

26 February 2015

Spatial Planning Policy Team
Colchester Borough Council
Colchester

BY EMAIL ONLY

Dear Planning Policy Team,

Re: Issues and Options Consultation (16 January - 27 February)

With regard to the above consultation, Essex Wildlife Trust wishes to submit responses to several Key Questions as set out in the consultation document. We are also submitting an objection in respect of Growth Strategy Options 1 and 3.

Growth Strategy Options - Objection

Essex Wildlife Trust objects to Options 1 and 3 (A and B) on the grounds that development on land to the east of Colchester, north of the A133, would have serious adverse impacts of high magnitude on an important strategic wildlife corridor. This corridor includes Salary Brook Local Nature Reserve and priority habitats of high conservation value, such as floodplain grassland and ancient woodland.

Several Local Wildlife Sites would be damaged or destroyed if proposals to locate 6,000 houses on this site were to go ahead. This would result in a catastrophic loss of biodiversity due to a very large increase in human disturbance, pet predation and an overall reduction in habitat quality. The loss of biodiversity on this site is likely to have further adverse impacts on the nearby **Upper Colne Marshes SSSI**, to which it is ecologically linked.

Co146 Salary Brook Local Wildlife Site (Local Nature Reserve)

This river valley corridor constitutes an important urban wildlife area, allowing for a variety of informal countryside recreational pursuits close to a large urban population. It supports a good variety of dragon- and damselflies, including Common Emerald, Bluetailed, Banded Demoiselle and Common Blue. The mosaic of scrubby hedgerows and tall swamp habitats attract birds such as Sedge Warbler and the much rarer Grasshopper Warbler. The stream supports a vulnerable population of water voles, and otters are also known to frequent the site.

Water voles

The water vole is fully protected under **Schedule 5 (Section 9)** of the **Wildlife and Countryside Act 1981 (as amended)**. Legal protection therefore requires that due attention is paid to the presence of water voles and appropriate actions



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are taken to avoid committing offences. Furthermore, water voles are included in the Government's list of **Species of Principal Importance** for the conservation of biodiversity in England and thus require special attention.

The water vole has suffered one of the most catastrophic declines of any British mammal this century and its widespread survival is now seriously threatened. This decline has been most rapid in the last 30 years, and a recent survey showed that the species has been lost from almost 90% of the sites where it occurred earlier this century. Many remaining populations are now severely fragmented and their survival is in doubt.

Otters

The otter is fully protected under **Schedule 5** of the **Wildlife and Countryside Act 1981 (as amended)** and **Schedule 2** of **The Conservation of Habitats and Species Regulations 2010**, making the otter a European Protected Species.

This means that all competent authorities, when exercising their functions, must have regard to the requirements of the **Habitats Directive** (See **Regulation 9(5)** of the **2010 Habitats Regulations**).

The loss or degradation of habitat, severance of habitat connectivity, loss of holts or resting places and changes to water quality can all result in direct impacts upon otters. They are highly territorial animals with large home ranges. Given their large territories, otters will continue to try and use 'known routes'. This can often put them into direct and fatal conflict with road schemes, bridge construction schemes, culverts and other physical barriers.

Ancient woodlands

The proposed development would also have serious adverse impacts of high magnitude on the following priority ancient woodlands and designated Local Wildlife Sites: **Home Wood (Co150)**, **Thousand Acres (Co152)**, **Churn Wood (Te5)** and **Wall's Wood (Te6)**.

Summary of objection

The Salary Brook valley and associated priority grassland and ancient woodland habitats, which together function as a vital wildlife corridor linking habitats to the north with the internationally designated habitats of the Colne estuary, is of highly significant strategic importance. It is rich in biodiversity and supports important populations of protected and priority species, including otters and water voles. The biodiversity and ecological function of this suite of important habitats would be irreversibly damaged if the proposed development were to go ahead. The Trust is firmly opposed to Growth Strategy Options 1 and 3.

Consultation Key Questions

Introduction: Key Issues: Question 2:

Do you agree with the scope of the evidence base set out under the heading 'What Information will be used to inform the Plan?', is there anything that you think is missing from the list, or that you think is not needed?

The EECOS Local Wildlife Site Review was conducted in 2008; it is recommended that these reviews are undertaken every 3 to 4 years, as the condition of sites can change relatively quickly. This current report is therefore now out of date and a further review of all

LoWS in the borough should be carried out. This is essential for the Local Plan to be based on evidence that is accurate and up to date.

Introduction: Key Issues: Question 3:

Do you think we have identified all of the key planning issues facing Colchester and which the Plan should address? If not, please set out any additional issues that you have identified, along with your thoughts on how the Plan could address them.

The GI report identified and mapped strategic green corridors throughout the borough. The Local Plan should address how these green corridors can be robustly defended from development; the Plan should also outline how the biodiversity they support can be protected and enhanced and enhanced.

