

Ref 15/02673/ OUTEA = Howbury Development – Freight Rail
Interchange

Dear Mrs. Clark

On behalf of the Bexley Natural Environment Forum, I wish to object to the proposed development.

The development should it take place will contravene many policies of the London Plan and the Bexley Core Strategy. Policy 7.16 of the London Plan states that Green Belt should be strongly protected. As this development will be built directly on to Green Belt land and land that is scheduled in Bexley's core strategy as open space it can hardly be said to be protecting green infrastructure, when the opposite is the case.

Within the Bexley Core Strategy, Policy CS09 requires that there should be enhancement and promotion of green infrastructure. Building on green space is hardly promoting it.

Policy CS18 requires Bexley to protect and enhance the borough's biodiversity. By drastically reducing the area of a Site of Importance for Nature Conservation (SINC), opportunities for biodiversity and bioabundance to increase are significantly reduced, with the outcome being a loss of valuable species to not only local biodiversity but also nationally. CS18c additionally states that to protect and enhance biodiversity it will 'resist development that will have a significant impact on the population and conservation status of protected species and priority species in the UK, London and Bexley Biodiversity Plans'. There are a number of red and amber listed species using the site and the environs, e.g. skylarks, corn buntings, whose populations and distribution within Bexley are restricted to this site and maybe one other. In fact there may be only twenty pairs of corn bunting throughout the whole of London. Other listed species include waders and farmland specialists for which no adequate 'compensatory' habitat creation is proposed.

Development on this site would significantly reduce the ability of species mentioned to increase in numbers and territories in the borough. The opposite is the most likely scenario as disturbance during both construction and operation phases are likely to cause the loss of species resulting in a loss to the borough and capital's biodiversity. There is no

evidence to suggest that they would just ‘go elsewhere’ and return at a later date.

With the recent loss of 75% of a Grade 1 SINC at Erith Quarry, and now the possible loss of another SINC, Bexley is losing all credibility in respect to its obligations to protect and enhance biodiversity.

Additionally, this proposed development is also in direct opposition to Dartford Borough Council’s Core Strategy Policy CS13.

Within the consultation section, BNEF would ask why London Wildlife Trust was not consulted, as they had been responsible for the SINC report. The application letter reports a number of meetings with key interested parties and consultees. Again why was LWT not consulted? Additionally as a recognised consultee on environmental issues in Bexley, BNEF was never invited to discuss this issue. We are also concerned that Thames21 and the Cray river keeper were not consulted. There is also evidence to suggest that the Cray & Darenth Catchment Group were not consulted. How can the developers ignore such bodies?

There are numerous statements throughout the submission documents, which are unsupportable and give reasons for the application to be rejected.

Para H2.21 – BNEF does not believe that this is possible. All evidence suggests that the development of sites important for conservation suffer negatively when development occurs. The fragmentation of sites leads to a decrease in biodiversity and conservation interest.

Para H4.19 – confirms that the site has importance for nature conservation and that a diverse range of communities use the site, together with the presence of red and amber listed species. How can this be regarded as reason to develop the site? Policies within Bexley’s core strategy i.e. CS09 & 18, would be breached by allowing this development.

Para H4.24 – confirms that recommendations have been put forward to extend the SINC boundary and upgrade the listing of the site. It is obvious then that this site carries great importance at the local level for conservation and as such is worthy of protecting from all damaging operations. The loss of this site would be in direct contravention to Bexley Policies CS 09 & 18.

Para H4.66 – The statements in this paragraph are in direct contrast to the assessment made by London Wildlife Trust in the SINC Review of 2013. If the site has been recommended to be upgraded in stature, it would suggest that a lot has changed in its character since the previous application. With this paragraph also recognising that there has been an increase in floral diversity surely indicates that it is worthy of additional protection and that its' value as a SINC is likely to increase in the future.

Para H4.84 – Refers to bat activity. Reference is made to there being little change in bat activity, whilst in the next sentence saying there has been an increase in activity. Excuses are made for this change, such as previous surveys I at the wrong time of year. BNEF's opinion is that these statements are aimed at making excuses for these increases and suggesting that they are not significant.

Para H4.110 – BNEF believes that this statement is incongruous. There is no reason to suggest that Greater London should not be given the same weighting as a 'true county'. This statement seems to downplay and disregard the importance of the assemblage of invertebrate species at any level. It would appear that the invertebrate assemblage is one of great importance and one that should become a significant factor in recognising the value of the site for biodiversity and conservation reasons.

Para 5.8 – BNEF totally disagrees with this statement. This would seem to totally ignore any impacts of construction works.

Para 5.20 – Again we totally disagree with the conclusions of this statement. How can the loss of a Site of Importance for Nature Conservation be interpreted as being of moderate significance? The statement has no account as to how the site is perceived by the local community and its importance to them as an open space and for its biodiversity. Similarly, how can the loss of breeding sites for red and amber listed species be termed of 'moderate significance'.

Throughout the ecological assessment claims are made that the impacts on species and habitats are of minimal or minor significance. We would respectfully disagree that this is the case. Impacts such as pollution, lighting, silting and debris collection are of major consequence to habitat maintenance. Reference to hedgerows not being significantly affected by dust and noise in paragraph 5.69 appears to take no account of the fact that bats and birds use these corridors and that impacts of dust and noise will impact on the invertebrates that form the food source for species that use the corridor.

In paragraph 5.89, where is the evidence that species will return after loss and disturbance of habitat. BNEF would like to see quoted references for this statement.

