

From: [Wight, Victoria](#)
To: [Great Yarmouth Third River Crossing](#)
Subject: TR010043 Great Yarmouth Third River Crossing - written representation
Date: 07 October 2019 11:17:31
Attachments: [Great Yarmouth Third River Crossing NSIP.pdf](#)

Dear Sir/Madam

Natural England have no additional comments to make at the written representations stage and refer to the advice provided at relevant representation which is attached below for ease of reference.

Many thanks
Victoria Wight

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Date: 31 July 2019
Our ref: 286649
Your ref: TR010043



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BY EMAIL ONLY

Dear Sir/Madam

**Great Yarmouth Third River Crossing
Notice of Acceptance of Application for a Development Consent Order by the Secretary of State**

Thank you for your consultation on the above dated 25 June 2019 which was received by Natural England on 26 July 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

Based on the plans submitted Natural England considers that the proposed development will not have significant adverse impacts on:

- Southern North Sea SAC
- Outer Thames Estuary SPA
- Breydon Water Ramsar
- Breydon Water SPA
- Breydon Water SSSI
- Great Yarmouth and North Denes SPA
- Great Yarmouth AND North Denes SSSI
- The Broads SAC
- Broadland SAC
- Broadland Ramsar

And has no objection subject to the following requirements:

- implementation of specific construction methods to limit impacts to designated sites
- identification of licensing and mitigation requirements for protected species

The application is for the construction and operation of Great Yarmouth third river crossing, comprising of a double leaf bascule bridge, five arm roundabout with connecting duel carriageway, two single span bridges, signalised junction, control tower structure and plant room.

Further advice on mitigation

The development footprint is within close proximity to the aforementioned designed sites and to reduce impacts to interest features and protected species we advise the following actions are carried out:

- We advise that mitigation measures as described in the Outline Code of Construction Practice are implemented to limit disturbance and pollution impacts to designated sites and features of interest.

Harbour Porpoise

- Mitigation should include the adoption of measures set out in the Joint Nature Conservation Committee (JNCC) document entitled 'Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise' (2010) as stated in section 7.8.41 of the Environmental Statement

Breeding birds

- Any vegetation clearance should avoid the breeding bird season and be checked prior to removal to avoid destruction of active bird nests.
- If active bird nests are present, an appropriate exclusion zone should be retained and works delayed until birds have fledged and the nest is inactive.

Water Voles

- Any works that directly impact upon water voles should be subject to mitigation and/or a protected species licence from Natural England to avoid an offence under the Wildlife and Countryside Act 1981 (as amended).

Bats

- Emergence and re-entry surveys should be undertaken as explained in section 6.2 in the Protected Species Survey Report.
- If the presence of roosting bats is confirmed further survey work will be required to inform an application for a protected species licence (Preliminary Bat Roost Report, section 6.3.2)
- Sensitive onsite light management should be implemented to limit disturbance to bats as specified in section 5.3.7 of the Environmental Statement.

Fish

- Any translocation of fish should be carried out by suitably qualified ecologists/scientists using evidenced and accepted methods. Where this involves changes in water level the Environment Agency should be consulted in advance.

Noise disturbance

Natural England is satisfied that noise levels produced by the works will be below the recommended thresholds for both continuous and discontinuous noise ([Waterbird toolkit](#)) at designated sites, with the exception of the River Yare (Outer Thames Estuary SPA). However, surveys have shown that features of interest are not present within the vicinity of works and no likely significant effect anticipated (Habitats Regulations Assessment, section 7.3).

Water volume and quality

The sediment Transport Assessment (sections 6.5.2 and 7.1.7) explains that there will be negligible change in the sediment regime and water levels at Breydon Water and no likely significant effect is anticipated.

We advise direct contact with the Environment Agency to apply for the appropriate permit and assess water quality impacts of the proposed drainage strategy.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 0208 2257617.

Should the proposal change, please consult us again.

Yours sincerely
Victoria Wight
Norfolk and Suffolk

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. *Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.*

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)¹. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).