Introduction: Key Issues: Question 5:

Are there any other issues or considerations that we should take into account, or be aware of in formulating the new Local Plan.

The targets and indicators for monitoring biodiversity as outlined in this consultation document are inadequate. For example, an indicator stating the number of local wildlife sites in Positive Conservation Management (PCM) does not provide sufficient evidence as to the levels of biodiversity supported by those sites; a planned programme of individual species recording and regular monitoring should be undertaken to provide the robust evidence required to monitor biodiversity on individual sites.

The Core Strategy vision from 2008 does not place sufficient emphasis on the fundamental importance of tackling the ongoing issue of declining biodiversity. Suggested alternative wording:

*“The natural environment, countryside and coastline will be conserved and enhanced and strategic green spaces will be secured to meet the recreational and health needs of Colchester **and to protect and enhance biodiversity**. Sustainable development **will protect and enhance** the biodiversity, cultural and amenity value of the countryside and coast and will minimise use of scarce natural resources.”*

Vision: Key Issues: Question 6:

What would you like to see for the Borough's future, what do you think should be included in the Local Plan vision for the Borough, what should we be aiming and aspiring to achieve and why?

The use of biological records to assist in the monitoring of biodiversity and to inform strategic planning should be embedded in the Local Plan vision. This should be aspiring to achieve a network of vibrant, wildlife-rich green spaces which are well-connected by robustly defended green corridors. The health of this green network should be regularly monitored through surveys and reference to biological records.

Vision: Key Issues: Question 7:

Are there any other documents or visions that you think might help to inform the vision for the new Local Plan?

As previously stated, an updated Local Wildlife Site review, preferably including habitat condition surveys, would be essential if the Local Plan is to be informed by relevant, accurate and up to date evidence.

A key report which should be included to inform the vision for the new Local Plan is:

Making Space for Nature: A review of England's Wildlife Sites and Ecological Network
Chaired by Professor Sir John Lawton (2010).

The report argues that:

"...we need a step-change in our approach to wildlife conservation, from trying to hang on to what we have, to one of large-scale habitat restoration and recreation, under-pinned by the re-establishment of ecological processes and ecosystem services, for the benefits of both people and wildlife."

Natural Environment: Key Issues: Questions 26-28:

Have the correct issues been identified, are there any missing?

Do you have any thoughts on how the Plan could or should address these issues?

Do you have any further comments to make about issues related to the Natural Environment?

Monitoring would be required using data from surveys and evidence from biological records to establish the effectiveness of the GI network.

The GI network should be established across the whole borough and beyond, linking Local Wildlife Sites with nationally and internationally designated sites via ecologically functional green corridors. River corridors, including the tributary networks of brooks and streams, should be robustly protected from the adverse impacts of development in order to protect vulnerable populations of water voles and other wildlife, including otters.

This GI network should be strategically planned before decisions are made on where built development is to be located, ie developments should be planned to take the borough-wide GI network into account and avoid impacting on it. This will be far more effective than piecemeal green spaces added on haphazardly to individual developments. The detrimental impact of human disturbance must also be taken into account; while multi-functional green space is desirable, a network of areas protected from human disturbance is essential for the protection and enhancement of biodiversity.

In producing the Local Plan, Colchester BC should therefore set out a strategic approach to planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure (as required in para. 114 of the NPPF).

The NPPF emphasises the importance of a robust evidence base to inform successful Local Plan policies on the natural environment. Evidence-gathering should include an assessment of existing and potential components of ecological networks.

GI and biodiversity should be core considerations in the preparation of Local Plans. The Localism Act reinforces the role of the Local Plan and the plan-led system, stressing the need for a strong and proportionate evidence base. Local Plans also need to meet the soundness test which requires policy to be viable and deliverable and in line with national and international obligations.

There are a range of strategic issues and documents that also need to be taken into account in the Local Plan. Such issues include climate change, which over the long-term could impact factors such as flood risk, coastal change, water supply, and changes to biodiversity and landscape. The NPPF stipulates (in para. 99) that 'when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure'.

Evidence base

It is good practice for a Local Plan to include specific measurable targets that can be monitored – for example net biodiversity gain targets reflecting local priorities for biodiversity (contributing to national targets as appropriate).

At a strategic level, effective local planning for GI requires a strong evidence base to understand both the risks to GI assets and opportunities for enhancement to enable resilient plans to be developed. Evidence-gathering should be informed by local knowledge and expertise and should identify the functions provided by existing and future GI. The gathering of such data, which should include a clear assessment of baseline data, should be embedded in the Strategic Environmental Assessment (SEA) Environmental Report, which requires a holistic assessment of the environmental impacts of plan policies and possible alternatives.

