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2nd November 2018

Mr James Garside
Planning Department
London Borough of Richmond-upon-Thames
Civic Centre
44 York Street
Twickenham, TW1 3BZ

Dear Mr. Garside,

MARBLE HILL PARK, RICHMOND ROAD, TWICKENHAM TW1 2NL
Ref: 18/2978/LBC

Marble Hill House: Internal alterations, repairs and installation of a new platform lift. External decoration and repair work (if window is substantially rotten, partial or full replacement of joinery elements). Stable Block: internal and external alterations to accommodate cafe, with associated mechanical plant. Landscaping: new soft and hard landscaping work, including restoration of gardens, upgrade of sports pitches and facilities, new play area, replacement of seating and new play areas. Service Yard: new pedestrian access.

London Wildlife Trust ('the Trust') has a number of observations and comments in relation to the above application for the Marble Hill Revived restoration proposals, submitted by English Heritage.

In summary, we support the overall proposals as they should result in tangible benefits for biodiversity, not only in Marble Hill Park but also the wider environs. However, we recognise that there will be loss of trees and vegetation, which will cause some short-term adverse impacts to other wildlife. To avoid damage or disturbance to protected species present on the site this will require best practice approaches to meet legal requirements, and appropriate mitigation measures secured through conditions. The specification, phasing and timing of landscaping & construction works, if granted, must also be designed to minimise disturbance and/or damage to species and habitats on site, through a robust and detailed Construction Management Plan. We have some minor comments on the species palette chosen, and the retention of some invasive tree and shrub species when there is the opportunity to replace them with more biodiversity-friendly species.

1. Introduction

Although the Trust is familiar with Marble Hill Park, we are not intimately engaged with operations there. We were informed by English Heritage (EH) of these proposals earlier in 2018, and subsequently undertook a site visit with EH officers in March. We also attended a stakeholder meeting in May, at the invitation of EH, to provide commentary on matters pertaining to ecology and biodiversity if they arose from the discussions. We have maintained dialogue with their officers on this application, and endeavoured to ensure that opportunities to enhance biodiversity are maximised and adverse impacts minimised. The Trust has not been commissioned by EH on any aspect of this proposal.

Marble Hill Park

London Wildlife Trust surveyed the Park as part of the London Wildlife Habitat Survey of 1984-85, and further survey by the then London Ecology Unit led to the designation of the site as part of Site of Local Importance for Nature Conservation (SINC site Ri.L02 *Marble Hill Park & Orlean House Gardens*) in the early 1990s.

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The description of the Park then referred to “*fine old beeches and oaks*”, and the “*massive old black walnut tree*” in the eastern avenue by the Thames, but also that most of the Park had “*limited wildlife interest*” being dominated by the ‘green deserts’ of the amenity grassland.¹

We recognise that there have been enhancements to benefit the Park’s biodiversity since then, as well as changes to local wildlife (both positive and negative). This is reflected in an updated citation following a review of the borough’s SINC’s in 2007, which included “*Wildlife habitats in the park include grassland and woodland. Strips of grassland in the south and east of the park are mown infrequently, increasing the ecological value. Wild flowers occurring in patches where seed has been sown include common knapweed, greater bird’s-foot trefoil, smooth tare, meadow buttercup, oxeye daisy, sainfoin, meadow cranesbill and salad burnet.*” However, overall the earlier description remains largely true today, and as such underpins the site’s status as a Local SINC. A key difference, however, is the contemporary recorded presence of badger in the Park and its environs, which is not referenced in earlier reports (although the long-standing presence of badger setts across much of the borough is acknowledged).²

Whilst we recognise the unique aspects of Marble Hill Park, from an ecological perspective it is a typical green space for its location, history, use and size. It supports a range of habitats, fauna, flora and fungi, a few of which are of regional conservation interest. In addition, a number of species present are subject to various levels of legal protection and/or are conservation policy priorities. The Park lies within a mosaic of green spaces (most of which are of greater ecological interest) within the wider environs, many of which are linked by the corridor of the River Thames which is tidal at this point. In this respect its ecology is informed and influenced by its location and connectivity.

The Trust recognises the popular local interest in the Park and is aware of the concerns raised about the Marble Hill Revived programme by a number of stakeholders. Some of the contentious aspects of the proposed landscaping are in and around the ‘woodland quarters’, effectively four blocks of semi-mature vegetation that border the east and west edges of the House, which we comment on. Our comments relate only to the biodiversity and ecological aspects of Marble Hill Revived. We are not able to comment on questions over the site’s landscape history or the merits of other changes proposed within the programme; only those that may benefit or impact on the site’s ecology. Nevertheless, overall the proposals set out appear to be similar to other restoration programmes that have been successfully implemented on listed 18-19th century houses and their grounds, such as Forty Hall in Enfield.

2. Policy context

The relevant legislation and policies in respect of the ecological impacts of this application which we expect to be material considerations in the decision are set out below.

Legislation

- Wildlife and Countryside Act 1981 (as amended);
- Protection of Badgers Act 1992;
- Wild Mammals (Protection) Act 1996;
- Natural Environment & Rural Communities Act 2006; and
- The Conservation of Habitats & Species Regulations 2017 (as amended)

Richmond Local Plan (2018)

The Plan’s key policies in respect of this application and its impacts and enhancements on the natural environment are listed below. These policies are set out in Appendix 1.

Strategic Vision

- Natural environment, open spaces and the borough’s rivers

¹ Archer, J. and Curson, D. (1993). *Nature Conservation in Richmond upon Thames*, Ecology Handbook 21, London Ecology Unit.

² Absence of reference to badgers in 1980s and ‘90s reports was as much due to sensitivities around public information on where setts were present to help prevent persecution, which was common around London’s fringes at that time. Sensitivities over precise locations remains.

Strategic Objectives

- Protecting Local Character

Plan policies

- Policy LP 5; Views and Vistas
- Policy LP 9; Floodlighting
- Policy LP 12; Green Infrastructure
- Policy LP 13; Green Belt, Metropolitan Open Land and Local Green Space
- Policy LP 15; Biodiversity
- Policy LP 16; Trees, Woodlands and Landscape
- Policy LP 18; River corridors
- Policy LP 20; Climate Change Adaption
- Policy LP 21; Flood Risk and Sustainable Drainage
- Policy LP 30; Health and Wellbeing
- Policy LP 31; Public Open Space, Play Space, Sport and Recreation

London Plan (2015)³

- Policy 7.19; Biodiversity and Access to Nature
- Policy 7.21; Trees and woodlands

National Planning Policy Framework (2018)

- Paras 174-175

Natural Environment & Rural Communities Act (2006)

- Section 41 priority habitat (aka 'habitats of principal importance'⁴) and species⁵

In addition there is the:

London Environment Strategy (2018)⁶

- Policy 5.2.1 Protect a core network of nature conservation sites and ensure a net gain in biodiversity
- Habitat enhancement/creation targets (e.g. 'flower-rich grasslands')

Richmond Biodiversity Action Plan (2006)⁷

- Habitats: *Ancient parkland/veteran trees, Broad-leaved Woodland, Meadow*
- Species: *bluebell, bumble bee, small copper, stag beetle, great crested newt, grey heron, tawny owl, woodpeckers, song thrush, bats, hedgehog, badger*

London Invasive Species List (2013)⁸

- References various species present within Marble Hill Park, including false acacia, snowberry, cherry-laurel.

3. Application documentation

Preliminary Ecology Appraisal

The Preliminary Ecology Appraisal (PEA) provides an up to date overview and assessment of Marble Hill Park's ecological interest.⁹ Whilst the report predominantly reflects a single site visit in July (during a

³ Mayor of London (2015) *The London Plan; The Spatial Development Strategy for London, Consolidated with alterations since 2011*, Greater London Authority

⁴ See: <http://jncc.defra.gov.uk/page-5718>

⁵ Those in London are listed here: <http://downloads.gigl.org.uk/website/London%20BAP%20Priority%20Species%20List%202007.pdf>

⁶ Mayor of London (2018), *London Environment Strategy*, Greater London Authority

⁷ See: https://www.richmond.gov.uk/media/6903/richmond_biodiversity_action_plan2-2.pdf

⁸ See: <http://www.londonisi.org.uk/what-and-where/species-of-concern/>

⁹ Knibbs, J. (2018). *Marble Hill Park, Twickenham, London, Preliminary Ecological Appraisal, Report for J & L Gibbons*, The Ecology Consultancy

period of very warm dry weather) it complements and takes account of other surveys undertaken for the proposal and earlier survey work. There are a few minor errors and some references to species that have long-since disappeared from London, but overall we concur with its assessment. It concludes that *“the site comprises a small proportion of an extensive local network of semi-natural habitats, and whilst it is important as a component of this ecological connectivity through the borough it is not in isolation of borough importance. Accordingly, the habitats in the site are considered to be of ecological value up to the local level.”*

We support the PEA’s recommendations, principally:

- Due diligence around the known or likely presence of protected species
- Enhancement of grasslands (we would prefer locally sourced green hay rather than a commercial seed mix)
- Provision of dead wood to benefit stag beetle
- Removal and/or control of invasive non-native species
- Installation of bat, bird and big boxes/hotels
- Appropriate locally native species for hedgerow enhancement and gapping up
- Due diligence around biosecurity, especially in plant procurement
- Protection of habitats, species and features during construction through a bespoke Construction Management Plan
- Production and implementation of a Landscape & Ecology Management Plan to ensure future management sustains the enhancements.

