Betula pendula</i> and ash <i>Fraxinus excelsior</i> . Holly <i>Ilex aquilifolium</i> , cherry-laurel <i>Prunus laurocerasus</i> and hawthorn <i>Crataegus monogyna</i> form an understorey. There are areas of scrub, mostly goat willow <i>Salix caprea</i> and buddleia <i>Buddleja davidii</i> , and the rest of the site is rough grassland, dominated by false oat-grass <i>Arrhenatherum elatius</i> with a good population of the uncommon, non-native Hungarian brome <i>Bromus inermis</i> . The site is used as an educational nature reserve by the nearby St Paul's RC School. | Given the lack of ecological connectivity and the nature of the proposals, it is considered unlikely that there will be any impacts to the SINC.                          |
| Nightingale Gardens and Avenue Gardens SINC | 740m W                           | Two public gardens with an extensive tree and shrub cover, linked by a section of former railway embankment. Avenue Gardens and Nightingale Gardens both show mature trees, including ash, poplars <i>Populus spp.</i> , cherry <i>Prunus sp.</i> , oak, false acacia <i>Robinia pseudacacia</i> , whitebeams <i>Sorbus spp.</i> and lime <i>Tilia sp.</i><br><br>The former railway embankment between the two gardens is wooded with oak and sycamore, with an occasional field maple <i>Acer campestre</i> . The shrub layer consists largely of hawthorn, with a field layer dominated by bramble <i>Rubus fruticosus</i> . The embankment                                                            |                                                                                                                                                                           |

<sup>14</sup> SPA – Specially Protected Area, SAC – Special Area for Conservation, Ramsar – site designated under the Ramsar Convention, SSSI – Site of Special Scientific Interest, NNR – National Nature Reserve, LNR – Local Nature Reserve, SINC – Site of Importance for Nature Conservation (London).

| Site Name and Status <sup>14</sup>                                         | Distance and direction from Site | Reason for Designation/identification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Potential Constraints |
|----------------------------------------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
|                                                                            |                                  | continues to the east of Park Avenue, where it is known as Palace Gates.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                       |
| New River SINC                                                             | 850m W                           | This designation comprises a man-made river supporting a diverse aquatic and marginal flora, including the London rarities lesser water-parsnip <i>Berula erecta</i> , unbranched bur-reed <i>Sparganium emersum</i> , stream water-crowfoot <i>Ranunculus penicillatus</i> and the nationally declining river water-dropwort <i>Oenanthe fluviatilis</i> . Kingfishers <i>Alcedo atthis</i> are seen regularly and may breed. The aquatic invertebrate shows a range of dragon/damselflies present, which include red-eyed damselfly <i>Erythromma najas</i> , which is scarce in London, and very large populations of common blue damselfly <i>Enallagma cyathigerum</i> . The river supports a good range of fish and may be of value for amphibians. |                       |
| Wood Green Reservoirs                                                      | 900m W                           | These abandoned reservoirs have been partly colonised by wet willow woodland, a rare habitat in London. An interesting range of hybrid willows <i>Salix spp.</i> occur. The water and woodland support a good diversity of birds. Drier areas support a diverse ruderal flora. The reservoir, and the filter beds to the south boundary are important feeding areas for bats.                                                                                                                                                                                                                                                                                                                                                                             |                       |
| New River Sports Centre, White Hart Lane Recreation Ground & Woodside Park | 960m N                           | These three open spaces together form a substantial area of parkland and amenity grassland. Features of nature conservation interest are scattered through the site and include two fine ancient pollard oaks <i>Quercus robur</i> and a small lake and a rich ruderal community on the former nursery. Mature trees, including further fine old oaks, and hedges are scattered throughout.                                                                                                                                                                                                                                                                                                                                                               |                       |

| Site Name and Status <sup>14</sup> | Distance and direction from Site | Reason for Designation/identification                                                                                                                                                                                                                                                                                                                   | Potential Constraints |
|------------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| St Mary's Churchyard, Hornsey      | 1.3km SW                         | The churchyard shows good tree and shrub cover, including a small fragment of hornbeam <i>Carpinus betulus</i> woodland, which is probably relict ancient woodland. This provides habitat for birds and other animals. Kestrels <i>Falco tinnunculus</i> nest in the church tower, which is the only part now remaining of the former St Mary's Church. |                       |

