

Garage plot  
Green Walk  
Ruislip  
HA4 8NL

# Preliminary Ecological Appraisal

January 2021

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# 1 SUMMARY

Nigel Smith T/A Lilacs Land Consultants was commissioned by Ruislip Manor Cottage Society to carry out a preliminary ecological appraisal of land at Green Walk, Ruislip, HA4 8NL. The survey was commissioned to support a planning application with the London Borough of Hillingdon for the building of two housing units and the associated landscaping.

A Phase 1 walkover survey was completed on 8/01/21. It found that the site comprises of two rows of connecting garages on an asphalt surface. No significant habitats were found.

A search of pre-existing data held by the Greenspace Information for Greater London was carried out by eCountability Ltd. It showed the site is not designated for its wildlife interest. There are no records of protected and notable species for the site but within 1km of surrounding area there are records of a range of notable species including: 2 bat species, 2 amphibians, 2 reptiles, hedgehog and stag beetle.

The site provides no suitable habitat for notable species and the proposals are unlikely to have any negative impact upon them.

# 2 INTRODUCTION

## 2.1 Site Location

The land is a garage and parking area adjoining Green Walk, Ruislip (**Grid references TQ097872**)

## 2.2 Report format

There follows: an overview of the planning policy background in Section 3 and of the protected species legislation in Section 4; details of the survey methods in Section 5; background data search findings in Section 6; Phase 1 habitat survey findings in Section 7; a discussion of the survey findings in Section 8; with recommendations being presented in Section 9. The appendices present: the site photographs (Appendix 1); and a Phase 1 habitat survey plan with associated habitat descriptions and target notes.

# 3 PLANNING POLICY BACKGROUND

### **3.1 National Planning Policy**

The ODPM Circular 06/2005 provides guidance on the application of the law relating to planning and nature conservation stating that ‘the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.’

The Natural Environment and Rural Communities (NERC) Act 2006 requires all public bodies, including local authorities, to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the ‘Biodiversity Duty’

The revised National Planning Policy Framework (NPPF), published in February 2019, sets out the Government's planning policies for England and how they should be applied. Section 15 of the NPPF sets out the approach local authorities should adopt to conserve and enhance the natural environment when preparing planning policy and when considering planning applications. Paragraph 175 sets out the principles local authorities should apply when determining planning applications as follows: 175. When determining planning applications, local planning authorities should apply the following principles:

- a) 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;
- b) 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;
- c) 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 and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity

## **4 HILLINGDON LOCAL PLAN: PART 1**

## **4.1 Strategic Policies**

Strategic Objectives of local planning policy for Biodiversity and Geological Conservation are:

4.1 SO5: Safeguard and promote areas of geological importance and make a proportionate contribution to West London's target to extract 0.5 million tonnes of minerals.

4.2 SO8: Protect and enhance biodiversity to support the necessary changes to adapt to climate change. Where possible, encourage the development of wildlife corridors.

Related Policies: EM1, EM7

## **4.2 Policy EM7 Biodiversity and Geological Conservation**

The Council will review all the Borough grade Sites of Importance for Nature Conservation (SINCs). Deletions, amendments and new designations will be made where appropriate within the Hillingdon Local Plan: Part 2- Site Specific Allocations Local Development Document. These designations will be based on previous recommendations made in discussions with the Greater London Authority. Hillingdon's biodiversity and geological conservation will be preserved and enhanced with particular attention given to:

The conservation and enhancement of the natural state of:

- Harefield Gravel Pits
- Colne Valley Regional Park
- Fray's Farm Meadows
- Harefield Pit
  
- The protection and enhancement of all Sites of Importance for Nature Conservation. Sites with Metropolitan and Borough Grade 1 importance will be protected from any adverse impacts and loss. Borough Grade 2 and Sites of Local Importance will be protected from loss with harmful impacts mitigated through appropriate compensation.
  
- The protection and enhancement of populations of protected species as well as priority species and habitats identified within the UK, London and the Hillingdon Biodiversity Action Plans.
  
- Appropriate contributions from developers to help enhance Sites of Importance for Nature Conservation in close proximity to development and to deliver/ assist in the delivery of actions within the Biodiversity Action Plan.
  
- The provision of biodiversity improvements from all development, where feasible.
  
- The provision of green roofs and living walls which contribute to biodiversity and help tackle climate change.
  