Badger survey reports

This report appears to be sound in its assessment, although it lacks details of who the authors are and their expertise and experience.¹⁰ The results reflect the presence of a network of outlier badger setts and one auxiliary sett within the Park, part of a number around a main sett which lies just outside the Park’s eastern boundary.

We do not have the information to confirm or dispute this but the report accords to current conservation best practice. It acknowledges that badgers are mobile and can change the use of setts within their territory over time, for example by abandoning some setts or creating new ones. We support the recommendation to **undertake further badger survey work** if the application is permitted; this would allow for the fine-tuning of any landscape design or construction before works start (scheduled for summer 2019), and refining detailed mitigation proposals to avoid adverse impacts on the badger population. Such a repeat survey would determine the need (or not) for a Badger Development Licence from Natural England and/or a Badger Class Licence in respect of the proposed landscaping. Given the acknowledged sensitivities of the proposals and the nature of the setts within the Park we recommend that a Badger Development Licence – which is site specific – should be sought by the applicant.

We recognise that detailed mitigation measures would be set out in an application for a Badger Development Licence. However, we concur with FOA Ecology report’s indicative mitigation and enhancement measures:

- Licenced sett closure
- Provision of small artificial sett
- Habitat interventions; widened grassland headlands, planted avenues of trees
- Badger gaps in new permanent fencing
- Reduction of external light spillage
- Increased linear habitat connectivity
- Construction stage measures (e.g. location of compounds, safe storage, security fencing, etc.)

¹⁰ FOA Ecology (2018). *Marble Hill Park, Twickenham – Proposed Improvement Works, 2017 & 2018 Combined Badger Report*, FOA Ecology. It states the surveyors (one in 2017, two in 2018) were “*suitably qualified and experienced*” but without providing further details.

Bat surveys report

This report appears to be sound in its assessment, although it lacks details of the author's expertise and experience.¹¹ The surveys of 2016 and 2018 appear to confirm that Marble Hill Park has a typical presence of bats for its character and location. Although all parts of the site are used (by at least six species), it is predominantly foraging by pipistrelle species along the southern boundary adjacent to the River Thames, and some foraging and commuting activity along and around other wooded areas, including the woodland quarters and western avenue, which are important to consider. Potential bat roosts have been identified in six trees (with one being subsequently removed) and other trees and buildings have potential to support roosting bats.

We would concur with the statement that *"the concurrent felling of numerous trees, coppicing, and clearance of existing shrubbery [in the woodland quarter] would constitute a major change to the existing bat habitats, including a material short-term reduction in available bat foraging resource (via tree felling, coppicing and vegetation clearance) as well as a material changes to the existing linear flight line features (i.e. woodland edge habitats)."* This, however, would be relatively short-term, and could be in part mitigated by phasing tree removal works, and replacing with as mature planting as possible. This needs to be critically addressed in the phasing of works and the specifications of a construction management plan.

Breeding Bird Survey report

We welcome the report to gain further insight to the Park's avian fauna and which parts of the site are likely to be more important to breeding birds, especially song thrush.¹² We are familiar with the author and concur with his analysis and recommendations. This places emphasis on phasing and management of the landscape works, if permitted, to avoid disturbance during the breeding season. Song thrush – not the only breeding bird on site – nests low in dense shrubberies and woodland cover, so adequate provision of undisturbed cover during the works is critical – ideally in and around the Sweet Walk and Woodland Quarter. At present the Phasing Plan and Construction Management Plan (CMP) aren't clear as to how this can be maintained, but we recommend a more detailed CMP, which sets this out, is required as a condition.

Design and Access Statement

Our comments focus on sections 2. Baseline Information, 3. Site Wide Strategies, and 4. Landscape Proposals.¹³

2.0: Baseline Information

2.2 Designations & Listings: Marble Hill Park is also part of a Site of Local Importance for Nature Conservation in Richmond (site Ri.L02, see above). It lies adjacent to the River Thames, a Site of Metropolitan Importance for Nature Conservation (site M031 *The River Thames*). These are indicated on the map but not referenced (p10).

2.4 Preliminary Ecological Appraisal: see comments on the PEA report above. We welcome the broad suite of enhancements proposed, given the multi-functional use of the site and the desire to restore important aspects of the cultural landscape. Key considerations, such as measures to strengthen structural and species diversity have been taken into account as well as the opportunities for enhancing the site's important species (such as saproxylic and pollinating invertebrates, birds and bats). We welcome the proposal to retain standing and lying dead wood wherever possible, and the measures to enhance grassland diversity (for example using locally-sourced seed stock (e.g. green hay) and annual haycuts). We also support the opportunity to benefit species such as white-letter hairstreak, which is showing some recovery in London now that they may be adapting to increasingly

¹¹ FOA Ecology (2018). *Marble Hill Park, Twickenham - Proposed Improvement Works, Combined Bat Survey Report 2016-2018*, FOA Ecology.

¹² Vickers, D. (2018). *Marble Hill Park Breeding Bird Survey*, Report for J & L Gibbons, Salix Ecology

¹³ J. & L. Gibbons, English Heritage, et al (2018). *Marble Hill Revived, Design and Access Statement, Landscape Proposals*, 5th September 2018, J. & I. Gibbons.

common belts of English elm suckers as well as wych elm. Nevertheless, there will be some short-term impacts and changes to the site which will need to be effectively mitigated.

2.5 Bat Survey: See comments above.

2.6 Badger Survey: See comments above.

2.7 Tree Survey Report: See comments for 3.6.

3.0: Site Wide Strategies

3.1 Site Demolitions and Removals: We welcome the reference to fencing that might be needed to protect sensitive areas for nature conservation in the woodland quarters.

3.2 Site Construction Management: We welcome reference to minimising light spillage to minimise disturbance to bats. The construction mitigation proposals set out in the Badger Survey Report also need to be incorporated. We recommend that a robust Construction Management Plan that sets out how ecological impacts are minimised and mitigated should be submitted as a requirement.

3.6 Tree Management and Woodland Quarter Management Strategy: We note and welcome the reference for a tree management strategy to take account of climate change and biosecurity, although these aren't the only considerations; current biodiversity interests of the site (and environs) are also critical (but are not referenced). We support the overall approach, but there are some oddities – such as the decision to remove snowberry (listed on the London Invasive Species Initiative (LISI)) but not cherry-laurel, false acacia, and holm oak (also listed on LISI).

3.7 Planting for Biodiversity: We welcome and support these proposals in principal; the key being to enhance structural and species diversity and strengthen connectivity along the existing boundaries and tree avenues. Especially important will be the expansion of planting and tall grassland areas in the north-western corner (Sweet Walk), between the east and west avenues between the House and river, and on the eastern side, and adjacent to the Thames. The changes to the woodland quarters will result in some short-term impacts (see below), so sensitivity to these in terms of replacement planting – to provide cover, nectar sources, etc. – is critical.

3.8 Tree Planting Palette: We support the majority of the species listed, but have concerns over holm oak (*Quercus ilex*, for the woodland quarter, but already present there) and false acacia (*Robinia pseudoacacia*, for the Sweet Walk). These are invasive (and listed on LISI). See our comments for *Woodland Quarter Tree Works* report, below.

3.9 Pleasure Grounds – Wilderness, Thicket & Hedges: We support the majority of the species listed, but have concerns over cherry-laurel *Prunus laurocerasus*, as stated above.

3.10 Pleasure Grounds – Flower Garden: No comments.

3.11 Wider Park – Sweet Walk: No comment other than we are curious over the choice of juniper *Juniperus communis* given the soil conditions. There is opportunity to broaden the scope of plants to include locally native species associated with neutral soil conditions, such as red campion *Silene dioica*, hedge woundwort, *Stachys sylvatica*, black knapweed *Centaurea nigra*, and yellow-rattle *Rhinanthus minor* – also reflected in the Habitat Edges palette.

3.12 Wider Park – Habitat Edges: We welcome these proposals.

3.13 Fencing Strategy: We welcome the proposal to reduce the amount of fencing, and to design gaps in that which is installed to facilitate badger movement.