- 3.1.5 The search area is extended to allow for the inclusion of Impact Risk Zones (IRZs) for SSSIs<sup>15</sup>. IRZs define areas around SSSIs which could be impacted by development schemes. The zones vary depending on the particular sensitivities of the features for which the SSSI is notified and indicate the types of development proposal which could potentially have adverse impacts. The desk study shows that the application site falls within an IRZ, with the following development proposals considered likely to adversely affect the SSSI: airports, slurry lagoons, waste incineration units, sewage treatment works or any discharge of water of more than 20m<sup>3</sup>/day to ground.
- 3.1.6 As the proposed development does not meet any of the IRZ's criteria, this potential ecological receptor has been discounted from needing further assessment.

### **3.2 Habitats**

- 3.2.1 All habitats within the Site are described in Table 2, below, together with an indication of their s.41 status and status and reference within the London BAP<sup>16</sup>.
- 3.2.2 Habitats which could be subject to adverse effects (yellow or red) are discussed in the latter sections of the report. Habitats for which potential adverse effects are not anticipated are excluded from further assessment. The location and extent of habitats are shown on Drawing Number GM12777-003 (UKHab Survey Results).
- 3.2.3 A review of OS data has not identified any waterbodies within 500m of the Site.

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<sup>15</sup> <https://data.gov.uk/dataset/sssi-impact-risk-zones>

<sup>16</sup> City of London Biodiversity Action Plan 2021-2026

| Habitat Description                                                                                                     | UK Hab Classification                                                                             | Photograph                                                                          | Local BAP/s.41 | Potential Constraints                                                                            |
|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------|--------------------------------------------------------------------------------------------------|
| <u>Building</u><br>707-725 Lordship Lane comprise a single 2-storey brick building topped by a mansard corrugated roof. | <u>Primary code</u><br>Building (u1b5)<br><br><u>Secondary codes</u><br>Commercial building (90)  |   | N/A            | This habitat will be impacted by the development proposals but is of negligible intrinsic value. |
| <u>Built features</u><br>The building is surrounded by car parking facilities to the West and South.                    | <u>Primary code</u><br>Other developed land (u1b6)<br><br><u>Secondary codes</u><br>Car park (89) |  | N/A            | This habitat may be modified by the development proposals but is of negligible intrinsic value.  |

| Habitat Description                                                                                                  | UK Hab Classification                                                                                   | Photograph                                                                         | Local BAP/s.41 | Potential Constraints                                                                           |
|----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------------------------|
| <u>Built features</u><br>The building is bordered by a road to the West allowing access to the site from city roads. | <u>Primary code</u><br>Developed land, sealed surface (u1b)<br><br><u>Secondary Codes</u><br>Road (111) |  | N/A            | This habitat may be modified by the development proposals but is of negligible intrinsic value. |

| Habitat Description                                                                                                                                                                                                                                                                                                                                                                                                                                                             | UK Hab Classification                                                                                                                                               | Photograph                                                                          | Local BAP/s.41 | Potential Constraints                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><u>Verges</u></p> <p>The perimeter of the site is characterized by a mosaic of bare earth and low growing pioneer species with scattered trees.</p> <p>There are several examples of <i>Cotoneaster horizontalis</i> which is an invasive non-native species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (As amendment).</p> <p>There are also several mixed species scattered trees around the perimeter of the site ranging from young to mature.</p> | <p><u>Primary code</u></p> <p>Artificial unvegetated unsealed surface (u1c)</p> <p><u>Secondary code</u></p> <p>Scattered trees (11)<br/>Ruderal/ephemeral (17)</p> |  | N/A            | <p>This habitat may be modified by the development proposals but is of negligible intrinsic.</p> <p>However, distributing or allowing the spread of <i>C. horizontalis</i> constitutes a criminal offence under Schedule 9 of the WCA. Works should follow precautionary methods to avoid a breach of the law.</p> <p>Where trees are to be lost, potential habitat enhancements are recommended to compensate the loss.</p> |

### **3.3 Species**

3.3.1 Protected and s.41 species are evaluated in order to identify potential adverse effects in Table 3 below, based on the following criteria:

- Desk study records;
- Evidence found during the survey;
- Presence, extent, quality, and viability of supporting on-site habitat;
- Ecological connectivity to viable off-site habitats; and
- Perceived impacts of habitat loss/impact to individuals in relation to proposals.

