

## Hackney Projects Biodiversity Checklist (March 2011)

### 1.0 Purpose of checklist:

This checklist provides advice to Hackney Council staff and consultants when starting a project. In this instance a project is defined as any physical work which the Council conduct that is outside of routine day-to-day operations.

More detailed advice notes are available from the Council on:

- Biodiversity Validation and Biodiversity Assessments
- Biodiversity in the Built Environment

### 2.0 Background:

Hackney Council has a statutory duty to consider the conservation of biodiversity when exercising its functions. This includes having regard to the safeguard of protected species, designated sites and priority habitats.

There are a number of pieces of policy and legislation that must be followed in relation to biodiversity. Ensuring that Hackney Council has robust mechanisms around biodiversity demonstrates our commitment to our duties and helps to avoid fines and penalties, particularly with reference to protected species. For example, fines of £5,000 per bat may be applied if these protected species are disturbed.

Biodiversity enhancements should be secured as part of any project. Guidance is available in the Hackney Advice Note: Biodiversity and the Built Environment.

#### 2.1 What are protected species?

Protected species are those protected under the Wildlife and Countryside act 1981 and the Conservation (Natural Habitats etc) Regulations 1994. In Hackney, the following protected species have been recorded (as of March 2011):

- Bats (nine species)
- Black redstart
- Breeding birds
- Common toad
- Grass snake
- Stag beetle
- Water vole
- White-letter hairstreak butterfly

NB: this is an illustrative list not a definitive list of protected species in Hackney. We know a number of other protected species are present in the borough and up-to-date data should always be used.

There are also species that receive protection through the planning process because they are Biodiversity Action Plan (BAP) species. A list of BAP species recorded in Hackney is shown in Table 3.

#### 2.2 What are designated and priority habitats?

Designated sites are areas that receive protection due to the habitats and/or species that they support. In Hackney we have 2 Local Nature Reserves (LNRs) [Springfield Park and Abney Park Cemetery] and 24 Sites of Importance for Nature Conservation (SINCs).

A list of Hackney SINCs is at:

<http://www.hackney.gov.uk/sites-of-importance-for-nature-conservation.htm>

There are also 'priority habitats' that receive protection because they have been recognised through the Natural Environment and Rural Communities (NERC) Act 2006. A list of priority habitats found in Hackney is included in Table 2.

### 3.0 Biodiversity Checklist:

**Question 1 - Protected Species:**

Does the project fit any of the 'triggers' shown in Table 1?  
**AND/OR**  
 Are there any existing records of protected species within 500m  
 of the application site or area where works are proposed?  
 [data available from GiGL [www.qigl.org.uk](http://www.qigl.org.uk) or via PlanWeb at <http://lbhpweblive01/planweb/>]

<p style="text-align: center;">↓</p> <p style="text-align: center;"><b>Yes:</b></p> <p>Protected species survey and assessment is required (see 4.2). An ecological consultant should be appointed (see 4.1).</p>	<p style="text-align: center;">↓</p> <p style="text-align: center;"><b>No:</b></p> <p>Protected species surveys are not required.</p> <p style="text-align: center;">If a protected species (see 2.1) is encountered during the course of the project then works should cease and advice should be sought from a ecological consultant.</p> <p style="text-align: center;">Additionally, opportunities for biodiversity enhancements should be sought and secured (see Q3).</p>
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**Question 2 - Designated and priority habitats:**

Is the project in a Site of Importance for Nature Conservation (SINC)?  
 [a list of Hackney SINC's is at <http://www.hackney.gov.uk/sites-of-importance-for-nature-conservation.htm>]  
**AND/OR**  
 Is the project in or within 50m of any of the 'triggers' shown in Table 2?