4.0: Landscape Proposals

4.2 Marble Hill Revived Masterplan: We welcome the overall plan, the recognition of the site's designation as a Site of Importance for Nature Conservation, the commitment to protect the Park's best ecological assets (such as veteran trees), and the proposal to enhance/create 4 hectares of habitat to benefit biodiversity.

4.3 Pleasure Grounds Proposals: These set out some of the most significant changes to the current Park landscape, and whilst we are not in a position to comment on the merits of the original landscape and its reinterpretation from a heritage perspective, there are some key elements that will have impacts to existing biodiversity (both negative and positive). We note the intention to consider and embed enhancements for biodiversity, for example implementing eco-tones (woodland edges), glades, a broader palette of planting and retaining lines of trees for foraging bats. Nevertheless, there will be short-term impacts as trees are proposed to be removed and replaced with new tree-planting and re-landscaping (see comments on the Woodland Quarter Tree Works).

4.4 Sweet Walk Proposals: We welcome and support these proposals. Some of the planting palette may need refining (q.v.) but there is an opportunity to enhance the structural and species diversity of this part of the park. A key will be future management to ensure that its diversity can be maintained.

4.5 Great Lawn East and West Meadow, Car Park and River Terrace Proposals: We welcome and support these proposals. A key will be future management to ensure that the biodiversity features can be maintained in conjunction with other uses.

Woodland Quarter Tree Works Report

We recognise that further surveys and stakeholder comment have now resulted in a reduction of the proposed removal of specimen trees from 31 to 13. Nevertheless, a total of 277 trees are to be removed (the majority of between 76-150mm dbh), principally resulting in a significant reduction of suckering English elm, and young holly, sycamore, yew, ash and holm oak.¹⁴ We concur that opening the canopy (through selective removal and coppicing) will be beneficial in the medium-term, and in principle we support this. From a biodiversity conservation perspective we would prefer to see complete removal of cherry-laurel (10 are proposed to be retained) and false acacia (*Robinia*, 13 proposed to be retained), both of which are invasive; they sucker freely and could cause management problems in due course. Holm oak also invasive, casts deep shade (and is evergreen), so retention of 36 trees appears to be too high a figure. The removal of these could alleviate the loss of more important native trees such as the larger ash, larger holly, larger yew, larger cherry and the elm (for the white letter hairstreak).

Permitted tree works will need to be undertaken sensitively by selective cutting/coppicing with hand tools (or chainsaws for the largest), and removal by hand winch (or even horse). Large scale removal using heavy wheel/tracked machinery should be avoided to prevent compaction of soils, fungal structure and seedbanks, and avoid giving impressions of 'wholesale destruction' which has occurred at other landscape restoration projects. Finding appropriate uses of felled wood should be considered at the outset, either as on-site deadwood habitat and other uses. An appropriate tree removal and disposal specification needs to be set out in detail in the Phasing Plan and Construction Management Plan (q.v.).

Proposed Phasing Plan

The Plan sets out an indicative approach to the landscaping works, and makes clear the ecological constraints re badger licencing and bird breeding season.¹⁵ In principle, we concur with an approach that attempts to mitigate on-site disturbance (e.g. tree removal, landscaping, planting) over three years.

However, the Woodland Quarter, the area with an outlier sett, and evidence of bird breeding and potential bat roosting activity, is subject to the longest duration of activity (indicated as February 2019 to January 2022). From a breeding bird perspective this is likely to have a significant impact. The Plan

¹⁴ J. & L. Gibbons (2018). *Woodland Quarter Tree Works Report, Rev G*, and *Woodland Quarter Plans 581_PL_L_26-29*

¹⁵ J. & L. Gibbons (2018). *Proposed Phasing Plan, 581_PL_L_35*

proposes starting in Phase 1 two quarters at the onset of the bird breeding season (Feb-March 2019), and Phase 3 in another two quarters in the following bird-breeding season (April 2020-March 2021). There is some respite with the Phase 2 (in the first two quarters, again), if works can be carried out in the autumn of 2019, but any delays will be critical. Phase 4 (April 2021-January 2022) again potentially impacts on the bird breeding season. Rigid adherence to the Wildlife & Countryside Act should prevent disturbance to individual birds nesting or exhibiting breeding behaviour whilst on site at the time, but we have concern that this period of disturbance could have an adverse knock on effect for some time after works are complete. However, any delays to the programme will have consequences, which are not yet clear as to how such contingencies will be met.

We recommend that enhancements to the Sweet Walk and the east meadow should be brought forward to Phase 1 as a means to help mitigate impacts to biodiversity across the Park as the programme rolls out. There may be merits in reconsidering the phasing as a whole.

Construction Management Plan

An outline indicative plan has been submitted.¹⁶ This states “12. A phased construction programme will be implemented working within various ecological programme constraints, please refer to the proposed phasing plan (581_PL_L_35)” and “15. The contractor will need to employ methods for light spillage reduction to minimise impact on bats.” We would expect to see a detailed a robust Construction Management Plan put into place, that sets out how impacts to biodiversity will be avoided or minimised through the relevant phases, with mitigation and contingencies in case of delays in the programme.

4. Protection and enhancement of nature conservation interest

National, regional and local planning policy supports proposals that enhance the biodiversity of existing ecological assets (such as SINCS), create new habitats, provide access to nature, and strengthen the ecological connectivity and resilience of sites (in line with the principles set out in Making Space for Nature¹⁷ and the 25-Year Environment Plan¹⁸). The proposals set out in Marble Hill Revived should broaden the structural diversity of habitats on site, provide net additional habitat to benefit a range of species, and overall result in enhancements to a Site of Local Importance for Nature Conservation.

However, the multifunctional nature of the Park means that there are constraints on the extent of these enhancements and how they may be managed into the future. Whilst there will be impacts from the cultural landscape proposals upon biodiversity (for example, tree species choice and location) these are negligible compared to how the site will be used in the future. Upgrading sports fields and amenity fields and the attraction ‘offer’ (the House, café, play areas, etc.) will result in more visitors, which will result in more disturbance with potential negative impacts on some species and features. For these proposals to achieve their potential benefits for biodiversity a secure long-term management plan with appropriate resources will be critical; this should be conditioned if permission were granted. The site’s 10-year Management & Maintenance Plan only makes high-level reference to biodiversity enhancements, but does not set out how a more comprehensive and detailed set of measures (‘what, where, by whom, when, etc.’) will embed these into the future.¹⁹ More detail is required in how this will be achieved given the competing interests and uses of Marble Hill Park.

It appears the most contentious aspects of the landscaping are in and around the ‘woodland quarters’, the four blocks of semi-mature vegetation that border the east and west edges of the House. In 1993 these were “ornamental shrubberies containing a few native shrubs such as hawthorn and butcher’s-broom, beneath mature trees of sycamore, ash, yew and holly.” Described as of “limited wildlife interest” their density nevertheless provided refuge “for one or two pairs of robins and blackbirds, the only such cover in the park.” The 2018 tree survey of the woodland quarters reveals little has changed; a similar dominance of ash, holly, yew and sycamore, along with suckering English elm (which is unlikely to have

¹⁶ J. & L. Gibbons (2018). *Sitewide Construction Management Plan*, Drawing number: 581_PL_L_23 Rev: D

¹⁷ Lawton, J.H., et al. (2010). *Making Space for Nature: a review of England’s wildlife sites and ecological networks*. Report to Defra.

¹⁸ HM Government (2018). *A Green Future: Our 25 Year Plan to Improve the Environment*, OGL.

¹⁹ English Heritage, 2018. *Marble Hill 10 Year Management and Maintenance Plan*, January 2017, updated August 2018, English Heritage

been so common 25 years ago), most of this self-set. However, an outlier badger sett is now present (if not recorded in the earlier survey), the quarters also support wren, blackbird, song thrush, chaffinch and other bird species, and bats utilise the area, with potential roosting opportunities in a few trees.

Proportionately (for their size) the most significant changes in the Park will be to these 'quarters'. Whilst some areas are to be retained, aspects of each quarter are proposed to be subject to tree removal, coppicing and new under-planting. A new orchard, flower garden, tree-planting and play features are to be installed. These will result in short-term impacts and losses to existing biodiversity. For example, breeding birds are disturbed then it is unlikely that will return in the short-term. However, in the longer-term the 'quarters' should regain their value for wildlife as they mature, potentially encouraging a broader suite of species. This will be dependent on suitably sensitive phasing of works, the minimisation of disturbance, the use of appropriate landscaping methods to avoid damage (set out in a CMP), and the implementation of a robust park-wide biodiversity management plan once works have finished.