3.3.2 Species for which adverse effects are predicted (yellow or red) are discussed in more detail in the Discussion and Recommendations section. Species/taxa for which potential adverse effects are not anticipated (green) are excluded from further assessment.

| Receptor<br>(species/taxa)                                                                                                                                               | Desk Study records                                                                                                                                                                                                                                                             | Status <sup>17</sup>  | Supporting Habitat(s) Present                                                                                                                                                    | Potential Constraints                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Due to the urban and ecologically isolated nature of the site, the only species groups likely to be found on site are bats, birds and invasive non-native plant species. |                                                                                                                                                                                                                                                                                |                       |                                                                                                                                                                                  |                                                                                                                                                                                                           |
| Bats<br><i>Chiroptera</i>                                                                                                                                                | Common Pipistrelle <i>Pipistrellus pipistrellus</i><br>Soprano Pipistrelle <i>Pipistrellus pygmaeus</i><br>Brown Long-eared Bat <i>Plecotus auratus</i><br>Serotine <i>Eptesicus serotinus</i><br>Noctule <i>Nyctalus noctula</i><br><i>Myotis spp.</i>                        | EPS,<br>WCA,<br>s.41, | Limited foraging habitat on Site (trees).<br>No trees or buildings with bat roost potential on Site. Limited potential roosting habitat for all species within adjacent habitat. | The building and surrounding trees are considered of negligible potential for roosting bats.<br>Only small sections of negligible foraging habitat (trees) may be removed to facilitate machinery access. |
| Birds                                                                                                                                                                    | A wide range of BoCC and Red List species and WCA Schedule listed species including:<br>House sparrow <i>Passer domesticus</i><br>Mistle thrush <i>Turdus viscivorus</i><br>Song thrush <i>Turdus philomelos</i><br>Starling <i>Sturnus vulgaris</i><br>Swift <i>Apus apus</i> | s.41,<br>WCA<br>BoCC  | Foraging and breeding habitat in habitats around periphery of Site.                                                                                                              | Potential breeding habitat may be lost/disturbed by proposals. Foraging habitat may also be lost.                                                                                                         |

<sup>17</sup> EPS – European Protected Species, WCA – Wildlife and Countryside Act, WCA (9) – species listed under Schedule 9, A1 – Annex 1 (Birds Directive), BA – Protection of Badgers Act, s.41 – species listed under section 41 of the NERC Act as species of principal importance, BoCC – Birds of Conservation Concern.

| Receptor<br>(species/taxa)                                                                                                                                               | Desk Study records                                                | Status <sup>17</sup> | Supporting Habitat(s)Present                                                                                                                                                                                                                                                       | Potential Constraints                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Due to the urban and ecologically isolated nature of the site, the only species groups likely to be found on site are bats, birds and invasive non-native plant species. |                                                                   |                      |                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                         |
| Non-native invasive species (INNS)                                                                                                                                       | Butterfly-bush <i>Buddleja davidii</i><br><i>Cotoneaster spp.</i> | WCA (9)              | There are several examples of <i>Cotoneaster horizontalis</i> .<br>At the time of the site visit, there had been recent clearance of vegetation and the <i>C. horizontalis</i> was limited to isolated patches, however it is considered likely to be present throughout the site. | Schedule 9 of the Wildlife and Countryside Act makes it illegal to distribute or allow the spread of cotoneaster species into the wild.<br><br>Where there is a risk to get in contact with the species precautionary methods, including treatment and removal, should be in place to avoid the spread. |

## **4 DISCUSSION AND RECOMMENDATIONS**

### **4.1 Sensitive Receptors**

4.1.1 The following conservation sites, habitats, and species (receptors) have been evaluated as being subject to potential adverse effects and hence can be constraints to the proposals:

- Birds
- Horizontal cotoneaster

4.1.2 The nature of potential effects and proposed mitigation/compensation are discussed below for each of the identified receptors.

#### **Birds**

4.1.3 Given the availability of potential nesting habitat for common bird species such as rock dove *Columbia livia* and house sparrow *Passer domesticus*, potential disturbance effects during the construction phase should be avoided, in order to ensure compliance with the relevant legislation. It is therefore recommended that site clearance and/or construction work during the breeding season (March to August inclusive) is avoided.