<p style="text-align: center;">↓</p> <p style="text-align: center;"><b>Yes:</b></p> <p>Ecological survey and assessment is required (see 4.2). An ecological consultant should be appointed (see 4.1).</p>	<p style="text-align: center;">↓</p> <p style="text-align: center;"><b>No:</b></p> <p>Ecological survey and assessment is not required.</p> <p style="text-align: center;">Additionally, opportunities for biodiversity enhancements should be sought and secured (see Q3).</p>
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**Question 3 – Biodiversity Enhancements:**

Does the project design result in an overall biodiversity enhancement?

<p style="text-align: center;">↓</p> <p style="text-align: center;"><b>Yes:</b></p> <p>Ensure biodiversity enhancements are installed as per design.</p>	<p style="text-align: center;">↓</p> <p style="text-align: center;"><b>No:</b></p> <p>Design in enhancements within the project (see 4.3).</p> <p style="text-align: center;">If this is not possible, off-site enhancements should be sought and secured (see 4.3).</p>
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**Table 1: Project Triggers for Protected Species Surveys and Assessments**

Projects:	Species likely to be affected and for which a survey will be required						
	Bats	Breeding birds	Reptiles	Amphibians	Plants	Invertebrates	
Proposed development which includes the modification conversion, demolition or removal of buildings and structures (especially roof voids) involving the following: <ul style="list-style-type: none"> <li>▪ all buildings with weather boarding and/or hanging tiles that are within 50m of woodland and/or water;</li> <li>▪ pre-1960 buildings and structures within 50m of woodland, water or Sites of Importance for Nature Conservation;</li> <li>▪ pre-1914 buildings with gable ends or slate roofs, regardless of location;</li> <li>▪ all tunnels, air raid shelters, cellars and similar underground ducts and structures;</li> <li>▪ all bridges (especially over water).</li> </ul>	▪	▪					
Proposals involving lighting of churches and listed buildings or flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water.	▪	▪					
Proposals affecting woodland, or field hedgerows and/or lines of trees with obvious connectivity to woodland or water bodies.	▪	▪			▪		
Proposed tree work (felling or lopping) and/or development affecting: <ul style="list-style-type: none"> <li>▪ veteran trees or trees with veteran features;</li> <li>▪ trees with obvious holes, cracks or cavities;</li> <li>▪ trees with a girth greater than 1m at chest height.</li> </ul>	▪	▪				▪	
Proposals affecting or within 50m of canals, lakes, or other aquatic habitats.	▪	▪		▪	▪		
Proposals affecting 'derelict' land (brownfield sites), allotments and railway land.		▪	▪	▪	▪		
Proposed development affecting any buildings, structures, feature or locations where <u>protected species are known to be present</u> *.	▪	▪	▪	▪	▪	▪	

\*Confirmed as present by either a data search (for instance via GIGL) or as notified to the project manager by the local planning authority, and/or by Natural England, the Environment Agency or other nature conservation organisation.

**Table 2: Project Triggers for Ecological Surveys and Assessments**

Any projects within 50m of any of the below may require an ecological survey and assessment. It may be necessary to instruct an ecological consultant (see 4.1) to conduct a Phase 1 Habitat Survey to identify if these habitats and features are present on the site.

<p><b>1. DESIGNATED SITES</b></p> <p><b>Regionally and locally designated sites:</b>                  Site of Importance for Nature Conservation (SINC)                  [a list of Hackney SINC's is at <a href="http://www.hackney.gov.uk/sites-of-importance-for-nature-conservation.htm">http://www.hackney.gov.uk/sites-of-importance-for-nature-conservation.htm</a>]                  Local Nature Reserve (LNR)</p>
<p><b>2. PRIORITY HABITATS</b> (Habitats of Principal Importance for Biodiversity under S.41 of the NERC Act 2006)</p> <ul style="list-style-type: none"> <li>▪ Ancient and/or species-rich hedgerows</li> <li>▪ Fen, marsh, swamp and reedbeds</li> <li>▪ Lowland heathland and/or dry acid grassland</li> <li>▪ Lowland meadows (e.g. species-rich flower meadows)</li> <li>▪ Lowland mixed deciduous woodland (ancient woodland)</li> <li>▪ Rivers and streams (e.g. chalk streams)</li> <li>▪ Standing open water and canals (e.g. lakes, reservoirs, ponds, aquifer fed fluctuating water bodies)</li> </ul>
<p><b>3. OTHER BIODIVERSITY FEATURES</b></p> <ul style="list-style-type: none"> <li>▪ Secondary Woodland and Mature/Veteran Trees</li> <li>▪ Trees and scrub used for nesting by breeding birds</li> <li>▪ Previously developed land with biodiversity interest</li> <li>▪ Urban green space (e.g. parks, allotments, flower-rich road verges and railway embankments)</li> </ul>