- The use of sustainable drainage systems that promote ecological connectivity and natural habitats

### ***4.3 Implementation of Policy EM7 - how we will achieve this***

The Council will implement Policy EM7 by:

- Raising the profile of the biodiversity and geological interests both locally, regionally and nationally.
- Supporting, improving and managing biodiversity interests and local geological sites through the planning process.
- Protecting and where feasible extend habitat and improve ecosystems throughout the borough and to areas beyond, by maintaining existing trees, native vegetation (adaptable to climate change) and open space and provide new areas of such London Borough of Hillingdon 116 Hillingdon Local Plan: Part 1 - Strategic Policies (Adopted November 2012) 8 Core Policies - Environmental Improvement vegetation (including the linking of existing fragmented areas) for the benefit of wildlife in accordance with the local Biodiversity Action Plan.
- Seeking and pooling contributions in accordance with the Planning Obligations Supplementary Planning Document towards the implementation of actions contained within Hillingdon's Biodiversity Action Plan.
- Working with partners, private landowners and other utility providers to achieve multi-functional use of land use that promotes and enhances biodiversity, adds to the green grid or achieves other open space outcomes, including improved accessibility.
- Working with local community groups/ partners when reviewing the Biodiversity Action Plan.

## **5 HILLINGDON BIODIVERSITY ACTION PLAN**

### ***5.1 National planning policies NPPF section***

Local planning authorities should aim to conserve and enhance biodiversity, including through refusing developments which result in the loss or damage of irreplaceable habitats.

### ***5.2 Regional planning policies***

#### **5.2.1 The London Plan 2011: Policy 7.19 – Biodiversity and Access to Nature**

- Not adversely affect the integrity of European sites and prevention of significant adverse effects on European or nationally designated sites, or on populations or conservation status of protected species, or priority species or habitats.
- Protection of statutory and non-statutory sites of nature conservation importance at a level commensurate with their importance.
- Enhancement or creation of important habitats during development, especially those identified in the London or Borough BAP.

### **5.2.2 London Borough of Hillingdon UDP 1998: saved policies (2007) EC1, EC2, EC3, EC4, EC5 and EC6**

- Protection of statutory and non-statutory nature conservation sites.
- Retention/creation of wildlife habitats during development, including on derelict/vacant land

### **5.2.3 The Hillingdon Local Plan: Part 1 2012: (Adopted November 2012) Policy EM7**

- The protection and enhancement of all Sites of Importance for Nature Conservation. Sites with Metropolitan and Borough Grade I importance will be protected from any adverse impacts and loss. Borough Grade II and Sites of Local Importance will be protected from loss with harmful impacts mitigated through appropriate compensation.
- Appropriate contributions from developers to help enhance Sites of Importance for Nature Conservation (SINCs) in close proximity to development and to deliver/ assist in the delivery of actions within the Biodiversity Action Plan.
- The provision of biodiversity improvements from all development, where feasible.
- The provision of green roofs and living walls which contribute to biodiversity and help tackle climate change.

## **6 LEGISLATIVE BACKGROUND – PROTECTED SPECIES**

### **6.1 *Amphibians***

The seven native species of amphibian receive protection under the Wildlife & Countryside Act 1981 (as amended). The four widespread and common amphibians (common frog, toad, smooth and palmate newts) receive limited protection – making their sale illegal.

Great crested newt receives full protection under the Wildlife & Countryside Act 1981 (as amended) and under the Conservation (Natural Habitats &c.) Regulations 2017 ('Habitat Regulations') (as

amended). These make it illegal to:

- Intentionally or recklessly kill, injure or take a great crested newt;
- Possess or control any live or dead specimen or anything derived from a great crested newt;
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt;
- Intentionally or recklessly disturb great crested newts; in particular, any disturbance which is likely to impair their ability to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating animals, to hibernate or migrate.
- The great crested newt and common toad are listed as being of principal importance for the conservation of biodiversity in England, under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006, (commonly referred to as a UKBAP Priority Species).

## **6.2 Reptiles**

The four widespread reptiles most likely to be encountered (adder, grass snake, slow worm and viviparous lizard) are protected under the Wildlife & Countryside Act 1981 (as amended). The Act makes it an offence to intentionally kill, injure, possess or sell any of the species.

The four reptile species are listed as being of principal importance for the conservation of biodiversity in England, under Section 41 of the Natural Environment and Rural Communities Act 2006, (commonly referred to as a UKBAP Priority Species).

## **6.3 Birds**

All wild birds are protected under the Wildlife & Countryside Act 1981 (as amended). The Act makes it an offence to kill, injure or take a wild bird or to damage or destroy the nest of a wild bird whilst in use or being built.

