

# CAMBRIDGE ROAD ESTATE



Masterplan Site Boundary

Target Notes

### Habitats

A2.1 - Scrub - dense/continuous

J1.2 - Cultivated/disturbed land - amenity grassland

J1.4 - Introduced shrub

J3.6 - Buildings

J3.6.1

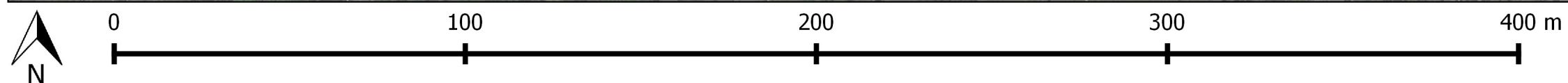


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**Fig 1.0 Phase 1 Habitat Map**

Project Number 551291  
November 2020  
1 to 1,500 at A3  
Basemap Data: Google Earth





## APPENDIX 1 SITE PHOTOGRAPHS

Photograph 1 – Large areas of the site are dominated by sealed surfaces



Photograph 2 – Amenity grassland habitats closely mown and managed



Photograph 3 – Two-storey terrace housing with hanging clay tiles



Photograph 4 – Four-storey flats





Photograph 5 – Tower blocks



Photograph 6 – Scattered trees present across much of the site



Photograph 7 – Piper Hall Community Centre



Photograph 8 – House sparrows nesting under hanging clay tiles



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## APPENDIX 2 RELEVANT LEGISLATION AND POLICY

### LEGISLATION

Current key legislation relating to ecology includes the Wildlife and Countryside Act 1981 (as amended)<sup>9</sup>; The Conservation of Habitats and Species Regulations 2019 ('Habitats & Species Regulations')<sup>10</sup>, The Countryside and Rights of Way Act 2000 (CRoW Act)<sup>11</sup>, and The Natural Environment and Rural Communities Act, 2006<sup>12</sup>.

#### The Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats & Species Regulations replace The Conservation (Natural Habitats, etc.) Regulations 1994 (as amended)<sup>13</sup>, and transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora ('EU Habitats Directive')<sup>14</sup>, and Council Directive 79/409/EEC on the Conservation of Wild Birds ('Birds Directive')<sup>15</sup> into UK law (in conjunction with the Wildlife and Countryside Act).

Regulation 43 and 47 respectively of the Conservation of Habitats & Species Regulations makes it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2 (European protected species of animals), or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 5 (European protected species of plant). Development that would contravene the protection afforded to European protected species requires a derogation (in the form of a licence) from the provisions of the Habitats Directive.

Regulation 63 (1) states: 'A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which —

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects); and

(b) is not directly connected with or necessary to the management of that site;

must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.'

#### Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) is the principal mechanism for the legislative protection of wildlife in Great Britain. This legislation is the means by which the Convention on the Conservation of European Wildlife and Natural Habitats<sup>16</sup> (the 'Bern Convention') and the Birds Directive and EU Habitats Directive are implemented in Great Britain.

#### The Countryside and Rights of Way Act 2000

The Wildlife and Countryside Act has been updated by the CRoW Act. The CRoW Act amends the law relating to nature conservation and protection of wildlife. In relation to

threatened species it strengthens the legal protection and adds the word 'reckless' to the offences of damaging, disturbing, or obstructing access to any structure or place a protected species uses for shelter or protection, and disturbing any protected species whilst it is occupying a structure or place it uses for shelter or protection.

The Natural Environment and Rural Communities Act 2006

The Natural Environment and Rural Communities Act 2006 states that every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Biodiversity Action Plans provide a framework for prioritising conservation actions for biodiversity.

Section 41 of the Natural Environment and Rural Communities Act requires the Secretary of State to publish a list of species of flora and fauna and habitats considered to be of principal importance for the purpose of conserving biodiversity. The list, a result of the most comprehensive analysis ever undertaken in the UK, currently contains 1,149 species, including for example, hedgehog (*Erinaceus europaeus*), and 65 habitats that were listed as priorities for conservation action under the now defunct UK Biodiversity Action Plan<sup>17</sup> (UK BAP). Despite the devolution of the UK BAP and succession of the UK Post-2010 Biodiversity Framework<sup>18</sup> (and Biodiversity 2020 strategy<sup>19</sup> in England), as a response to the Convention on Biological Diversity's (CBD's) Strategic Plan for Biodiversity 2011-2020<sup>20</sup> and EU Biodiversity Strategy (EUBS)<sup>21</sup>, this list (now referred to as the list of Species and Habitats of Principal Importance in England) will be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 41 of the Natural Environment and Rural Communities Act 2006 'to have regard' to the conservation of biodiversity in England, when carrying out their normal functions.

