

## **Submission on behalf of Friends of Crossness Nature Reserve**

### **Riverside Energy Park Submission Deadline 8 – 23<sup>rd</sup> September 2019 – Environment Bank Site Selection for Biodiversity Offsetting Report Volume Number 8 – En010093 Ref 8.02.71**

The Friends of Crossness apologise for not being able to attend the Issue Specific hearing on Thursday 19<sup>th</sup> September. However we have listened to the entire audio recording of proceedings, particularly that part which covered biodiversity and wish to comment on aspects of that hearing but more specifically the Environment Bank Site Selection for Biodiversity Offsetting report. Some additional comments relating to London Borough of Bexley (LBB) written responses to submission deadline 7.

#### **General comments on introduction of said report**

1.3.5 – we still contest the applicant's assertion that there will be no direct impact to Crossness Nature Reserve (CNR ) just because the Electrical Connection Route has been removed from the development – this again shows the lack of “on the ground” understanding by the Applicant and their representatives.

1.3.6 – we welcome the fact that the Data Centre site will be included in the offsetting requirements but note from those sites proposed in Bexley, none offers suitable replacement habitats (open mosaic) or for those specialist species reliant upon that habitat – skylark/shrill carder bee being just two, without damaging existing biodiversity value.

We also note that, the full implications won't be understood until final design is agreed so how can any offsetting be agreed until then? LBB are also concerned see 2.1-10 of their written response.

We are sure the Examiner will appreciate the complexity of the data relating to DEFRA Biodiversity offsetting provided by the Applicant with all the specialist/professional individuals they can afford to employ, against us, the Friends (and others), the lay-persons who struggle to fully understand the DEFRA Metrics and myriad tables set out in the document (En010093 Ref 8.02.71).

We welcome the response of LBB to deadline 7 – summarised under Biodiversity 2.1 – 2.10 but have reservations about the robustness of monitoring delivery. We are also concerned about procedures outlined at the hearing on 19<sup>th</sup> September and are not convinced LBB and the Environment Bank are in complete agreement on many matters and time scales arising.

We were shocked, following a statement and question from Mrs Jenny White that the Applicant's representative, Miss Maitland claimed to have known nothing of the presence of Shrill Carder Bee around the site proposed for development; the Examiner did, and not surprisingly, upon recommencement of proceedings the Applicant's representative Mr Griffiths asked for that statement to be retracted. That doesn't inspire confidence that LBB were fully able to represent the habitats/wildlife when in discussion with the Environment Bank, or in the Environment Bank understanding the issues.

2.1.3 Applicant claims the wide use of Biodiversity accounting metrics and offsetting. It seems to us that LBB are being pushed down the road of DEFRA bio-diversity off-setting . There is widespread concern about the DEFRA Metrics/Bio-diversity accounting within the wider conservation movement with papers circulating questioning the robustness (e.g. British Wildlife December 2018 being just one – Biodiversity Accounting – a tool for transparency or dumbing down by Dominic Woodfield MD of an Ecological Consultancy). We understand The Wildlife Trusts have real concerns. Some say the only long term beneficiaries will be the Directors of the Environment Bank.

2.1.4 – Interesting to note that it is the developers and others who have most to gain and whose core business is a million miles from nature conservation who have adopted Biodiversity net gain as an industry standard.

There is a fundamental flaw in those sites proposed by LBB in that they are already designated sites for bio-diversity that just need some decent management by the landowner – LBB. As the Applicant/Environment Bank found out when researching the proposals, a key document - LBB Bio-diversity Action Plan is over four years out of date (see reference London Bexley Bio-diversity Action Plan 2010-2015). As someone involved in the production of the first BAP (early 2000's) and this second edition I am fully aware that even this out of date plan was not managed or monitored as is required.

It goes without saying that almost all the designated land under LBB control (80% of SINC's wholly or partly owned) has no or no up to date management plans – no wonder LBB are looking to off load their own responsibilities onto this unwanted development.

Bexley has a track record of approving developments on wildlife rich sites and when mitigation or translocations are required just dumping/cramming them onto other, existing natural resource/wildlife friendly sites. Given the amount of development in the Borough, the richness of good biodiversity habitats are becoming less and less. Where is the enhancement, net gain in biodiversity?

The key to offsetting as we see it relies upon the mitigation hierarchy (avoid, reduce, compensate) – surely, compensate doesn't mean add to an existing site but should be to find a new site that can be managed to compensate for the loss of habitat and species? LBB are just moving it from one site to another (robbing Peter to pay Paul) and in these Environment Bank proposals seemingly happy to see existing good habitat destroyed/adapted to facilitate offsetting for the REP development.