Less common bird species of conservation concern, such as the barn owl and kingfisher, are listed on Schedule 1 of the Act, which makes it an offence to disturb the birds whilst nesting also.

## **6.4 Bats**

All British bat species are fully protected by the Wildlife & Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 ('Habitat Regulations'). In summary, the legislation combined makes it an offence to:

- Damage or destroy a breeding site or resting place or intentionally or recklessly obstruct access to a structure or place used for shelter by a bat;



- Deliberately, intentionally or recklessly disturb bats; in particular any disturbance which is likely to impair the ability of bats to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating bats, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species;
- Deliberately kill, injure or take any bat.

## **6.5 Badgers**

Badgers are protected by the Protection of Badgers Act 1992. The Act makes activities such as development that would harm or disturb badgers or damage, obstruct or destroy their setts illegal. If badgers are to be affected by the proposed development, activities can be undertaken only under a licence issued by Natural England.

## **6.6 Otters**

Otters are fully protected by the Wildlife & Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 ('Habitat Regulations'). In summary, the legislation combined makes it an offence to:

- Damage or destroy a breeding site or resting place or intentionally or recklessly obstruct access to a structure or place used for shelter by an otter;
- Deliberately, intentionally or recklessly disturb otters; in particular any disturbance which is likely to impair the ability of otters to survive, breed or reproduce or nurture their young; or to affect significantly the local distribution or abundance of the species;
- Deliberately kill, injure or take any otter

## **6.7 Hazel Dormice**

Hazel dormice receive full protection under the Wildlife & Countryside Act 1981 (as amended) and under the Conservation (Natural Habitats &c.) Regulations 2017 ('Habitat Regulations') (as amended). These make it illegal to:

- Intentionally or recklessly kill, injure or take a dormouse;
- Possess or control any live or dead specimen or anything derived from a dormouse;
- Damage or destroy a breeding site or resting place or intentionally or recklessly obstruct access to a structure or place used for shelter by a dormouse;
- Intentionally or recklessly disturb dormice; in particular any disturbance which is likely to impair their ability to survive, breed or reproduce or nurture their young; or in the case of hibernating or migrating animals, to hibernate or migrate.

## 6.8 Water Voles

- Since April 2008, water voles have received full protection under Section 9 of the Wildlife & Countryside Act 1981 (as amended). This makes it an offence to intentionally kill, injure or take water voles or to possess or control live or dead water voles or derivatives. It is an offence to intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection or intentionally or recklessly disturb water voles whilst occupying a structure or place used for that purpose.
- The water vole is listed as being of principal importance for the conservation of biodiversity in England, under Section 41 of the Natural Environment and Rural Communities Act 2006, (commonly referred to as a UKBAP Priority species).

## 6.9 European Protected Species licences

The government's statutory conservation advisory organisation, Natural England, is responsible for issuing European Protected Species licences that would permit activities that would otherwise lead to an infringement of the Habitat Regulations. A licence can be issued if the following three tests have been met:

- Regulation 55(9)(a) - there is “no satisfactory alternative” to the derogation, and;
- Regulation 55(9)(b) - the derogation “will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range” and;
- Regulation 55(2)(e) - the derogation is for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
- Local authorities have a statutory duty under Regulation 7(3e) of the Habitat Regulations to have regard to requirements of the Habitats Directive in the exercise of their functions. The Council must therefore consider and determine whether these three tests are likely to be satisfied by an application affecting European protected species before granting planning permission.
- **N.B. The set out requirements apply to development that would affect bats, great crested newts and otters, which are European Protected Species also.**

## 7 HEDGEROWS

Hedgerow Regulations 1997

Regulation 4 of the Hedgerow Regulations sets out the criteria for determining “important” hedgerows as:

*“For the purposes of section 97 (hedgerows) of the Environment Act 1995 and these Regulations, a hedgerow is “important” if it, or the hedgerow of which it is a stretch, -*

- (i) has existed for 30 years or more; and*
- (ii) satisfies at least one of the criteria listed in part II of Schedule 1”*

It is an offence under the Hedgerow Regulations if:

*‘A person who intentionally or recklessly removes, or causes or permits another person to remove, a hedgerow in contravention of regulation 5(1) or (9).’*

## **8 INVASIVE NON-NATIVE PLANTS**

The Wildlife and Countryside Act 1981 (as amended) provides the primary controls on the release of non-native species into the wild in Great Britain. It is an offence under section 14(2) of the Act to ‘plant or otherwise cause to grow in the wild’ any plant listed in Schedule 9, Part II. The species listed in the Act includes Japanese knotweed (*Fallopia japonica*), giant hogweed (*Heracleum mantegazzianum*) and Himalayan balsam (*Impatiens glandulifera*).