4.1.4 If this cannot be achieved, a check for nesting birds by a qualified ecologist should be undertaken no more than 48hrs prior to works. If the presence of an active nest is subsequently confirmed, the ecologist would advise on appropriate protective measures.

#### **Horizontal cotoneaster**

4.1.5 It is recommended that a Precautionary Working Methods Statement (PWMS) is produced and followed to ensure the spread of invasive non-native species is avoided. This document will also detail the required treatment and control measures to be undertaken prior commencing the works.

### **4.2 General Recommendations**

4.2.1 If the Site boundary alters and any other habitats are identified to be lost or affected by the development, then further surveys for habitats and protected species may be required.

## **5 BIODIVERSITY NET GAIN AND ENHANCEMENTS**

### **5.1 Introduction**

5.1.1 The LPA states that developments will, wherever possible, contribute to the greening of Haringey by incorporating green features and spaces into the design of the scheme and that applicants should ensure appropriate management and maintenance arrangements for relevant green spaces and features are in place for the lifetime of the development.

5.1.2 In this case, the present report will be used to inform a BREEAM 2018 assessment. The BREEAM 2018 assessment will suggest ecological improvements that can be included to ensure urban greening targets are met.

### **5.2 Biodiversity Enhancement**

5.2.1 In accordance with the requirements of the NPPF and BSI 42020:2013 ecological enhancements should be proposed that are over and above measures required to mitigate effects on biodiversity. Such enhancements could include the provision of the following, in addition to any measures required as mitigation (with exact specifications to be determined at the detailed design stage):

- Bird boxes, including a variety of designs, such as 45mm entrance boxes, 32mm entrance boxes, sparrow terraces, owl/kestrel boxes and swift boxes/house martin cups on trees and the installation of integrated bird bricks directly into the brickwork of new buildings/structures;
- Bat boxes including for a variety of species and for a variety of seasons, to be installed on retained mature trees and use of integrated bat boxes directly into the brickwork of new buildings and structures;
- Creation of insect and invertebrate houses/hotels, or management of retained standing and fallen deadwood;
- Planting of native trees, shrubs and wildflowers of local provenance which naturally occur within the local area. To include berry, pollen and nectar producing species; and,

5.2.2 All future establishment and management of habitats is detailed within the Landscape and Habitat Management Plan included within the BREEAM 2018 assessment.

## **6 CONCLUSION**

### **6.1 Summary**

- 6.1.1 In conclusion, it is considered that there are no significant ecological constraints to the development. With appropriate mitigation measures the ecological receptors identified in this report would not be adversely affected.

### **6.2 Report Validity**

- 6.2.1 In general, this report remains valid for a period of 18 months following the date of the habitat survey.
- 6.2.2 If the Site boundary or layout is subsequently modified and any other habitats are identified to be lost or affected by the development, then further surveys for habitats and protected species may be required.

## 7 REFERENCES

Bats and Artificial Lighting in the UK (2018) *Bats and the Built Environment series*

Botanical Society of the British Isles (2013) *Online atlas of the British and Irish Flora.*

<https://plantatlas.brc.ac.uk/>

Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020). *The UK Habitat Classification User Manual Version 1.1* at <http://www.ukhab.org/>

British Standards Institute (2013) Biodiversity – Code of Practice for Planning and Development. BS 42020:2013.

Institute of Environmental Assessment (1995) Guidelines for Baseline Ecological Assessment.

CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal, 2nd edition*. Chartered Institute of Ecology and Environmental Management, Winchester.

Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3<sup>rd</sup> edn). The Bat Conservation Trust, London.

National Biodiversity Network (2017) *NBN Atlas* <http://data.nbn.org.uk/>

Stace, C. A. (2021) *New Flora of the British Isles*. Cambridge University Press.