Comprehensive evidence-gathering will help to inform decisions on the type and location of green space required to complement existing GI, fill gaps, mitigate adverse impacts, and provide additional compensatory measures to ensure a net gain in biodiversity assets and GI.

It is good practice to carry out context studies to establish where existing or potential GI exists, as well as to gain an understanding of specific local distinctiveness and landscape character, to assist in the design of new relevant habitat.

Mapping existing resources and identifying areas of opportunity is an important strategic tool to secure physical and functional connectivity through the restoration and re-creation of habitats and landscapes that have become fragmented. Much mapping work has already been achieved through regional planning. We advise Colchester BC to draw on this existing good practice in identifying and mapping components of local ecological networks to ensure that existing and potential components of the local ecological network are integrated at every geographical scale.

It is important that Colchester BC planners have access to baseline figures for biodiversity in the borough. This information can then be broken down to a more local level to inform developers about site-specific biodiversity issues within a development.

EWT Biological Records Centre

The new Essex Wildlife Trust Biological Records Centre functions as a key source of evidence. The best way to obtain data from the Records Centre is via a Service Level Agreement (SLA). This provides a cost effective way of obtaining data on a regular basis, and allows data provision to be tailored to the recipient. It is good practice that any data recorded during the implementation and management of GI is fed back to the Records Centre Data Manager.

Importance of Green Infrastructure

Strategically planned GI is important for biodiversity and landscape conservation. Over the last hundred years there has been an unprecedented change in the UK countryside, resulting in habitat loss and dramatic adverse impacts on the populations of many species. In securing sustainable development, the planning system aims to achieve a net gain for biodiversity through the protection, restoration, creation, and recovery of habitats and species (as set out in paras 9 and 117 of the NPPF).

A net gain for biodiversity means a sustained increase in abundance, quality and extent of all species and habitats that support healthy ecosystems. Any development should seek to increase an area's biodiversity assets and (in rural areas) countryside character, while guarding against the loss of irreplaceable habitats. This involves safeguarding and enhancing biodiversity already present and/or providing new areas of habitat and features for wildlife appropriate to the landscape and the ecology of that neighbourhood, while providing as many other ecosystem functions as possible. This approach would involve protecting irreplaceable habitat and existing sites of international, national or local importance and landscape character and putting measures in place to optimise their condition and connectivity.

Other green space where nature conservation may not be the primary objective (for example private gardens, parks, public rights of way, and cycle routes) can, if managed sensitively for wildlife, help to sustain and increase particular species and contribute to achieving net gains for biodiversity by serving as stepping stones and corridors. The ultimate aim is the formation of an extensive network of linked GI which provides additional, complementary wildlife habitat, landscape quality and public access, and which buffers key habitats from adverse impacts of developed areas and their associated activities.

Government policy recognises the importance of protecting and enhancing areas designated for their special landscape and/or biodiversity importance – including National Parks, Areas of Outstanding Natural Beauty, Special Areas of Conservation, Special Protection Areas, Ramsar Sites, Sites of Special Scientific Interest, Ancient Semi-Natural/Natural Woodland, Local Nature Reserves, Local Sites and Local Green Spaces. Priority should be given to the protection, enhancement and management of these areas, ensuring their integrity and increasing their ecological resilience in order to enhance landscape character, protect and increase biodiversity, and establish a coherent ecological network resilient to current and future pressures.

Local Plans should identify these areas with clear policy and guidance on what will or will not be permitted and where. Protection of existing high quality habitat such as unimproved grassland and irreplaceable habitats such as ancient woodlands should be prioritised over creating new habitats.

Mechanisms and resources for long-term protection and management need to be addressed and incorporated into an agreed plan **using relevant up-to-date information and ecological expertise.**

Targets can be set to link fragmented habitats and landscape features to increase species viability, by restoring degraded sites and habitats and by providing new spaces for recreation to reduce human impact on sensitive sites. Mapping the existing resource will help to identify areas of fragmented habitat where connections can be made. Through the provision of bigger, better and more joined-up sites and green space, GI networks can support the dispersal and migration of individual species, either as part of a regular movement pattern or through migrations in response to climate change.

Some elements of GI resource will be sensitive to too much human activity and recreational disturbance. Recreational disturbance of vulnerable habitats can lead to a loss of vegetation, disturbance of ground-nesting birds (affecting their breeding and survival), and increased predation of birds and wild mammals by domestic cats.

By providing additional 'suitable accessible natural green space' (SANGS), local authorities can help to divert visitors away from sites that are sensitive to recreational disturbance.

Natural England has produced useful guidance and a checklist for the creation of SANGS in the Thames Basin Heaths Planning Zone, and many of the principles will apply to the creation of SANGS elsewhere (although they may not be suitable for all locations and habitats).

Kind regards,

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