#### Biodiversity Action Plans

Non-statutory Biodiversity Action Plans (BAPs) have been prepared on a local and regional scale throughout the UK over the past 15 years. Such plans provide a mechanism for implementing the government's broad strategy for conserving and enhancing the most endangered ('priority') habitats and species in the UK for the next 20 years. As described above the UK BAP was succeeded in England by Biodiversity 2020 although the list of priority habitats and species remains valid as the list of Species of Principal Importance for Nature Conservation.

Regional and local BAPs are still valid however and continue to be updated and produced.

Detail on the relevant BAPs for this site are provided in the main text of this report.

#### Legislation Relating to Nesting Birds

Nesting birds, with certain exceptions, are protected from intentional killing, destruction of nests and destruction/taking of eggs under the Wildlife and Countryside Act 1981 (as amended) and the CRow Act. Any clearance of dense vegetation should therefore be undertaken outside of the nesting bird season, taken to run conservatively from March



to August (inclusive), unless an ecologist confirms the absence of active nests prior to clearance.

#### Legislation Relating to Bats

All UK bats and their roosts are protected by law. Since the first legislation was introduced in 1981, which gave strong legal protection to all bat species and their roosts in England, Scotland and Wales, additional legislation and amendments have been implemented throughout the UK.

Six of the 18 British species of bat have Biodiversity Action Plans (BAPs) assigned to them, which highlights the importance of specific habitats to species, details of the threats they face and proposes measures to aid in the reduction of population declines.

Although habitats that are important for bats are not legally protected, care should be taken when dealing with the modification or development of an area if aspects of it are deemed important to bats such as flight corridors and foraging areas.

The Wildlife & Countryside Act 1981 (WCA) was the first legislation to provide protection for all bats and their roosts in England, Scotland and Wales (earlier legislation gave protection to horseshoe bats only.)

All eighteen British bat species are listed in Schedule 5 of the Wildlife and Countryside Act, 1981 and under Annex IV of the Habitats Directive, 1992 as a European protected species. They are therefore fully protected under Section 9 of the 1981 Act and under Regulation 43 of the Conservation of Habitats and Species Regulations 2017, which transposes the Habitats Directive into UK law. Consequently, it is an offence to:

- J Deliberately capture, injure or kill a bat;
- J Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats;
- J Damage or destroy a bat roosting place (even if bats are not occupying the roost at the time);
- J Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat; and
- J Intentionally or recklessly obstruct access to a bat roost.

This legislation applies to all bat life stages.

The implications of the above in relation to the Proposed Development are that where it is necessary during construction to remove trees, buildings or structures in which bats roost, it must first be determined that work is compulsory and if so, appropriate licenses must be obtained from Natural England.



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## PLANNING POLICY

### National

#### National Planning Policy Framework

The National Planning Policy Framework (NPPF) 2019<sup>22</sup> sets out the Government's planning policies for England, including how plans and decisions are expected to apply a presumption in favour of sustainable development. Chapter 15 of the NPPF focuses on conservation and enhancement of the natural environment, stating plans should 'identify and pursue opportunities for securing measurable net gains for biodiversity'.

It goes on to state: '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'. Alongside this, it acknowledges that planning should be refused where irreplaceable habitats such as ancient woodland are lost.

### Regional

#### The London Plan: Spatial Development Strategy for Greater London<sup>23</sup>

The London Plan is comprised of separate chapters relating to a number of areas, including London's Places, People, Economy and Transport. The following policies have been identified within the London Plan, which relate specifically to ecology and this development.

#### Policy 2.18 Green Infrastructure

Policy 2.18 aims to protect, promote, expand and manage the extent and quality of, and access to, London's network of open and green spaces.

#### Policy 5.10 Urban Greening

This policy encourages the 'greening of London's buildings and spaces and specifically those in central London by including a target for increasing the area of green space (including green roofs etc) within the Central Activities Zone'.

#### Policy 5.11 Green Roofs and Development Site Environs

Policy 5.11 specifically supports the inclusion of planting within developments and encourages boroughs to support the inclusion of green roofs.

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#### Policy 5.13 Sustainable Drainage

Policy 5.13 promotes the inclusion of sustainable urban drainage systems in developments and sets out a drainage hierarchy that developers should follow when designing their schemes.

#### Policy 7.19 Biodiversity and Access to Nature

‘The Mayor will work with all the relevant partners to ensure a proactive approach to the protection, enhancement, creation, promotion and management of biodiversity in support of the Mayors Biodiversity Strategy.’

The Draft New London Plan (emerging)

#### Policy G1 Green infrastructure

- A. London’s network of green and open spaces, and green features in the built environment such as green roofs and street trees, should be protected, planned, designed and managed as integrated features of green infrastructure.
- B. Boroughs should prepare green infrastructure strategies that integrate objectives relating to open space provision, biodiversity conservation, flood management, health and wellbeing, sport and recreation.
- C. Development Plans and Opportunity Area Planning Frameworks should:
  - 1. identify key green infrastructure assets, their function and their potential function
  - 2. identify opportunities for addressing environmental and social challenges through strategic green infrastructure interventions.