5. Conclusions

The proposals, if implemented as set out, should result in net gains for biodiversity in the medium-term. New planting, appropriate mitigation and securing changes to a more biodiversity-sympathetic management regime should enhance the wildlife interest of Marble Hill Park, as well making the broader mosaic of green spaces in the environs more ecologically connected and resilient. It should enhance the quality of an existing Site of Local Importance for Nature Conservation, that may in time - if managed appropriately - be upgraded to Borough importance. This will be dependent on the implementation of a detailed Biodiversity Management Plan as an addition to the site's existing 10-year Maintenance & Management Plan.

We recognise, however, that there will be some short-term impacts from the proposed loss of trees and new landscaping. We do not believe these to be significant apart from those around the 'woodland quarters' (see above) in the short-term. The adverse impacts on biodiversity will need to be mitigated by considered timing (for example to avoid disturbance to breeding birds), phasing works to minimise impacts at any one time, and implementing the enhancement measures as soon as feasible. At present it is not clear from the material submitted as to how this will be effectively achieved.

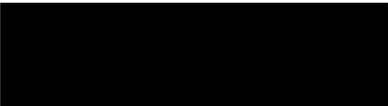
There are also opportunities to refine the tree & shrub removals to reduce further the presence of invasive species (such as holm oak, false acacia and cherry-laurel), and to amend the planting palettes to increase diversity and proportion of locally native species.

If the Council is minded to grant permission, then the following conditions should be applied to ensure the biodiversity conservation objectives of Marble Hill Revived are appropriately met:

- Undertaking further surveys on badger and bats to assess in more detail presence, impacts and – if needs be - appropriate mitigation;
- Submission of a detailed and robust Construction Management Plan, setting out how it will minimise impacts to biodiversity through the relevant phases, with mitigation and contingencies in case of delays in the programme;
- Submission of a detailed Biodiversity Management Plan, which includes means to monitor and report on progress of key conservation objectives.

If you wish for any further information on our comments, please don't hesitate to contact me.

Yours sincerely,


Tony Wileman, MCIEEM
Conservation Ecologist

Appendix 1: Planning policy framework

National Planning Policy Framework (2018)

Paragraph 175

175. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

London Plan (2015)

Policy 7.19; Biodiversity and Access to Nature

Planning decisions

C Development Proposals should:

- a wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity;
- b prioritise assisting in achieving targets in biodiversity action plans (BAPs), set out in Table 7.3, and/or improving access to nature in areas deficient in accessible wildlife sites;
- c not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species or a priority species or habitat identified in a UK, London or appropriate regional BAP or borough BAP.

D On Sites of Importance for Nature Conservation development proposals should:

- a give the highest protection to sites with existing or proposed international designations²⁵¹ (SACs, SPAs, Ramsar sites) and national designations (SSSIs, NNRs) in line with the relevant EU and UK guidance and regulations
- b give strong protection to sites of metropolitan importance for nature conservation (SMIs). These are sites jointly identified by the Mayor and boroughs as having strategic nature conservation importance
- c give sites of borough and local importance for nature conservation the level of protection commensurate with their importance.

E When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply:

- 1 avoid adverse impact to the biodiversity interest
- 2 minimize impact and seek mitigation
- 3 only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

Policy 7.21; Trees and woodlands

Planning decisions

B Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.

Richmond Local Plan (July 2018)

Relevant policies set out below (not all policy statements have been included), with some supporting paragraphs.

2.2 Strategic Vision

The Local Plan Strategic Vision

Natural environment, open spaces and the borough's rivers

- *The outstanding natural environment and green infrastructure network, including the borough's parks and open spaces, biodiversity and habitats as well as the unique environment of the borough's rivers and their corridors will have been protected and enhanced where possible. Residents will continue to highly value and cherish the borough's exceptional environmental quality.*

2.3 Strategic Objectives

Protecting Local Character

- 2. Protect and, where possible, enhance the environment including the heritage assets, retain and improve the character and appearance of established residential areas, and ensure new development and public spaces are of high quality design.*
- 3. Protect and improve the borough's parks and open spaces to provide a high quality environment for local communities and provide a balance between areas for quiet enjoyment and wildlife and areas to be used for sports, games and recreation.*
- 4. Protect and enhance the borough's network of green infrastructure that performs a wide range of functions for residents, visitors, biodiversity and the economy.*
- 5. Protect and enhance the borough's biodiversity, including trees and landscape, both within open spaces but also within the built environment and along wildlife corridors.*
- 6. Protect and improve the unique environment of the borough's rivers, especially the River Thames and its tributaries as wildlife corridors, as opportunities for recreation and river transport where possible, increasing access to and alongside the rivers where appropriate, and gain wider local community benefits when sites are redeveloped.*

Policy LP 5; Views and Vistas

The Council will protect the quality of the views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area, by the following means:

- 4. require development to respect the setting of a landmark, taking care not to create intrusive elements in its foreground, middle ground or background;*
- 5. seek improvements to views, vistas, gaps and the skyline, particularly where views or vistas have been obscured;*

Policy LP 9; Floodlighting

Floodlighting, including alterations and extensions, of sports pitches, courts and historic and other architectural features will be permitted unless there is demonstrable harm to character, biodiversity or amenity and living conditions. The following criteria will be taken into account when assessing floodlighting (inc):

- 1. the impacts on local character or historic integrity;*
- 3. the impacts on biodiversity and wildlife;*

Policy LP12; Green Infrastructure

Green infrastructure is a network of multi-functional green spaces and green features, which provides multiple benefits for people, nature and the economy.

A. To ensure all development proposals protect, and where opportunities arise enhance, green infrastructure, the following will be taken into account when assessing development proposals:

- a. the need to protect the integrity of the green spaces and features that are part of the wider green infrastructure network; improvements and enhancements to the green infrastructure network are supported;*
- b. its contribution to the wider green infrastructure network by delivering landscape enhancement, restoration or re-creation;*
- c. incorporating green infrastructure features, which make a positive contribution to the wider green infrastructure network.*

Policy LP 13; Green Belt, Metropolitan Open Land and Local Green Space

Green Belt and Metropolitan Open Land

A. The borough's Green Belt and Metropolitan Open Land will be protected and retained in predominately open use. Inappropriate development will be refused unless 'very special circumstances' can be demonstrated that clearly outweigh the harm to the Green Belt or Metropolitan Open Land. Appropriate uses within Green Belt or Metropolitan Open Land include public and private open spaces and playing fields, open recreation and sport, biodiversity including rivers and bodies of water and open community uses including allotments and cemeteries. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt or Metropolitan Open Land.

C. Improvement and enhancement of the openness and character of the Green Belt or Metropolitan Open Land and measures to reduce visual impacts will be encouraged where appropriate

Policy LP 15; Biodiversity

A. The Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats. Weighted priority in terms of their importance will be afforded to protected species and priority species and habitats including National Nature Reserves, Sites of Special Scientific Interest (SSSI) and Other Sites of Nature Importance as set out in the Biodiversity Strategy for England, and the London and Richmond upon Thames Biodiversity Action Plans. This will be achieved by:

- 1. protecting biodiversity in, and adjacent to, the borough's designated sites for biodiversity and nature conservation importance (including buffer zones), as well as other existing habitats and features of biodiversity value;*
- 2. supporting enhancements to biodiversity;*
- 3. incorporating and creating new habitats or biodiversity features, including trees, into development sites and into the design of buildings themselves where appropriate; major developments are required to deliver net gain for biodiversity, through incorporation of ecological enhancements, wherever possible;*
- 4. ensuring new biodiversity features or habitats connect to the wider ecological and green infrastructure networks and complement surrounding habitats;*
- 5. enhancing wildlife corridors for the movement of species, including river corridors, where opportunities arise; and*
- 6. maximising the provision of soft landscaping, including trees, shrubs and other vegetation that support the borough-wide Biodiversity Action Plan.*

B. Where development would impact on species or a habitat, especially where identified in the relevant Biodiversity Action Plan at London or local level, or the Biodiversity Strategy for England, the potential harm should:

- 1. firstly be avoided (the applicant has to demonstrate that there is no alternative site with less harmful impacts),*
- 2. secondly be adequately mitigated; or*
- 3. as a last resort, appropriately compensated for.*

Para 5.4.7 Therefore, the Council expects developments to incorporate new biodiversity features and habitats into the design of buildings themselves as well as in appropriate design and landscaping schemes of new and/or redevelopments (including surrounding areas where appropriate) with the aim to attract wildlife and promote biodiversity where possible. This is particularly important in areas with less access to areas of nature conservation importance. Therefore, proposals should seek to include:

- habitat restoration, re-creation and expansion;
- improved links between existing sites;
- buffering of existing important sites;
- new biodiversity features within development; and
- securing management for long term enhancement.

5.4.8 The Richmond BAP and other relevant local strategies set out measures to protect and enhance the borough's biodiversity resource by improving the quality of the local environment through practical management, habitat creation and protection of important wildlife sites and connectivity. The implementation of the Richmond BAP is an important vehicle to improving the biodiversity of the borough.