The Friends of Crossness Nature Reserve remain 100% against this development for reasons already given in previous representations. However, if it was to go ahead could we perhaps, imprudently, ask the Examiner to request London Borough of Bexley (LBB) along with the Applicant and Environment Bank to engage with those registered interested parties from the local community about how best to address net biodiversity gain within Bexley before decisions are made and the possibility of those gains being achieved outside the Borough? As sections 3 and 4 suggest – Desk Studies seem to take prominence over the latest local knowledge  
We do welcome LBB priority for sites within the Borough (2.1-2.10).

We are as concerned as LBB, who in their conclusions 3.1 state “In conclusion and in specific answer to the Rule 17 letter, LBB considers that without certainty as to delivery of biodiversity off-setting, there could be a net loss of biodiversity within the borough and therefore the biodiversity effects of the project must continue to be considered a significant adverse impact at the local level”.

However we do not fully agree with their final statement “3.2 LBB considers that this adverse impact would be appropriately mitigated if the changes to the DCO set out above were incorporated”. This is why we believe further difficulties down the line could be partially avoided if wider consultation took place.

**The interested parties we refer to are:**

**Thames Water** – The Bio-diversity Team manager who has managed the Crossness Nature Reserve and wider site for over 15 years.

**The Friends of Crossness Nature Reserve**, myself (Ralph Todd), representing over 400 members have been visiting and recording wildlife/nature at Crossness, and other sites within Bexley for over 40 years and been very closely involved with the Crossness nature reserve for 23 years.

**The Bexley Natural Environmental Forum**, an organisation set up with Council support precisely to advise on environment/wildlife issues in the Borough. The Chair and Vice-Chair have both academic and practical knowledge and experience of bio-diversity and environmental issues particularly of sites across the whole Borough and whose body represents a number of interested parties beyond those mentioned above.

None of the above has been approached at any stage by LBB or the Environment Bank representatives. I understand from the document someone from Thames Water must have been spoken to as part of the Ridgeway was offered but sadly, no approach to the warden of the Nature Reserve.

Thames Water Biodiversity Team Manager and I were invited to meet with the Applicant's ecologist during the early survey periods and had two meetings with representative of the Applicant (Mr Wilkinson and Mrs Alexander) up to April of this year, however, at that point we failed to agree a number of points within their first draft SoCG. The applicant has made no further attempt to communicate with us. It seems to us that LBB and the Applicant do not want to hear/listen to those who have the best understanding of this and other habitats in the Borough.

#### **Section 4 Comments on specific sites proposed within the– Environment Bank Site Selection for Biodiversity Offsetting Report Volume Number 8 – En010093 Ref 8.02.71**

##### **4.1.3 – Submissions to the Examination**

REP5-037 / REP4-039 We are very concerned that Crossness Nature Reserve was considered, and then removed due to an existing Section 106 (S106). LBB must know that what the Friends (and the wider community) known as CNR embraces a much wider area than that covered by the S106 – the entirety of the Southern Marsh being the most significant but there are other sectors that are without the S106. LBB were involved in the development of this and other sites under the Managing the Marshes umbrella 15 years or so ago.

REP4-033 –The Friends of CNR group also hoped for discussion with LBB but no effort for consultation/communication was made by LBB. REP2-033 gives LBB the opportunity to review the opportunities – we ask that the Examiner urges LBB to consult with those registered "Interested Parties" with specific interest in bio-diversity (see above statement immediately prior to this section 4).

REP5-036 – I/we are pleased to see that "A vision for People, Wildlife, the Environment and Communities around Thamesmead Golf Centre" have been considered.

##### **4.2 Landowner Search**

**4.2.1** – We are disappointed that LBB is not prepared to include sites they manage but not within their ownership. Could they not at least invite the landowners to participate?

##### **4.3 Site Search**

**Crayford Rough** It is our understanding that LBB approved a development for 359 residential units/317 car park spaces and landscaping back in April 2016 (Ref 15/00830/FULM) on part of the site (no evidence yet of development commencing), thus removing good mature open mosaic habitat. Now LBB are suggesting that what remains is a suitable site for mitigation against the REP. Where is the net gain there? Surely the developer of the flats should have been/be required to mitigate and improve what remains of Crayford Rough? Or, has that development faltered?

It is true to say that for Crayford Rough, some scrub management might be appropriate. There are orchids and other locally/London rare/uncommon plants present plus a very good population of reptile that could benefit but they are precisely the species worst impacted by the development permission. The scrub would need to be managed very specifically as that same scrub is important habitat for many bird, butterfly and other invertebrate species. Under LBB's plans and policy for more "Friends" groups Crayford Rough would be a prime site (it has been suggested in the past by Bexley Natural Environment Forum) – such work as described could easily fall within a volunteer work schedule given a commitment and relatively few resources made available by LBB. It is a site that should be managed by LBB with an agreed SMINC Management Plan – the developer was supposed to propose one but nothing more has been heard about it in the last three years. The only way "open mosaic" habitat could be created here would be to remove/reduce the existing valuable scrub habitat – we cannot see where the "net gain" is.