#### Policy G2 London’s Green Belt

- A. The Green Belt should be protected from inappropriate development:
  - 1. development proposals that would harm the Green Belt should be refused
  - 2. the enhancement of the Green Belt to provide appropriate multi-functional uses for Londoners should be supported.

#### Policy G5 Urban greening

- A. Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.



- B. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in Table 8.2, but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

Policy G6 Biodiversity and access to nature

- C. Where harm to a SINC (other than a European (International) designated site) is unavoidable, the following approach should be applied to minimise development impacts:
1. avoid adverse impact to the special biodiversity interest of the site
  2. minimise the spatial impact and mitigate it by improving the quality or management of the rest of the site
  3. seek appropriate off-site compensation only in exceptional cases where the benefits of the development proposal clearly outweigh the biodiversity impacts.
- D. Biodiversity enhancement should be considered from the start of the development process.
- E. Proposals which create new or improved habitats that result in positive gains for biodiversity should be considered positively, as should measures to reduce deficiencies in access to wildlife sites.

Policy G7 Trees and woodlands

- C. Development proposals should ensure that, wherever possible, existing trees of quality are retained [Category A and B]. If it is imperative that trees have to be removed, there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

Supplementary Planning Guidance (SPG): Sustainable Design and Construction 2014

As part of the London Plan 2011 implementation framework, the SPG, relating to sustainable design and construction, was adopted in April 2014 and includes the following sections detailing Mayoral priorities in relation to biodiversity of relevance to The Site.

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### Nature conservation and biodiversity

The Mayor's priorities include ensuring 'developers make a contribution to biodiversity on their development Site'.

### Overheating

Where priorities include the inclusions of 'measures, in the design of schemes, in line with the cooling hierarchy set out in London Plan policy 5.9 to prevent overheating over the scheme's lifetime'

### Urban greening

A Priority is for developers to 'integrate green infrastructure into development schemes, including by creating links with wider green infrastructure network'.

### Use less energy

'The design of developments should prioritise passive measures' which can include 'green roofs, green walls and other green infrastructure which can keep buildings warm or cool and improve biodiversity and contribute to sustainable urban drainage'.

### London Environment Strategy 2018<sup>24</sup>

The Mayor's Environment Strategy was published in May 2018. This document sets out the strategic vision for the environment throughout London. Although not primarily a planning guidance document, it does set strategic objectives, policies and proposals that are of relevance to the delivery of new development in a planning context, including:

#### Objective 5.1 Make more than half of London green by 2050

Policy 5.1.1 Protect, enhance and increase green areas in the city, to provide green infrastructure services and benefits that London needs now.

This policy states:

"New development proposals should avoid reducing the overall amount of green cover and, where possible, seek to enhance the wider green infrastructure network to increase the benefits this provides. [...] New developments should aim to avoid fragmentation of existing green space, reduce storm water run-off rates by using sustainable drainage, and include new tree planting, wildlife-friendly landscaping, or features such as green roofs to mitigate any unavoidable loss".

This supports the 'environmental net gain' approach promoted by government in the 25 Year Environment Plan.

Proposal 5.1.1.d The London Plan includes policies to green streets and buildings, including increasing the extent of green roofs, green walls and sustainable drainage.



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Objective 5.2 conserving and enhancement wildlife and natural habitats

Policy 5.2.1 Protect a core network of nature conservation sites and ensure a net gain in biodiversity

This policy requires new development to include new wildlife habitat, nesting and roosting sites, and ecologically appropriate landscaping will provide more resources for wildlife and help to strengthen ecological corridors. It states:

“Opportunities should be sought to create or restore priority habitats (previously known as UK Biodiversity Action Plan habitats) that have been identified as conservation priorities in London [and] all land managers and landowners should take BAP priority species into account”.

Local

Kingston Core Strategy

Policy CS 3 - The Natural and Green Environment

The Council will protect and improve Kingston’s valued natural and green environment by:

- a. seeking to ensure that residents have access to an interconnected network of safe, well managed and maintained areas of open space through the implementation of routes in the ‘South West London Greenways Network Expansion - Feasibility Report’, Kingston’s Green Spaces Strategy, Park Management Plans and Annual Implementation Plans
- b. protecting Kingston’s open space network from inappropriate development through its open spaces designations: Green Belt, Metropolitan Open Land (MOL), Thames Policy Area, Sites of Importance for Nature Conservation (SINCs), Local Nature Reserves, Local Open Space, School Open Spaces, Green Corridors, Green Chains and Allotments, as shown on the Proposals Map
- c. facilitating regeneration, infrastructure upgrades and environmental improvement to the Hogsmill Environs
- d. incorporating appropriate elements of public open space into new developments and/or making a financial contribution to improving existing open spaces, with additional facilities and better management to Green Flag standards
- e. promoting the management of biodiversity in light of the threats arising from climate change and future development growth, by working in partnership with a range of organisations on projects to protect and enhance Kingston’s Open Space Network. This will not only provide increased wildlife habitats, but will also link wider parts of Kingston, allowing easier movement and reducing isolation of habitats.