## APPENDICES

## **Appendix 1**

### **Legislation and National Policy Summary**

## Appendix 1 – Legislation and Policy Summary

### *Legislation for Habitats/Sites*

| Designated Site/Habitat                     | Status                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ramsar Sites                                | Ramsar Sites are wetlands of international importance designated following the Ramsar Convention. RAMSAR sites have the same level of protection as SACs and SPAs under the Wildlife and Countryside Act 1981 (as amended).                                                                                                                                                                                          |
| SPA (Special Protection Areas)              | SPAs seek to protect the habitats of rare and vulnerable European and UK birds. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) protect such sites in the UK.                                                                                                                                                                          |
| SAC (Special Areas for Conservation)        | SACs are strictly protected areas which represent important and threatened habitats in Europe and the UK. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) protect such sites in the UK.                                                                                                                                                |
| SSSI (Sites of Special Scientific Interest) | SSSIs protect the best examples of the UK's flora, fauna, or geological or physiographical features. Originally notified under the National Parks and Access to the Countryside Act 1949, SSSIs were renotified under the Wildlife and Countryside Act 1981 (as amended). Modified provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000.              |
| NNR (National Nature Reserves)              | NNRs are examples of some of the most important natural and semi-natural terrestrial and coastal ecosystems in Great Britain. NNRs are declared by the statutory country conservation agencies under the National Parks and Access to the Countryside Act 1949 or the Wildlife and Countryside Act 1981 (as amended). Legal protection of NNRs is provided under the Wildlife and Countryside Act 1981 (as amended). |
| Hedgerows                                   | All hedgerows are protected by the Hedgerows Regulations 1997, under which it is an offence to remove or destroy certain hedgerows without planning consent or permission from the Local Planning Authority. These regulations do not apply to any hedgerow within the curtilage of, or marking the boundary of the curtilage of, a dwelling house.                                                                  |
| LNR (Local Nature Reserves)                 | Designated by the National Parks and Access to the Countryside Act 1949, LNRs may be declared for nature conservation by local authorities after consultation with the relevant statutory nature conservation agency. Legal protection of LNRs is provided under the Wildlife and Countryside Act 1981 (as amended).                                                                                                 |

## Legislation for Species

| Species                                                                                                                                                                                                                   | Legal Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Creeping Marshwort, Early Gentian, Fen Orchid, Floating-leaved Water Plantain, Killarney Fern, Lady's Slipper, Shore Dock, Slender Naiad, Yellow Marsh Saxifrage                                                          | Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is illegal to deliberately pick, collect, uproot or destroy any such species.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Bats, Dormouse, Otter, Wild Cat, Great Crested Newt, Natterjack Toad, Sand Lizard, Smooth Snake, Large Blue Butterfly                                                                                                     | <p>These animals and their breeding sites or resting places are protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended), which makes it illegal to:</p> <ul style="list-style-type: none"> <li>• Deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs;</li> <li>• Deliberately disturb<sup>18</sup> such an animal; and</li> <li>• Damage or destroy a breeding site or resting place of such an animal.</li> </ul> <p>European Protected Species (EPS) licenses can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed, namely:</p> <ul style="list-style-type: none"> <li>• The development is for reasons of overriding public interest;</li> <li>• There is no satisfactory alternative; and</li> <li>• The favourable conservation status of the species concerned will be maintained and/or enhanced.</li> </ul> <p>LPAs must consider the above 3 'tests' when determining whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations.</p> |
| Bats, Dormouse, Great Crested Newt, Heath Fritillary, High Brown Fritillary, Large Blue, Marsh Fritillary, Natterjack Toad, Pine Martin, Otter, Red Squirrel, Sand Lizard, Smooth Snake, Swallowtail, Water Vole, Wildcat | <p>These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended), which makes it illegal (subject to certain exceptions) to:</p> <ul style="list-style-type: none"> <li>• Intentionally kill, injure or take any such animal;</li> <li>• Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection; and</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

<sup>18</sup> Under the Conservation Regulations, disturbance of protected animals includes in particular any disturbance which is likely to: (i) impair their ability to survive, breed or reproduce, or to rear or nurture their young or to hibernate or migrate; (ii) significantly affect the local distribution or abundance of the species in question.