5.4.9 Any schemes for incorporating new biodiversity features or creating new habitats should take account of site constraints (such as utility infrastructure) and consider the use of native species. The species suitability and their adaptability to the likely effects of climate change need to be taken into account. Guidance on the use of native species and climate change can be found in the relevant BAPs, the Mayor of London's Biodiversity Strategy and the London Tree and Woodland Framework.

Policy LP 16; Trees, Woodlands and Landscape

A. The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

B. To ensure development protects, respects, contributes to and enhances trees and landscapes, the Council, when assessing development proposals, will:

Trees and Woodlands

- 1. resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling is for reasons of good arboricultural practice; resist development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland;*
- 2. resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;*
- 3. require, where practicable, an appropriate replacement for any tree that is felled; a financial contribution to the provision for an off-site tree in line with the monetary value of the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT);*
- 4. require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate;*
- 5. require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations).*

The Council may serve Tree Preservation Orders or attach planning conditions to protect trees considered to be of value to the townscape and amenity and which are threatened by development.

Landscape

- 1. require the retention of important existing landscape features where practicable;*
- 2. require landscape design and materials to be of high quality and compatible with the surrounding landscape and character; and*
- 3. encourage planting, including new trees, shrubs and other significant vegetation where appropriate.*

Para 5.5.4 It is important that species are chosen that are appropriate to the scale of their surroundings and public amenity, and guidance should be sought from relevant experts. The Council encourages the use of native species where appropriate. However, it is acknowledged that native species may not always be the most suitable choice, such as in certain historic landscapes, where there is an existing positive character of distinctive non-native trees. There may also be other particular situations where the use of non-native species may be beneficial. In addition, the Council encourages schemes that include large trees, where appropriate, as evidence suggests that the larger the tree, the greater the benefits to both amenity and ecosystems.

Policy LP 18; River corridors

A. The natural, historic and built environment of the River Thames corridor and the various watercourses in the borough, including the River Crane, Beverley Brook, Duke of Northumberland River, Longford River and Whitton Brook, will be protected. Development adjacent to the river corridors will be expected to contribute to improvements and enhancements to the river environment.

Thames Policy Area

B. Development proposals within the Thames Policy Area should respect and take account of the special character of the reach as set out in the Thames Landscape Strategy and Thames Strategy as well as the Council's Conservation Area Statements, and where available Conservation Area Studies, and/or Management Plans. Developments alongside and adjacent to the River Thames should ensure that they establish a relationship with the river, maximise the benefits of its setting in terms of views and vistas, and incorporate uses that enable local communities and the public to enjoy the riverside, especially at ground level in buildings fronting the river.

Public Access

- C. All development proposals alongside or adjacent to the borough's river corridors should:*
- a. Retain existing public access to the riverside and alongside the river; and*
 - b. Enhance existing public access to the riverside where improvements are feasible; or*
 - c. Provide new public access to the riverside where possible, and maintain existing points of access to*

the foreshore subject to health and safety considerations. There is an expectation that all major development proposals adjacent to the borough's rivers shall provide public access to the riverside.
d. Provide riparian life-saving equipment where required and necessary.

River Thames public riverside walk

D. All development proposals adjoining the River Thames are required to provide a public riverside walk, including for pedestrians and cyclists, which will contribute to the overarching aim of providing a continuous publicly accessible riverside walk. For major developments, applicants will be expected to work with adjoining landowners in case ownership issues would prevent public access.

Policy LP 20; Climate Change Adaption

A. The Council will promote and encourage development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property.

B. New development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption in accordance with the following cooling hierarchy:

- 1. minimise internal heat generation through energy efficient design*
- 2. reduce the amount of heat entering a building in summer through shading, reducing solar reflectance, fenestration, insulation and green roofs and walls*
- 3. manage the heat within the building through exposed internal thermal mass and high ceilings*
- 4. passive ventilation*
- 5. mechanical ventilation*
- 6. active cooling systems (ensuring they are the lowest carbon options).*

Policy LP 21; Flood Risk and Sustainable Drainage

A. All developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere. Development will be guided to areas of lower risk by applying the 'Sequential Test' as set out in national policy guidance, and where necessary, the 'Exception Test' will be applied.

Sustainable drainage

C. The Council will require the use of Sustainable Drainage Systems (SuDS) in all development proposals. Applicants will have to demonstrate that their proposal complies with the following:

- 1. A reduction in surface water discharge to greenfield run-off rates wherever feasible.*
- 2. Where greenfield run-off rates are not feasible, this will need to be demonstrated by the applicant, and in such instances, the minimum requirement is to achieve at least a 50% attenuation of the site's surface water runoff at peak times based on the levels existing prior to the development.*

Flood defences

D. Applicants will have to demonstrate that their proposal complies with the following:

- 1. Retain the effectiveness, stability and integrity of flood defences, river banks and other formal and informal flood defence infrastructure.*
- 2. Ensure the proposal does not prevent essential maintenance and upgrading to be carried out in the future.*
- 3. Set back developments from river banks and existing flood defence infrastructure where possible (16 metres for the tidal Thames and 8 metres for other rivers).*
- 4. Take into account the requirements of the Thames Estuary 2100 Plan and the River Thames Scheme, and demonstrate how the current and future requirements for flood defences have been incorporated into the development.*

Policy LP 30; Health and Wellbeing

Planning, at all levels, can play a crucial role in creating environments that enhance people's health and wellbeing. The Council promotes and supports healthy and active lifestyles and measures to reduce health inequalities.

A. The Council will support development that results in a pattern of land uses and facilities that encourage:

- 1. Sustainable modes of travel such as safe cycling routes, attractive walking routes and easy access to public transport to reduce car dependency.*
- 2. Access to green infrastructure, including river corridors, local open spaces as well as leisure, recreation and play facilities to encourage physical activity.*
- 3. Access to local community facilities, services and shops which encourage opportunities for social*

interaction and active living, as well as contributing to dementia-friendly environments.

4. Access to local healthy food, for example, allotments and food growing spaces.

5. Access to toilet facilities which are open to all in major developments where appropriate (linked to the Council's Community Toilet Scheme).

6. An inclusive development layout and public realm that considers the needs of all, including the older population and disabled people.

7. Active Design which encourages wellbeing and greater physical movement as part of everyday routines.

Policy LP 31; Public Open Space, Play Space, Sport and Recreation

A. Public Open Space, children's and young people's play facilities as well as formal and informal sports grounds and playing fields will be protected, and where possible enhanced. Improvements of existing facilities and spaces, including their openness and character and their accessibility and linkages, will be encouraged.

New open spaces, play facilities and formal and informal land for sport and recreation should be linked to the wider Green Infrastructure network as they play an important role in creating social cohesion, encouraging and promoting healthier and more active lifestyles.

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2nd November 2018

Mr James Garside
Planning Department
London Borough of Richmond-upon-Thames
Civic Centre
44 York Street
Twickenham, TW1 3BZ

Dear Mr. Garside,

MARBLE HILL PARK, RICHMOND ROAD, TWICKENHAM TW1 2NL
Ref: 18/2978/LBC

Marble Hill House: Internal alterations, repairs and installation of a new platform lift. External decoration and repair work (if window is substantially rotten, partial or full replacement of joinery elements). Stable Block: internal and external alterations to accommodate cafe, with associated mechanical plant. Landscaping: new soft and hard landscaping work, including restoration of gardens, upgrade of sports pitches and facilities, new play area, replacement of seating and new play areas. Service Yard: new pedestrian access.

London Wildlife Trust ('the Trust') has a number of observations and comments in relation to the above application for the Marble Hill Revived restoration proposals, submitted by English Heritage.

In summary, we support the overall proposals as they should result in tangible benefits for biodiversity, not only in Marble Hill Park but also the wider environs. However, we recognise that there will be loss of trees and vegetation, which will cause some short-term adverse impacts to other wildlife. To avoid damage or disturbance to protected species present on the site this will require best practice approaches to meet legal requirements, and appropriate mitigation measures secured through conditions. The specification, phasing and timing of landscaping & construction works, if granted, must also be designed to minimise disturbance and/or damage to species and habitats on site, through a robust and detailed Construction Management Plan. We have some minor comments on the species palette chosen, and the retention of some invasive tree and shrub species when there is the opportunity to replace them with more biodiversity-friendly species.

1. Introduction

Although the Trust is familiar with Marble Hill Park, we are not intimately engaged with operations there. We were informed by English Heritage (EH) of these proposals earlier in 2018, and subsequently undertook a site visit with EH officers in March. We also attended a stakeholder meeting in May, at the invitation of EH, to provide commentary on matters pertaining to ecology and biodiversity if they arose from the discussions. We have maintained dialogue with their officers on this application, and endeavoured to ensure that opportunities to enhance biodiversity are maximised and adverse impacts minimised. The Trust has not been commissioned by EH on any aspect of this proposal.