BNEF feels that the whole ecological survey and report is aimed at undervaluing the importance of the site for its biodiversity and ecological interest. Whilst acknowledging that red and amber listed species are present together with a large suite of complementary species the suggestion is that the development will have no negative impact on them whatsoever. There can be no justification to suggesting that a development of this scale would have minimal impacts on a varied and increasing biodiversity.

BNEF is also very concerned as to conclusions, impacts and inferences made within the Assessment of Landscape and Visual Impact.

If we are to judge the impacts of a new development in terms of the definition in Para D3.3, this development must fail, as it will significantly change the character of the local landscape. Cobham (1995) produced an assessment of the landscape character of grazing marshes. The impact of this development will significantly alter the open character of a marshland habitat and introduce a dominance of industrial influence.

BNEF totally disagrees that the development should be assessed for landscape impact on a Townscape character. The area is Green Belt and adjacent to open marshland and riverscapes and only subject to minor influences of the built environment. This interpretation fails to understand the nature of grazing marsh and is guilty of giving little or no respect to the designation or importance of Green Belt, of views of local significance and misinterpreting the idea that grazing marsh comprises areas of open landscape as judged by many from Dickens to Cobham.

Many of the assessments of the visual intrusion conform to the definition of encroaching fragmentation as described by Harris (1984, 1992). As this development will have the impact of causing habitat fragmentation and the intrusion into open space no mitigation will lessen the impact on the open space character.

Para 5.63 describes the lighting impacts on the exit road. As this road will cross an open area of grazing marsh the visual intrusion will be immense. BNEF regards the lighting of this area as unnecessary and should follow the example of Dartford council where lights along Bob

Dunn Way are not switched on at night. In addition to the visual intrusion of the road and lights the construction of the road and the piers is likely to result in damage and loss of grazing marsh. Again this is in contravention to the UK and Bexley Biodiversity Action Plans, which state that there should be no overall loss of grazing marsh.

Bexley Natural Environment Forum has many reservations as to the claims made in the assessments on traffic in chapter E. We are very concerned that no freight management plan has been produced prior to the application being submitted. In our opinion this development can only lead to an increase in HGV movements in the borough and an increase in pollution to an area that is already considered to have poor air quality. With the site scheduled for 24hour working, is there evidence that the development will not exceed EU noise criteria and that EU pollution guidelines will not be breached.

There will also be an increase in CO2 emissions from increased traffic movements. BNEF would like to know how this increase would impact on the borough's Climate Change Strategy and what measures it proposes to limit these impacts.

BNEF notes that a number of mitigation measures have been proposed. However, we are extremely concerned that these in no way match those of the previous application.

In the original application an endowment was to be made for the future management of Crayford Marshes by a recognised conservation body. The proposals in this application that the current owners manage the site are not acceptable. (They have shown little appetite for proper management in the past and there is little to suggest that in the future it will be any different). BNEF does not believe that the current owners have the necessary expertise to manage the marshes in a suitable manner and that the end result would be for this new development to overwhelm the marshes to their detriment.

Should the application for development prove successful that in order that the marshes obtain sufficient protection and future management, there should be a new S106 agreement or CIL monies assessed on the developer that would ensure the correct future management of the marshes by a recognised conservation body, such as London Wildlife Trust. There are also a number of proposed ecological areas within the scope of the new development and BNEF requires that these also be assessed and managed by a suitable and recognised organisation. No

development work should begin until a satisfactory ecological management scheme for the whole of these areas has been approved by the Council, following consultation with relevant conservation organisations such as the RSPB, LWT and Buglife (for which the Erith Quarry conditions are a precedent).

Before signing off on the management plan there should be a proper round-table opportunity for all those groups consulted to discuss and agree with the Council the final draft. There should then be a requirement for a management board (precedent – Crossness/Erith Marshes) comprising representatives of these groups and the landowner, paid for from S106/CIL monies which can propose future changes to the plan, advise on management and assist in monitoring adherence to all the conditions of the development relating to environmental matters.

BNEF reserves the right to be consulted and comment on any future management plan that will be written.

The previous application included provisions for a green wall and green roofs. BNEF notes that this new application includes for only a green wall. We believe that to mitigate loss of ground habitat that supports important numbers of invertebrate species green and brown roofs should be incorporated into the design. It is noted that full details of the design are to be agreed at a subsequent stage. BNEF would require the roof and building construction to be suitable to accommodate such roofs in line with Bexley's policy to seek such roofs on industrial buildings near the Thames. Any proposal that suggests that the construction of the development would not be suitable for such roofs would be indicative of the development comprising large warehousing and a smaller provision of jobs than is being indicated.

BNEF reserves the right to comment on the planting schedules at a later date once these have been finalised, but we reiterate that all planting should be of totally native species and ones that are all locally sourced.

As the developer still appears to be adding documents to their submission and given the complex nature of the proposed development and scale of documentation, BNEF reserves the right to further comment as necessary.

Conclusion

As we said at the outset BNEF is totally opposed to this development and is of the opinion that the development as proposed and described in no

way meets any criteria for enhancing and protecting the local environment and biodiversity. The London Borough of Bexley has an undertaking under the Natural Environment and Rural Communities Act (2006), and to have due regard for, enhance and conserve biodiversity. Under the National Planning Policy Framework the council has a responsibility to prove that the impacts on biodiversity are minimised and that developments do not continue to contribute to the overall decline in biodiversity. BNEF is of the opinion that this development and proposed mitigation meets none to very little of the required criteria and as such planning permission should not be granted.