**Table 3: UK and London BAP species recorded in Hackney as at March 2011**

Native black poplar	Spotted Flycatcher	Lesser Noctule Bat
Wall bedstraw	Common Starling	Noctule Bat
Northern Lapwing	House Sparrow	Nathusius's Pipistrelle
Herring Gull	White-letter hairstreak	Soprano Pipistrelle
European Turtle Dove	Wall	Common Pipistrelle
Sky Lark	Small heath	Brown Long-eared Bat
Sand Martin	Hedgehog	Vespertilionidae sp.
Dunnock (Hedge Accentor)	Water vole	Common toad
Black Redstart	Daubenton's Bat	Stag beetle
Song Thrush	Natterer's Bat	Grass snake

NB: this list is for illustrative purposes only. Data searches should always be carried out with GiGL to ensure that up-to-date data is assessed.

## 4.0 Additional Information for Project Managers

### 4.1: Ecological Consultants

Any protected species and/or ecological surveys must be undertaken and prepared by competent persons with suitable qualifications and experience (i.e. IEEEM registered). A directory of IEEEM members is available at <http://www.ieem.net/ieemdirectory.asp>.

### 4.2: Survey and Assessment Requirements

NB always send your ecologist a copy of the Hackney Advice Note: Biodiversity Validation and Biodiversity Assessments

The ecological consultant should complete surveys to the following standards:

- Surveys must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available (see <http://www.ieem.net>).
- The survey should be informed by the results of a search for ecological data from the regional biological records centre: Greenspace Information for Greater London (GiGL [www.gigl.org.uk](http://www.gigl.org.uk)).
- Protected species surveys must be to an appropriate level of scope and detail and record which species are present and identify their numbers (may be approximate); map their distribution and use of the area, site, structure or feature (*e.g.* for feeding, shelter, breeding).
- Habitat surveys must record which habitats and features are present on and where appropriate around the site; identify the extent/area/length present; map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

The subsequent assessments must:

- Identify and describe potential development impacts likely to harm protected species and/or their habitats identified by the survey, designated sites, priority habitats, other listed biodiversity features or geological features (these should include both direct and indirect effects both during construction and afterwards).
- Where harm is likely, the assessment should show:
  - How alternative designs or locations have been considered;
  - How adverse effects will be avoided wherever possible;
  - How unavoidable impacts will be mitigated or reduced;
  - How impacts that cannot be avoided or mitigated will be compensated.

### 4.3: Biodiversity Enhancements

Proposals should consider the potential to provide biodiversity enhancements. This is a requirement for projects that require planning permission and is strongly recommended for all projects. Details are available in the Hackney Advice Note: Biodiversity and the Built Environment.

### 4.4: Exceptions

There are a limited number of exceptions to the above guidance. Detailed advice on survey requirements should be sought from ecological consultants and confirmed by the Hackney Biodiversity Officer. Detail on exceptions is available in the Hackney Advice Note: Biodiversity Validation and Biodiversity Assessments.