| Species                                                                                                        | Legal Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                | <ul style="list-style-type: none"> <li>Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                   |
| Adder, Common Lizard, Grass Snake, Slow Worm, White-clawed Crayfish                                            | These animals receive partial protection under the Wildlife and Countryside Act 1981 (as amended), which provide protection against intentional killing or injury of any such animal.                                                                                                                                                                                                                                                                                                                                                                          |
| Nesting Birds                                                                                                  | <p>All wild birds (as defined by the act) are protected under the Wildlife and Countryside Act 1981 (as amended), which makes it illegal (subject to exceptions) to:</p> <ul style="list-style-type: none"> <li>Intentionally kill, injure or take any wild bird;</li> <li>Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.</li> </ul>                                                                                                                                                                                |
| Wildlife and Countryside Act 1981 (as amended) Schedule 1 listed Birds                                         | Additional protection is provided to birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). In addition to the offences detailed above relating to all wild birds, it is illegal to intentionally or recklessly disturb any bird listed on Schedule 1, or their dependent young while nesting.                                                                                                                                                                                                                                      |
| Badgers                                                                                                        | <p>The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger, or attempt to do so and to intentionally or recklessly interfere with a Badger sett. This includes:</p> <ul style="list-style-type: none"> <li>damaging or destroying an active sett;</li> <li>obstructing access to a sett; and</li> <li>disturbing a Badger while it is occupying a sett.</li> </ul> <p>Licences can be granted to permit sett closure and/or disturbance between July and November inclusive (i.e. outside the sow pregnancy/birth period).</p> |
| Wild Mammals                                                                                                   | The Wild Mammals (Protection) Act 1996 provides legal protection to all wild mammals (as defined by the act) against the following actions: mutilate, kick, beat, nail, or otherwise impale, stab, burn, stone, drown, crush, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.                                                                                                                                                                                                                                                 |
| Wildlife and Countryside Act 1981 (as amended) Schedule 9 listed invasive animals (Part 1) and plants (part 2) | Certain species of plants and animals that do not naturally occur in Great Britain have become established in the wild and represent a threat to the natural fauna and flora. Section 14 of the Wildlife and Countryside Act 1981 (as amended) prohibits the release or allowed escape of animals listed in Schedule 9 to the Act and planting, or allowed growth, of any plant listed in Schedule 9 to the Act.                                                                                                                                               |

### *National Policy Summary*

Section 40 of the Natural Environment and Rural Communities (NERC) Act imposes a legal duty on Planning Authorities to ‘have regard’ to the conservation of biodiversity when considering planning applications.

Section 41 of the NERC Act requires the Secretary of State to publish a list of species and habitats of principal importance for conserving biodiversity in the UK. Such Biodiversity Action Plan (BAP) Habitats and Species (2007) do not offer the species any specific protection but help to highlight the species importance at a national level. This list is used by Local Planning Authorities to identify the species and habitats that should be afforded priority when applying the requirements of the National Planning Policy Framework (NPPF).

The NPPF underpins the Government’s planning policies for England and how these are to be applied. The central theme of the NPPF is a presumption in favour of sustainable development. This presumption does not apply where development requiring Appropriate Assessment because of its potential impact on a habitats site is being planned or determined.

The NPPF states:

*When determining planning applications, local planning authorities should apply the following principles:*