### **8.1 Injurious Weed**

Five native plants are listed as injurious weeds under the Weeds Act 1959: common ragwort (*Senecio jacobaea*), spear thistle (*Cirsium vulgare*), creeping or field thistle (*Cirsium arvense*), broad-leaved dock (*Rumex obtusifolius*) and curled dock (*Rumex Crispus*). The Act means it is not an offence to have these weeds growing on your land and species such as ragwort have significant conservation benefits. However, they must not be allowed to spread to agricultural land, particularly grazing areas or land which is used to produce conserved forage. Enforcement notices can be issued following complaints requiring landowners to take action to prevent the spread of these weeds.

## **9 WILD MAMMALS**

Under the Wild Mammals (Protection) Act 1996 it is an offence to intentionally inflict unnecessary suffering, as specified by the Act, on any wild mammal.

## **10 SURVEY METHODS**

### **10.1 Phase 1 Habitat Survey**

A walkover survey was carried out on 8/01/21. The aim of the survey was to identify and map (appendix 1) any habitats in accordance with standard Phase 1 Habitat survey definitions (JNCC

2010). Any key features on site was photographed and plotted on the plan using target notes

Any features of ecological importance were recorded, and plant species observed during the survey noted (Appendix 3). Particular attention was given to any evidence of the presence of protected species and the site's potential to support such species and those of conservation importance (as defined under Section 41 of the NERC Act 2006).

## 10.2 Survey Constraints

The survey was subject to seasonal constraints because not all plant and animal species are visible throughout the year and therefore the report only contains species found on that day.

## 10.3 Phase 1 Survey Findings

### Target Note 1

- The entire site is a tarmac

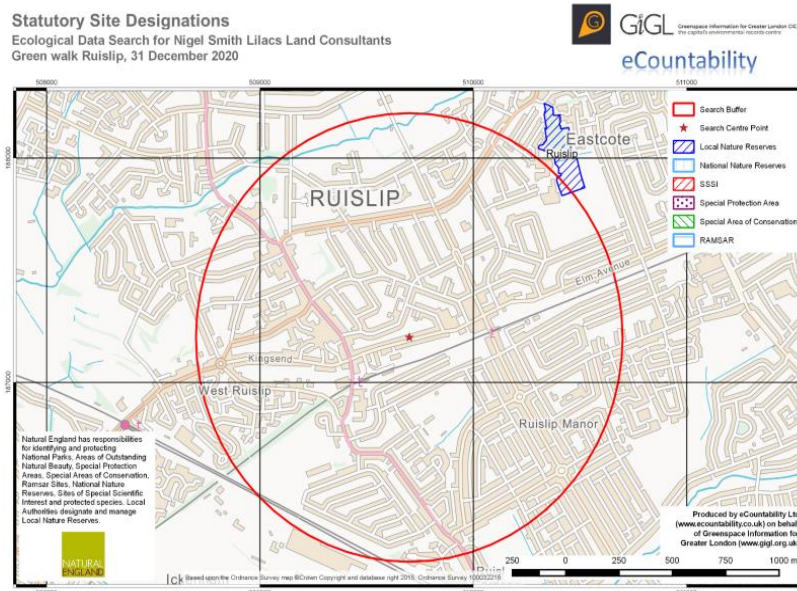
### Target Note 2

- 2 rows of garages see Appendix 1 and Appendix 2

# 11 BACKGROUND DATA RESEACH

A Data search was carried out by eCountability Ltd to identify any protected and notifiable species within a 1 km of the site

Annexes



## 11.1 Data Search Findings

Greenspace Information for Greater London findings within 1 km of site

Garage Plot Green Walk, Ruislip HA4 8NL- Preliminary Ecological Appraisal

The following data-sets were consulted for this report:

- Statutory sites ✓
- Non-statutory sites ✓
- Protected species ✓
- London invasive species ✓
- Habitats ✓
- Open space ✓

## Results

Statutory sites	No statutory sites and 1 LNR
Non-statutory sites	4 SINCs
Areas of Deficiency	Present within search area
Geological sites	None present within search area
Species	
Protected and notable species	276 species records
London invasive species	57 species records
Habitats	
BAP habitat suitability	Present within search area
Open Space	Present within search area

### 11.2 Statutory Sites and Local Nature Reserves

Statutory site designations include

- Special Area of Conservation (SAC)
- Special Protection Area (SPA)
- Ramsar sites
- Site of Special Scientific Interest (SSSI)
- National Nature Reserve (NNR)
- Local Nature Reserve (LNR)

Findings of search for statutory sites within 1km of site

- Ruislip Wood Local Nature Reserve

### 11.3 Non-Statutory Sites

Sites of Importance for Nature Conservation (SINCs) are recognised by the Greater London Authority and London borough councils as important wildlife sites.