**Bexley Park Woods** - at a time when LBB had a better resourced Parks and Open Spaces department, with knowledgeable staff they attempted a coppicing scheme only to be thwarted by an over enthusiastic, but ill-informed local community who objected. LBB walked away instead of sticking to their guns, educating the local community to the benefits of coppicing and by now, a few years later, seeing the rewards with healthy understorey and flora cover. This is not something that should be shouldered by the Environment Bank as mitigation for the loss of open mosaic habitats, the loss of skylarks, shrill carder bees and a wide range of other wildlife that will be lost, possibly for ever, as a result of this development.

**Frank's Park** – the only site we believe with an active/up to date Management Plan. Its relationship/proximity to Lesnes Abbey woods is noted. However we understand the planned coppicing at Lesnes is held up due to a number of woody plant disease problems. We suspect the same could apply at Frank's Park. Surely, however, what is proposed is basic routine management if only LBB would fulfil its duties - another example where BNEF/community volunteers could work with LBB if only they would engage.

### **Slade Green Recreation Ground**

LBB Growth Strategy explicitly proposed building houses on the 'rough' bit, (there are lizards adjacent to the railway station), whilst leaving the mown grass play area undeveloped – further evidence LBB doesn't understand what wildlife it has on its sites, what the habitat requirements are and the seemingly preferred option of biodiverse poor amenity grass. BNEF criticised this strongly. There is still a veiled threat to it in the site-specific pages of the Preferred Policies document along the lines of reviewing the value of SINC's and amending boundaries accordingly, which in this case might result in shrinkage in size. Is Bexley now saying it won't build on this SINC?

What LBB should be offering is new land that can be developed and managed as habitats for those which will be lost. Redundant car parks could be returned to open mosaic, brownfield sites taken into management agreements for the same purpose. Perhaps it is time to confront the local communities and remove some "amenity grassland" – a bio-diverse desert which could, with proper consultation and education with local communities, be transformed into a bio-diverse rich habitat. Education shouldn't be that difficult in today's climate with a wider public understanding of the loss of plant pollinators, huge decline in bees and an estimated decline of over 70% of flying insects, goodness knows what the forthcoming State of Nature report will report? LBB proudly boasts its green/open spaces – now is the time to restructure the balance between public amenity, dog walking and wildlife. We do appreciate children do need places to play.

**Site 5 Thamesmead Golf Course/Centre** – this possibly offers the best opportunity for habitat enhancement that best reflects (Erith Marshes) what has been lost in the past and continues to be

threatened by this and other developments. The opportunities are not listed within this proposal by Environment Bank so cannot comment further.

**Site 6 Norman Road Field** – Adjacent to the approved site of the Cory Data Centres. Within this site is a “wader scrape/small reed bed” which was, we believe part of a S106 agreement with the then landowner Tilfen Land/Bexley Innovation Centre. Crossness Nature Reserve has been excluded due to its S106 on part of its land, why has this been allowed?

We are not qualified to comment on other proposals other than to say with the exception of Site 13 – Eastbrookend Country Park LB Barking/Dagenham for skylark habitat; none appear to show any potential for replacing the lost habitats/species of this development.

**Socia-Economic benefits** In addition to bio-diversity offsetting LBB have, in the past, obtained other benefits for the wider community from Cory developments (e.g.RRRF) including funding of a community forum, a splash park and neighbourhood watch schemes – all very laudable. Could we as the Friends of CNR (over 400 members of the community) invite the Applicant to discuss with LBB, Thames Water and the Friends of Crossness some further “community” benefits in the form of a small car park within the site and a second bird hide (positioned adjacent to the REP so we can look away from it). CCTV coverage of the site would also be beneficial. These proposals would not only benefit the members, compensate for what is greatly opposed but also be of much value for educational and other community events that have become so popular with the wider community.

There is a strong volunteering ethos within the FoCNR with regular work parties assisting the warden within the organisations own budgetary limits. Funding from the Applicant as compensation to the Friends through Thames Water (as opposed to LBB) to assist the enhancement of the ditch network surrounding the development would be an obvious benefit to bio-diversity. As would be extensions to wetland on the Southern Marsh (not covered by S106), creation of wild flower meadows to encourage pollinating insects many lost through this development, providing increased foraging opportunities for the rare and threatened Shrill Carder Bee.

We conclude our representation with a plea that if approval should be given to the REP that the aforementioned parties are engaged before final decisions are made. Thank you.

Ralph Todd  
On behalf of the Friends of Crossness Nature Reserve  
September 23<sup>rd</sup> 2019.