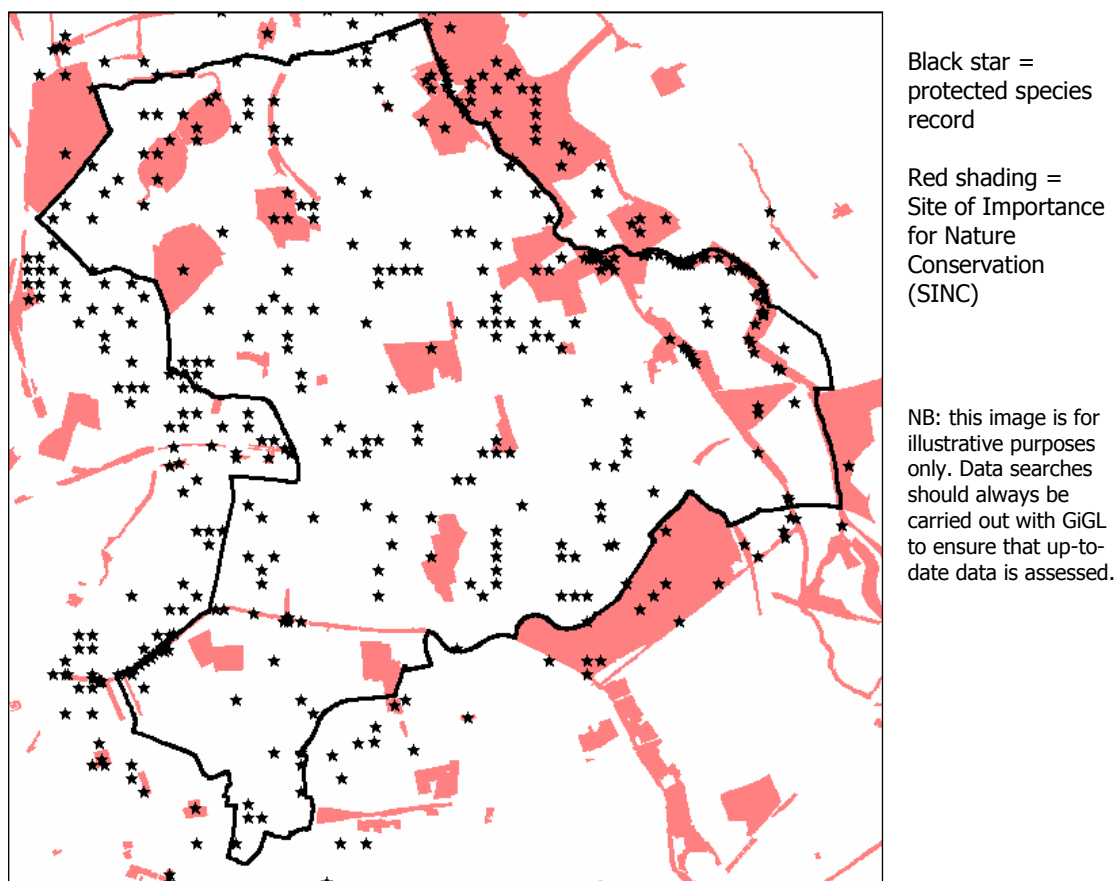
#### 4.5: Trees

The ecological survey and assessment should identify whether a site has trees with biodiversity value. Any works occurring near to trees should follow best practice. It is recognised that the root areas of trees are very delicate and require protection from certain activities. All trenching, building and development works near Council owned trees must comply with BS 5837 Trees in Relation to Construction and National Joint Utilities Group Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook (available at <http://www.njug.org.uk/>).

#### 4.6: Consultation

Local groups and organisations often have detailed knowledge of local biodiversity that is not recorded elsewhere. Groups should be contacted at an early stage in the project process as part of an overall consultation plan. A list of Parks user groups is available at <http://www.hackney.gov.uk/parks-user-group.htm>.

**Figure 1: SINCs and protected species records in Hackney as at March 2011**



#### **Further information or questions on Hackney Biodiversity:**

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Tel: 020 8356 3438

Web: <http://www.hackney.gov.uk/biodiversity.htm>