There are three tiers of sites:

- Sites of Metropolitan Importance
- Sites of Borough Importance (borough I and borough II)
- Sites of Local Importance

Findings of search for non-statutory sites within 1km of site

### **Borough Grade II**

<b>Site Name</b>	<b>Summary</b>
High Grove	An area of landscaped gardens that have returned to nature.
Herlwyn Park Recreation Ground and railway banks	A recreation ground containing some wildlife habitats, with an adjacent area of railway lineside.
King's College Playing Fields	A stretch of the River Pinn runs through this site, which contains a range of wildlife habitats

Site of Local Importance

<b>Site Name</b>	<b>Summary</b>
River Pinn between St Martin's Approach & Woodville Gardens	A section of river corridor with a good range of habitats, including grassland and ancient woodland.

## **12 SURVEY RESULTS WITHIN 5KM OF SITE**

A further 5 km radius search of the Multi-Agency Geographical Information Centre (MAGIC) website was carried out to look for statutorily designated areas of international and national importance within the wider area, and for habitats of principal importance for conservation (HPI) as defined under Section 41 of the NERC Act 2006

### ***12.1 Statutorily and no-statutorily designation for wildlife interest within 5km of the site***

<b>Site Name</b>	<b>Designation</b>
Ruislip woods	National Nature Reserve (NNR)

<b>Site Name</b>	<b>Designation</b>
------------------	--------------------

Ruislip Woods	Sites of Special Scientific Interest (SSSI)
Fray's Farm Meadows	Sites of Special Scientific Interest (SSSI)

Site Name	Designation
Fray's Valley	Local Nature Reserves (LNR)
Denham Country Park	Local Nature Reserves (LNR)
Denham Quarry Park	Local Nature Reserves (LNR)
Yeading Woods	Local Nature Reserves (LNR)
Yeading Brook Meadows Islip Manor	Local Nature Reserves (LNR)
Notholt Manor	Local Nature Reserves (LNR)

## 13 RISK ZONE

The planning application does not fall into an category which would require consultation with Natural England.

## 14 PROTECTED/NOTABLE SPECIES

The Greenspace Information for Greater London database includes no records of protected and notable species for the survey site. The database includes records of protected and notable habitats and species within the 1km radius search area as follows:

There are records 2 amphibians and 2 reptiles Common Toad (*Bufo bufo* (2006)) common frog (*Rana temporaria*(2002) ) , grass snake (*Natrix helvetica* (2011) ). Common Lizard (*Zootoca vivipara*) (2011)

Two bird species worthy of note are swift (*Apus apus*) and kingfisher (*Alcedo atthis*). These records are dated 1998 and 2011 respectability

Records of bat species has been relatively poor with only Pipistrelle Bat species (*Pipistrellus*) and Common Pipistrelle (*Pipistrellus pipistrellus*). It should not be determined however that other bat species may not be present locally

Notable terrestrial mammals recorded in the last ten years within the search area are: hedgehog (*Erinaceus europaeus*) – a UK Priority Species;

The database includes 2 records in 2006 of stag beetle (*Lucanus cervus*) – a UK Priority Species and listed on Annex 2 of the European Habitats Directive

Records of plant species are within 10 years are limited with Bluebell *Hyacinthoides non-scripta* been recorded in 2011 within 1km of the site.

## **15 ASSESSMENT OF EXSISTING ECOLOGCAL VALUE**

The site currently has little to no ecological value to either habitat or protected species

## **16 RECOMMENDATIONS**

### ***16.1 Habitat Protection***

The site is a row of garages behind property and therefore there is not habitat that needs protection.