Marble Hill Park

London Wildlife Trust surveyed the Park as part of the London Wildlife Habitat Survey of 1984-85, and further survey by the then London Ecology Unit led to the designation of the site as part of Site of Local Importance for Nature Conservation (SINC site Ri.L02 *Marble Hill Park & Orlean House Gardens*) in the early 1990s.

Protecting London's wildlife for the future

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The description of the Park then referred to “*fine old beeches and oaks*”, and the “*massive old black walnut tree*” in the eastern avenue by the Thames, but also that most of the Park had “*limited wildlife interest*” being dominated by the ‘green deserts’ of the amenity grassland.¹

We recognise that there have been enhancements to benefit the Park’s biodiversity since then, as well as changes to local wildlife (both positive and negative). This is reflected in an updated citation following a review of the borough’s SINC’s in 2007, which included “*Wildlife habitats in the park include grassland and woodland. Strips of grassland in the south and east of the park are mown infrequently, increasing the ecological value. Wild flowers occurring in patches where seed has been sown include common knapweed, greater bird’s-foot trefoil, smooth tare, meadow buttercup, oxeye daisy, sainfoin, meadow cranesbill and salad burnet.*” However, overall the earlier description remains largely true today, and as such underpins the site’s status as a Local SINC. A key difference, however, is the contemporary recorded presence of badger in the Park and its environs, which is not referenced in earlier reports (although the long-standing presence of badger setts across much of the borough is acknowledged).²

Whilst we recognise the unique aspects of Marble Hill Park, from an ecological perspective it is a typical green space for its location, history, use and size. It supports a range of habitats, fauna, flora and fungi, a few of which are of regional conservation interest. In addition, a number of species present are subject to various levels of legal protection and/or are conservation policy priorities. The Park lies within a mosaic of green spaces (most of which are of greater ecological interest) within the wider environs, many of which are linked by the corridor of the River Thames which is tidal at this point. In this respect its ecology is informed and influenced by its location and connectivity.

The Trust recognises the popular local interest in the Park and is aware of the concerns raised about the Marble Hill Revived programme by a number of stakeholders. Some of the contentious aspects of the proposed landscaping are in and around the ‘woodland quarters’, effectively four blocks of semi-mature vegetation that border the east and west edges of the House, which we comment on. Our comments relate only to the biodiversity and ecological aspects of Marble Hill Revived. We are not able to comment on questions over the site’s landscape history or the merits of other changes proposed within the programme; only those that may benefit or impact on the site’s ecology. Nevertheless, overall the proposals set out appear to be similar to other restoration programmes that have been successfully implemented on listed 18-19th century houses and their grounds, such as Forty Hall in Enfield.

2. Policy context

The relevant legislation and policies in respect of the ecological impacts of this application which we expect to be material considerations in the decision are set out below.

Legislation

- Wildlife and Countryside Act 1981 (as amended);
- Protection of Badgers Act 1992;
- Wild Mammals (Protection) Act 1996;
- Natural Environment & Rural Communities Act 2006; and
- The Conservation of Habitats & Species Regulations 2017 (as amended)

Richmond Local Plan (2018)

The Plan’s key policies in respect of this application and its impacts and enhancements on the natural environment are listed below. These policies are set out in Appendix 1.

Strategic Vision

- Natural environment, open spaces and the borough’s rivers

¹ Archer, J. and Curson, D. (1993). *Nature Conservation in Richmond upon Thames*, Ecology Handbook 21, London Ecology Unit.

² Absence of reference to badgers in 1980s and ‘90s reports was as much due to sensitivities around public information on where setts were present to help prevent persecution, which was common around London’s fringes at that time. Sensitivities over precise locations remains.

Strategic Objectives

- Protecting Local Character

Plan policies

- Policy LP 5; Views and Vistas
- Policy LP 9; Floodlighting
- Policy LP 12; Green Infrastructure
- Policy LP 13; Green Belt, Metropolitan Open Land and Local Green Space
- Policy LP 15; Biodiversity
- Policy LP 16; Trees, Woodlands and Landscape
- Policy LP 18; River corridors
- Policy LP 20; Climate Change Adaption
- Policy LP 21; Flood Risk and Sustainable Drainage
- Policy LP 30; Health and Wellbeing
- Policy LP 31; Public Open Space, Play Space, Sport and Recreation

London Plan (2015)³

- Policy 7.19; Biodiversity and Access to Nature
- Policy 7.21; Trees and woodlands

National Planning Policy Framework (2018)

- Paras 174-175

Natural Environment & Rural Communities Act (2006)

- Section 41 priority habitat (aka 'habitats of principal importance'⁴) and species⁵

In addition there is the:

London Environment Strategy (2018)⁶

- Policy 5.2.1 Protect a core network of nature conservation sites and ensure a net gain in biodiversity
- Habitat enhancement/creation targets (e.g. 'flower-rich grasslands')

Richmond Biodiversity Action Plan (2006)⁷

- Habitats: *Ancient parkland/veteran trees, Broad-leaved Woodland, Meadow*
- Species: *bluebell, bumble bee, small copper, stag beetle, great crested newt, grey heron, tawny owl, woodpeckers, song thrush, bats, hedgehog, badger*

London Invasive Species List (2013)⁸

- References various species present within Marble Hill Park, including false acacia, snowberry, cherry-laurel.

3. Application documentation

Preliminary Ecology Appraisal

The Preliminary Ecology Appraisal (PEA) provides an up to date overview and assessment of Marble Hill Park's ecological interest.⁹ Whilst the report predominantly reflects a single site visit in July (during a

³ Mayor of London (2015) *The London Plan; The Spatial Development Strategy for London, Consolidated with alterations since 2011*, Greater London Authority

⁴ See: <http://jncc.defra.gov.uk/page-5718>

⁵ Those in London are listed here: <http://downloads.gigl.org.uk/website/London%20BAP%20Priority%20Species%20List%202007.pdf>

⁶ Mayor of London (2018), *London Environment Strategy*, Greater London Authority

⁷ See: https://www.richmond.gov.uk/media/6903/richmond_biodiversity_action_plan2-2.pdf

⁸ See: <http://www.londonisi.org.uk/what-and-where/species-of-concern/>

⁹ Knibbs, J. (2018). *Marble Hill Park, Twickenham, London, Preliminary Ecological Appraisal, Report for J & L Gibbons*, The Ecology Consultancy

period of very warm dry weather) it complements and takes account of other surveys undertaken for the proposal and earlier survey work. There are a few minor errors and some references to species that have long-since disappeared from London, but overall we concur with its assessment. It concludes that *“the site comprises a small proportion of an extensive local network of semi-natural habitats, and whilst it is important as a component of this ecological connectivity through the borough it is not in isolation of borough importance. Accordingly, the habitats in the site are considered to be of ecological value up to the local level.”*

We support the PEA’s recommendations, principally:

- Due diligence around the known or likely presence of protected species
- Enhancement of grasslands (we would prefer locally sourced green hay rather than a commercial seed mix)
- Provision of dead wood to benefit stag beetle
- Removal and/or control of invasive non-native species
- Installation of bat, bird and big boxes/hotels
- Appropriate locally native species for hedgerow enhancement and gapping up
- Due diligence around biosecurity, especially in plant procurement
- Protection of habitats, species and features during construction through a bespoke Construction Management Plan
- Production and implementation of a Landscape & Ecology Management Plan to ensure future management sustains the enhancements.

Badger survey reports

This report appears to be sound in its assessment, although it lacks details of who the authors are and their expertise and experience.¹⁰ The results reflect the presence of a network of outlier badger setts and one auxiliary sett within the Park, part of a number around a main sett which lies just outside the Park’s eastern boundary.

We do not have the information to confirm or dispute this but the report accords to current conservation best practice. It acknowledges that badgers are mobile and can change the use of setts within their territory over time, for example by abandoning some setts or creating new ones. We support the recommendation to **undertake further badger survey work** if the application is permitted; this would allow for the fine-tuning of any landscape design or construction before works start (scheduled for summer 2019), and refining detailed mitigation proposals to avoid adverse impacts on the badger population. Such a repeat survey would determine the need (or not) for a Badger Development Licence from Natural England and/or a Badger Class Licence in respect of the proposed landscaping. Given the acknowledged sensitivities of the proposals and the nature of the setts within the Park we recommend that a Badger Development Licence – which is site specific – should be sought by the applicant.

We recognise that detailed mitigation measures would be set out in an application for a Badger Development Licence. However, we concur with FOA Ecology report’s indicative mitigation and enhancement measures:

- Licenced sett closure
- Provision of small artificial sett
- Habitat interventions; widened grassland headlands, planted avenues of trees
- Badger gaps in new permanent fencing
- Reduction of external light spillage
- Increased linear habitat connectivity
- Construction stage measures (e.g. location of compounds, safe storage, security fencing, etc.)