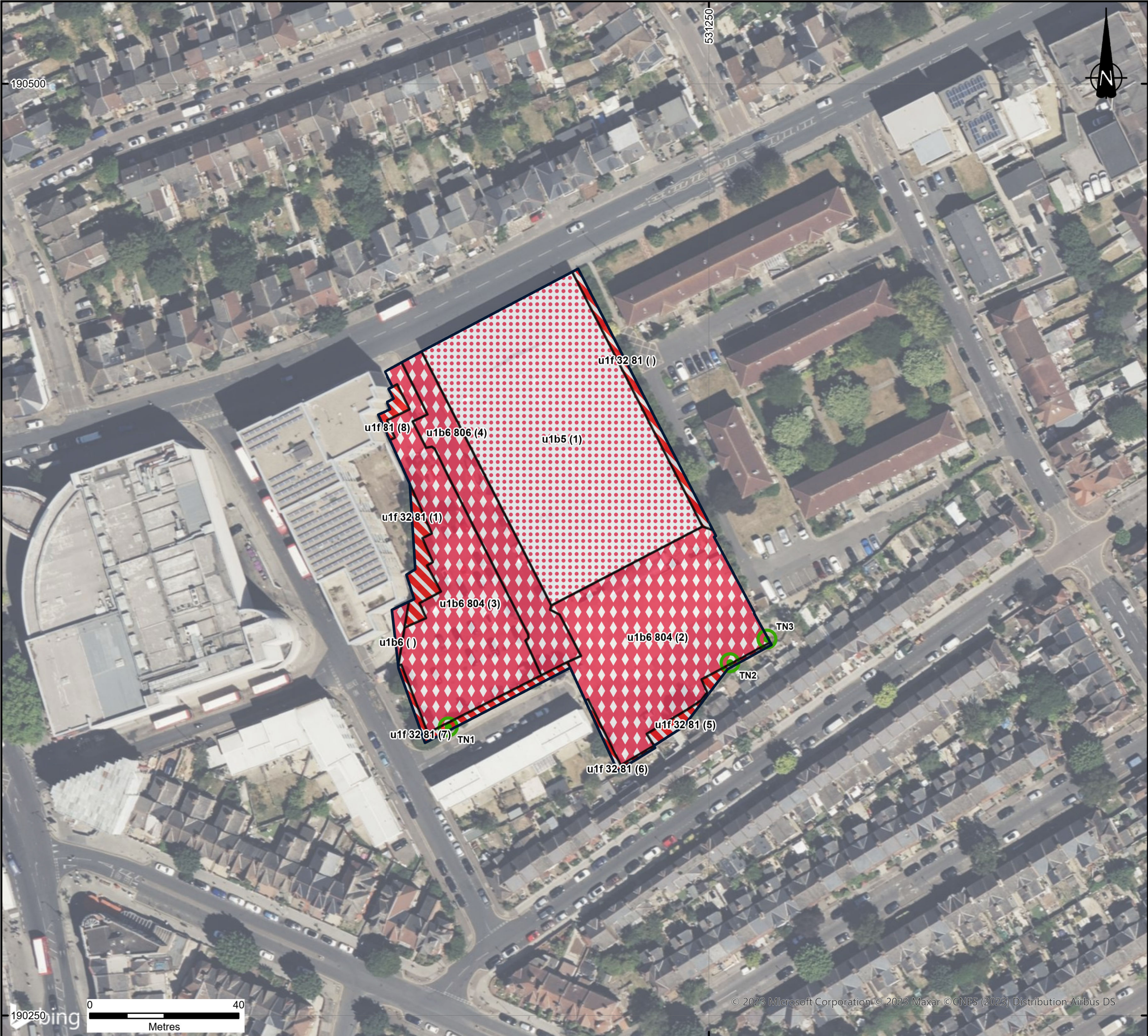
- *If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- *Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- *Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>63</sup> and a suitable compensation strategy exists; and*

- *Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*
- *The following should be given the same protection as habitats sites:*
  - a) potential Special Protection Areas and possible Special Areas of Conservation;*
  - b) listed or proposed Ramsar sites; and*
  - c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*

The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

The NPPF requires the Planning Authority to have a responsibility to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan. In addition, the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

## **DRAWINGS**



KEY

- Site Boundary
- u1b5 - buildings
- u1b6 - other developed land
- u1f - Sparsely vegetated urban land
- Target note

Notes:

Boundaries are indicative. Aerial imagery shown for context purposes only.

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|                            |                                          |            |          |             |      |      |
|----------------------------|------------------------------------------|------------|----------|-------------|------|------|
| B                          | SYMBOLGY AND HABITAT CODES UPDATED TO V2 |            | 04/12/23 | EK          | CH   | --   |
| REVISION                   | DETAILS                                  |            | DATE     | DRAWN       | CHKD | APPD |
| CLIENT                     |                                          |            |          |             |      |      |
| ATRI7 2 LIMITED            |                                          |            |          |             |      |      |
| PROJECT                    |                                          |            |          |             |      |      |
| LORDSHIP LANE LONDON       |                                          |            |          |             |      |      |
| DRAWING TITLE              |                                          |            |          |             |      |      |
| UKHAB BASELINE SURVEY PLAN |                                          |            |          |             |      |      |
| DRG No.                    |                                          |            | REV      |             |      |      |
| GM12777-003                |                                          |            | B        |             |      |      |
| DRG SIZE                   |                                          | SCALE      |          | DATE        |      |      |
| A3                         |                                          | 1:1,000    |          | 07/08/2023  |      |      |
| DRAWN BY                   |                                          | CHECKED BY |          | APPROVED BY |      |      |
| CG                         |                                          | RS         |          | RS          |      |      |



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