### ***16.2 Ecological Enhancement Opportunities***

The development proposals provide opportunities for the enhancement of the site's biodiversity value. The inclusion of the following recommendations would be of ecological benefit and be in line with the National Planning Policy Framework (NPPF):

- The installation of bat boxes within the brick work would increase the roosting opportunities for bats
- The planting of hedge rows and trees will improve nesting and feeding habitat for birds
- Once hedgerows and trees become established this will increase the likelihood of flying insects and improve foraging opportunities for bats

## **REFERENCES**

Joint Nature Conservation Committee (JNCC) (2010). Handbook for Phase 1 habitat survey – A technique for environmental audit. JNCC, Peterborough.

## **Appendix 1 Photographs**

*1: Entrance to site*

*Garages on eastern side*

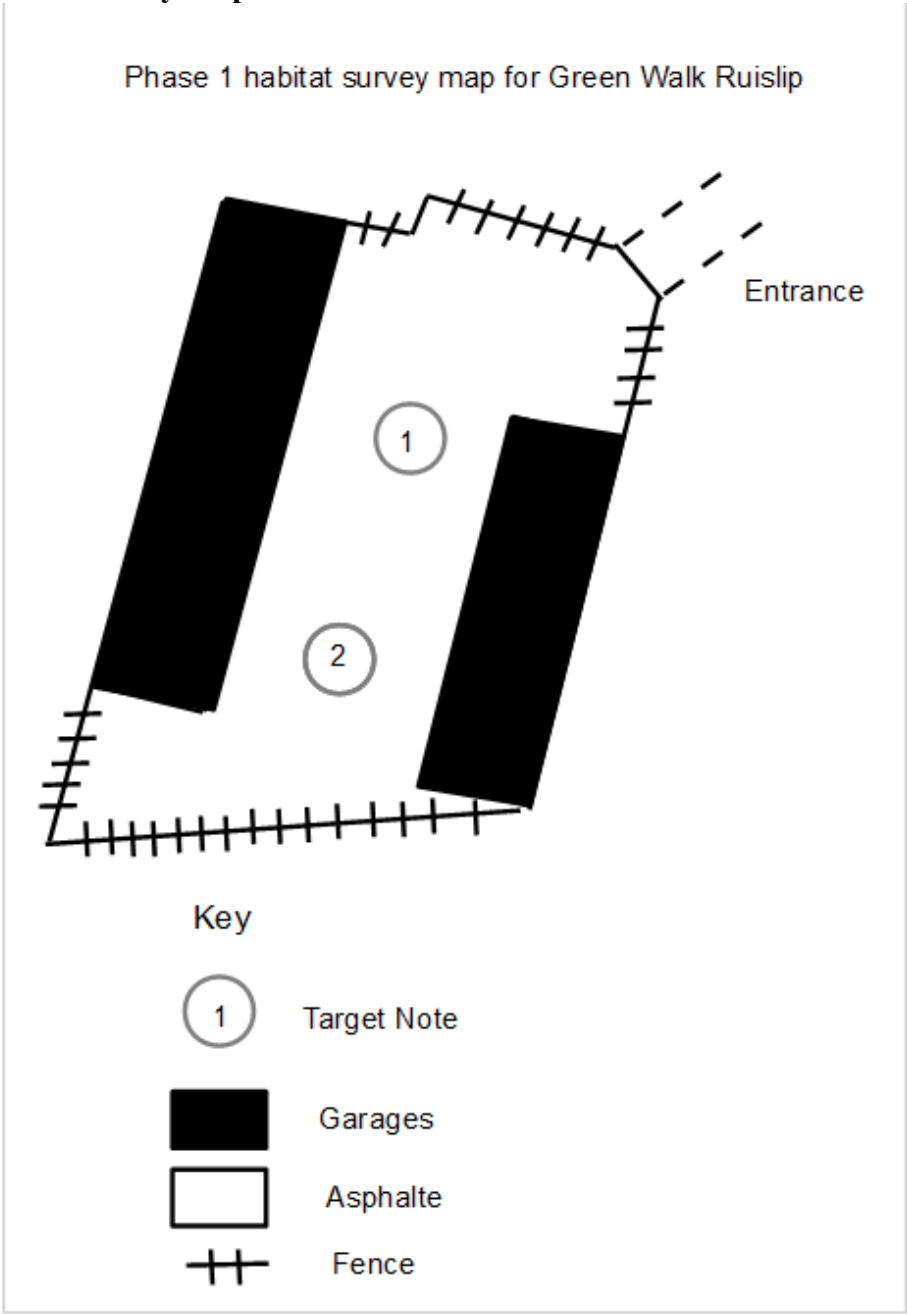




*Behind eastern garage block*

*Behind western garage block*

Appendix 2 Phase 1 Survey Map



### Appendix 3 Built in bat boxes