¹⁰ FOA Ecology (2018). *Marble Hill Park, Twickenham – Proposed Improvement Works, 2017 & 2018 Combined Badger Report*, FOA Ecology. It states the surveyors (one in 2017, two in 2018) were “*suitably qualified and experienced*” but without providing further details.

Bat surveys report

This report appears to be sound in its assessment, although it lacks details of the author's expertise and experience.¹¹ The surveys of 2016 and 2018 appear to confirm that Marble Hill Park has a typical presence of bats for its character and location. Although all parts of the site are used (by at least six species), it is predominantly foraging by pipistrelle species along the southern boundary adjacent to the River Thames, and some foraging and commuting activity along and around other wooded areas, including the woodland quarters and western avenue, which are important to consider. Potential bat roosts have been identified in six trees (with one being subsequently removed) and other trees and buildings have potential to support roosting bats.

We would concur with the statement that *"the concurrent felling of numerous trees, coppicing, and clearance of existing shrubbery [in the woodland quarter] would constitute a major change to the existing bat habitats, including a material short-term reduction in available bat foraging resource (via tree felling, coppicing and vegetation clearance) as well as a material changes to the existing linear flight line features (i.e. woodland edge habitats)."* This, however, would be relatively short-term, and could be in part mitigated by phasing tree removal works, and replacing with as mature planting as possible. This needs to be critically addressed in the phasing of works and the specifications of a construction management plan.

Breeding Bird Survey report

We welcome the report to gain further insight to the Park's avian fauna and which parts of the site are likely to be more important to breeding birds, especially song thrush.¹² We are familiar with the author and concur with his analysis and recommendations. This places emphasis on phasing and management of the landscape works, if permitted, to avoid disturbance during the breeding season. Song thrush – not the only breeding bird on site – nests low in dense shrubberies and woodland cover, so adequate provision of undisturbed cover during the works is critical – ideally in and around the Sweet Walk and Woodland Quarter. At present the Phasing Plan and Construction Management Plan (CMP) aren't clear as to how this can be maintained, but we recommend a more detailed CMP, which sets this out, is required as a condition.

Design and Access Statement

Our comments focus on sections 2. Baseline Information, 3. Site Wide Strategies, and 4. Landscape Proposals.¹³

2.0: Baseline Information

2.2 Designations & Listings: Marble Hill Park is also part of a Site of Local Importance for Nature Conservation in Richmond (site Ri.L02, see above). It lies adjacent to the River Thames, a Site of Metropolitan Importance for Nature Conservation (site M031 *The River Thames*). These are indicated on the map but not referenced (p10).

2.4 Preliminary Ecological Appraisal: see comments on the PEA report above. We welcome the broad suite of enhancements proposed, given the multi-functional use of the site and the desire to restore important aspects of the cultural landscape. Key considerations, such as measures to strengthen structural and species diversity have been taken into account as well as the opportunities for enhancing the site's important species (such as saproxylic and pollinating invertebrates, birds and bats). We welcome the proposal to retain standing and lying dead wood wherever possible, and the measures to enhance grassland diversity (for example using locally-sourced seed stock (e.g. green hay) and annual haycuts). We also support the opportunity to benefit species such as white-letter hairstreak, which is showing some recovery in London now that they may be adapting to increasingly

¹¹ FOA Ecology (2018). *Marble Hill Park, Twickenham - Proposed Improvement Works, Combined Bat Survey Report 2016-2018*, FOA Ecology.

¹² Vickers, D. (2018). *Marble Hill Park Breeding Bird Survey*, Report for J & L Gibbons, Salix Ecology

¹³ J. & L. Gibbons, English Heritage, et al (2018). *Marble Hill Revived, Design and Access Statement, Landscape Proposals*, 5th September 2018, J. & I. Gibbons.

common belts of English elm suckers as well as wych elm. Nevertheless, there will be some short-term impacts and changes to the site which will need to be effectively mitigated.

2.5 Bat Survey: See comments above.

2.6 Badger Survey: See comments above.

2.7 Tree Survey Report: See comments for 3.6.

3.0: Site Wide Strategies

3.1 Site Demolitions and Removals: We welcome the reference to fencing that might be needed to protect sensitive areas for nature conservation in the woodland quarters.

3.2 Site Construction Management: We welcome reference to minimising light spillage to minimise disturbance to bats. The construction mitigation proposals set out in the Badger Survey Report also need to be incorporated. We recommend that a robust Construction Management Plan that sets out how ecological impacts are minimised and mitigated should be submitted as a requirement.

3.6 Tree Management and Woodland Quarter Management Strategy: We note and welcome the reference for a tree management strategy to take account of climate change and biosecurity, although these aren't the only considerations; current biodiversity interests of the site (and environs) are also critical (but are not referenced). We support the overall approach, but there are some oddities – such as the decision to remove snowberry (listed on the London Invasive Species Initiative (LISI)) but not cherry-laurel, false acacia, and holm oak (also listed on LISI).

3.7 Planting for Biodiversity: We welcome and support these proposals in principal; the key being to enhance structural and species diversity and strengthen connectivity along the existing boundaries and tree avenues. Especially important will be the expansion of planting and tall grassland areas in the north-western corner (Sweet Walk), between the east and west avenues between the House and river, and on the eastern side, and adjacent to the Thames. The changes to the woodland quarters will result in some short-term impacts (see below), so sensitivity to these in terms of replacement planting – to provide cover, nectar sources, etc. – is critical.

3.8 Tree Planting Palette: We support the majority of the species listed, but have concerns over holm oak (*Quercus ilex*, for the woodland quarter, but already present there) and false acacia (*Robinia pseudoacacia*, for the Sweet Walk). These are invasive (and listed on LISI). See our comments for *Woodland Quarter Tree Works* report, below.

3.9 Pleasure Grounds – Wilderness, Thicket & Hedges: We support the majority of the species listed, but have concerns over cherry-laurel *Prunus laurocerasus*, as stated above.

3.10 Pleasure Grounds – Flower Garden: No comments.

3.11 Wider Park – Sweet Walk: No comment other than we are curious over the choice of juniper *Juniperus communis* given the soil conditions. There is opportunity to broaden the scope of plants to include locally native species associated with neutral soil conditions, such as red campion *Silene dioica*, hedge woundwort, *Stachys sylvatica*, black knapweed *Centaurea nigra*, and yellow-rattle *Rhinanthus minor* – also reflected in the Habitat Edges palette.

3.12 Wider Park – Habitat Edges: We welcome these proposals.

3.13 Fencing Strategy: We welcome the proposal to reduce the amount of fencing, and to design gaps in that which is installed to facilitate badger movement.

4.0: Landscape Proposals

4.2 Marble Hill Revived Masterplan: We welcome the overall plan, the recognition of the site's designation as a Site of Importance for Nature Conservation, the commitment to protect the Park's best ecological assets (such as veteran trees), and the proposal to enhance/create 4 hectares of habitat to benefit biodiversity.

4.3 Pleasure Grounds Proposals: These set out some of the most significant changes to the current Park landscape, and whilst we are not in a position to comment on the merits of the original landscape and its reinterpretation from a heritage perspective, there are some key elements that will have impacts to existing biodiversity (both negative and positive). We note the intention to consider and embed enhancements for biodiversity, for example implementing eco-tones (woodland edges), glades, a broader palette of planting and retaining lines of trees for foraging bats. Nevertheless, there will be short-term impacts as trees are proposed to be removed and replaced with new tree-planting and re-landscaping (see comments on the Woodland Quarter Tree Works).

4.4 Sweet Walk Proposals: We welcome and support these proposals. Some of the planting palette may need refining (q.v.) but there is an opportunity to enhance the structural and species diversity of this part of the park. A key will be future management to ensure that its diversity can be maintained.

4.5 Great Lawn East and West Meadow, Car Park and River Terrace Proposals: We welcome and support these proposals. A key will be future management to ensure that the biodiversity features can be maintained in conjunction with other uses.

Woodland Quarter Tree Works Report

We recognise that further surveys and stakeholder comment have now resulted in a reduction of the proposed removal of specimen trees from 31 to 13. Nevertheless, a total of 277 trees are to be removed (the majority of between 76-150mm dbh), principally resulting in a significant reduction of suckering English elm, and young holly, sycamore, yew, ash and holm oak.¹⁴ We concur that opening the canopy (through selective removal and coppicing) will be beneficial in the medium-term, and in principle we support this. From a biodiversity conservation perspective we would prefer to see complete removal of cherry-laurel (10 are proposed to be retained) and false acacia (*Robinia*, 13 proposed to be retained), both of which are invasive; they sucker freely and could cause management problems in due course. Holm oak also invasive, casts deep shade (and is evergreen), so retention of 36 trees appears to be too high a figure. The removal of these could alleviate the loss of more important native trees such as the larger ash, larger holly, larger yew, larger cherry and the elm (for the white letter hairstreak).