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Policy DM 6 - Biodiversity

The Council will:

- a. ensure new developments protect and promote biodiversity as part of sustainable design, through the inclusion of sustainable drainage, tree planting, soft landscaping, habitat enhancement and/or improvement, green roofs and new or improved semi-natural habitats, where appropriate
- b. require an ecological assessment on major development proposals, or where a site contains or is next to significant areas of habitat or wildlife potential. This should be completed before design work or submission of the planning application.
- c. ensure that new development does not result in a net loss of biodiversity and, where appropriate, should include new or improved habitats and provision for natural and semi-natural public green space, as set out in the Planning Obligations SPD or Community Infrastructure Levy charge.



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## REFERENCES

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- <sup>1</sup> Joint Nature Conservation Committee (2010); Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit. JNCC, Peterborough.
- <sup>2</sup> CIEEM (2017); Guidelines for Preliminary Ecological Appraisal, 2<sup>nd</sup> Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- <sup>3</sup> BSI (2013); British Standard 42020:2013: Biodiversity — Code of practice for planning and development, BSI Standards Publication
- <sup>4</sup> MAGIC (2019); Interactive Map. (Partnership project involving six government organisations: Defra (Department for Environment, Food and Rural Affairs); English Heritage; Natural England; Environment Agency; Forestry Commission; Department for Communities and Local Government). Available at: [www.magic.gov.uk](http://www.magic.gov.uk).
- <sup>5</sup> Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3<sup>rd</sup> edn). The Bat Conservation Trust, London
- <sup>6</sup> English Nature, (2004); Bat Mitigation Guidelines. English Nature.
- <sup>7</sup> Bat Conservation Trust and Institute of Lighting Professionals (2018); Bats and Artificial Lighting in the UK: Bats and the built environment series. BCT, London
- <sup>8</sup> Trees and Design Action Group (2019); Tree Species Selection for Green Infrastructure: A Guide for Specifiers. TDAG
- <sup>9</sup> HM Government, (1981); Part I and Part II of Wildlife and Countryside Act (as amended). HMSO
- <sup>10</sup> HM Government, (2017); The Conservation of Habitats and Species Regulations 2017. Statutory Instrument 2017 no. 490 Wildlife Countryside. OPSI
- <sup>11</sup> HM Government, (2000); The Countryside and Rights of Way Act. HMSO
- <sup>12</sup> HM Government, (2006); Natural Environment and Rural Communities Act 2006. HMSO
- <sup>13</sup> HM Government, (1994); The Conservation (Natural Habitats, &c.) Regulations. HMSO
- <sup>14</sup> CEC (Council of the European Communities), (1992); Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

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- <sup>15</sup> The European Parliament And Of The Council, (30 November 2009); Directive 2009/147/EC On The Conservation Of Wild Birds (Codified Version)
- <sup>16</sup> CEC (Council of the European Communities), (1979); Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 19.IX.1979). EC
- <sup>17</sup> UK Biodiversity Action Plan (2007). UKBAP Priority Species and Habitats. <http://www.ukbap.org.uk/newprioritylist.aspx>
- <sup>18</sup> JNCC and Defra (on behalf of the Four Countries' Biodiversity Group) (2012). UK Post-2010 Biodiversity Framework. July 2012. Available from: <http://jncc.defra.gov.uk/page-6189>
- <sup>19</sup> Defra (2011). Biodiversity 2020: A strategy for England's wildlife and ecosystem services
- <sup>20</sup> Convention on Biological Diversity (CBD) (2010). Decision X/2 Strategic Plan for Biodiversity 2011-2020, including Aichi Biodiversity Targets. Available at <https://www.cbd.int/decision/cop/?id=12268>
- <sup>21</sup> European Commission (2012). Our life insurance, our natural capital: an EU biodiversity strategy to 2020 European Parliament resolution of 20 April 2012 on our life insurance, our natural capital: an EU biodiversity strategy to 2020 (2011/2307(INI))
- <sup>22</sup> GOV.UK. (2019). National Planning Policy Framework. [online] Available at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> [Accessed 13 June 2019].
- <sup>23</sup> Greater London Authority (2016). The London Plan: The Spatial Development Strategy for London Consolidated with Alterations Since 2011. London: Greater London Authority.
- <sup>24</sup> Greater London Authority (2018). London Environment Strategy 2018. London: Greater London Authority.