Permitted tree works will need to be undertaken sensitively by selective cutting/coppicing with hand tools (or chainsaws for the largest), and removal by hand winch (or even horse). Large scale removal using heavy wheel/tracked machinery should be avoided to prevent compaction of soils, fungal structure and seedbanks, and avoid giving impressions of 'wholesale destruction' which has occurred at other landscape restoration projects. Finding appropriate uses of felled wood should be considered at the outset, either as on-site deadwood habitat and other uses. An appropriate tree removal and disposal specification needs to be set out in detail in the Phasing Plan and Construction Management Plan (q.v.).

Proposed Phasing Plan

The Plan sets out an indicative approach to the landscaping works, and makes clear the ecological constraints re badger licencing and bird breeding season.¹⁵ In principle, we concur with an approach that attempts to mitigate on-site disturbance (e.g. tree removal, landscaping, planting) over three years.

However, the Woodland Quarter, the area with an outlier sett, and evidence of bird breeding and potential bat roosting activity, is subject to the longest duration of activity (indicated as February 2019 to January 2022). From a breeding bird perspective this is likely to have a significant impact. The Plan

¹⁴ J. & L. Gibbons (2018). *Woodland Quarter Tree Works Report, Rev G*, and *Woodland Quarter Plans 581_PL_L_26-29*

¹⁵ J. & L. Gibbons (2018). *Proposed Phasing Plan, 581_PL_L_35*

proposes starting in Phase 1 two quarters at the onset of the bird breeding season (Feb-March 2019), and Phase 3 in another two quarters in the following bird-breeding season (April 2020-March 2021). There is some respite with the Phase 2 (in the first two quarters, again), if works can be carried out in the autumn of 2019, but any delays will be critical. Phase 4 (April 2021-January 2022) again potentially impacts on the bird breeding season. Rigid adherence to the Wildlife & Countryside Act should prevent disturbance to individual birds nesting or exhibiting breeding behaviour whilst on site at the time, but we have concern that this period of disturbance could have an adverse knock on effect for some time after works are complete. However, any delays to the programme will have consequences, which are not yet clear as to how such contingencies will be met.

We recommend that enhancements to the Sweet Walk and the east meadow should be brought forward to Phase 1 as a means to help mitigate impacts to biodiversity across the Park as the programme rolls out. There may be merits in reconsidering the phasing as a whole.

Construction Management Plan

An outline indicative plan has been submitted.¹⁶ This states “12. A phased construction programme will be implemented working within various ecological programme constraints, please refer to the proposed phasing plan (581_PL_L_35)” and “15. The contractor will need to employ methods for light spillage reduction to minimise impact on bats.” We would expect to see a detailed a robust Construction Management Plan put into place, that sets out how impacts to biodiversity will be avoided or minimised through the relevant phases, with mitigation and contingencies in case of delays in the programme.

4. Protection and enhancement of nature conservation interest

National, regional and local planning policy supports proposals that enhance the biodiversity of existing ecological assets (such as SINCS), create new habitats, provide access to nature, and strengthen the ecological connectivity and resilience of sites (in line with the principles set out in Making Space for Nature¹⁷ and the 25-Year Environment Plan¹⁸). The proposals set out in Marble Hill Revived should broaden the structural diversity of habitats on site, provide net additional habitat to benefit a range of species, and overall result in enhancements to a Site of Local Importance for Nature Conservation.

However, the multifunctional nature of the Park means that there are constraints on the extent of these enhancements and how they may be managed into the future. Whilst there will be impacts from the cultural landscape proposals upon biodiversity (for example, tree species choice and location) these are negligible compared to how the site will be used in the future. Upgrading sports fields and amenity fields and the attraction ‘offer’ (the House, café, play areas, etc.) will result in more visitors, which will result in more disturbance with potential negative impacts on some species and features. For these proposals to achieve their potential benefits for biodiversity a secure long-term management plan with appropriate resources will be critical; this should be conditioned if permission were granted. The site’s 10-year Management & Maintenance Plan only makes high-level reference to biodiversity enhancements, but does not set out how a more comprehensive and detailed set of measures (‘what, where, by whom, when, etc.’) will embed these into the future.¹⁹ More detail is required in how this will be achieved given the competing interests and uses of Marble Hill Park.

It appears the most contentious aspects of the landscaping are in and around the ‘woodland quarters’, the four blocks of semi-mature vegetation that border the east and west edges of the House. In 1993 these were “ornamental shrubberies containing a few native shrubs such as hawthorn and butcher’s-broom, beneath mature trees of sycamore, ash, yew and holly.” Described as of “limited wildlife interest” their density nevertheless provided refuge “for one or two pairs of robins and blackbirds, the only such cover in the park.” The 2018 tree survey of the woodland quarters reveals little has changed; a similar dominance of ash, holly, yew and sycamore, along with suckering English elm (which is unlikely to have

¹⁶ J. & L. Gibbons (2018). *Sitewide Construction Management Plan*, Drawing number: 581_PL_L_23 Rev: D

¹⁷ Lawton, J.H., et al. (2010). *Making Space for Nature: a review of England’s wildlife sites and ecological networks*. Report to Defra.

¹⁸ HM Government (2018). *A Green Future: Our 25 Year Plan to Improve the Environment*, OGL.

¹⁹ English Heritage, 2018. *Marble Hill 10 Year Management and Maintenance Plan*, January 2017, updated August 2018, English Heritage

been so common 25 years ago), most of this self-set. However, an outlier badger sett is now present (if not recorded in the earlier survey), the quarters also support wren, blackbird, song thrush, chaffinch and other bird species, and bats utilise the area, with potential roosting opportunities in a few trees.

Proportionately (for their size) the most significant changes in the Park will be to these 'quarters'. Whilst some areas are to be retained, aspects of each quarter are proposed to be subject to tree removal, coppicing and new under-planting. A new orchard, flower garden, tree-planting and play features are to be installed. These will result in short-term impacts and losses to existing biodiversity. For example, breeding birds are disturbed then it is unlikely that will return in the short-term. However, in the longer-term the 'quarters' should regain their value for wildlife as they mature, potentially encouraging a broader suite of species. This will be dependent on suitably sensitive phasing of works, the minimisation of disturbance, the use of appropriate landscaping methods to avoid damage (set out in a CMP), and the implementation of a robust park-wide biodiversity management plan once works have finished.

5. Conclusions

The proposals, if implemented as set out, should result in net gains for biodiversity in the medium-term. New planting, appropriate mitigation and securing changes to a more biodiversity-sympathetic management regime should enhance the wildlife interest of Marble Hill Park, as well making the broader mosaic of green spaces in the environs more ecologically connected and resilient. It should enhance the quality of an existing Site of Local Importance for Nature Conservation, that may in time - if managed appropriately - be upgraded to Borough importance. This will be dependent on the implementation of a detailed Biodiversity Management Plan as an addition to the site's existing 10-year Maintenance & Management Plan.

We recognise, however, that there will be some short-term impacts from the proposed loss of trees and new landscaping. We do not believe these to be significant apart from those around the 'woodland quarters' (see above) in the short-term. The adverse impacts on biodiversity will need to be mitigated by considered timing (for example to avoid disturbance to breeding birds), phasing works to minimise impacts at any one time, and implementing the enhancement measures as soon as feasible. At present it is not clear from the material submitted as to how this will be effectively achieved.

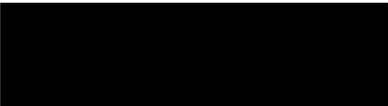
There are also opportunities to refine the tree & shrub removals to reduce further the presence of invasive species (such as holm oak, false acacia and cherry-laurel), and to amend the planting palettes to increase diversity and proportion of locally native species.

If the Council is minded to grant permission, then the following conditions should be applied to ensure the biodiversity conservation objectives of Marble Hill Revived are appropriately met:

- Undertaking further surveys on badger and bats to assess in more detail presence, impacts and – if needs be - appropriate mitigation;
- Submission of a detailed and robust Construction Management Plan, setting out how it will minimise impacts to biodiversity through the relevant phases, with mitigation and contingencies in case of delays in the programme;
- Submission of a detailed Biodiversity Management Plan, which includes means to monitor and report on progress of key conservation objectives.

If you wish for any further information on our comments, please don't hesitate to contact me.

Yours sincerely,


Tony Wileman, MCIEEM
Conservation Ecologist

Appendix 1: Planning policy framework

National Planning Policy Framework (2018)

Paragraph 175

175. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

London Plan (2015)

Policy 7.19; Biodiversity and Access to Nature

Planning decisions

C Development Proposals should:

- a wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity;
- b prioritise assisting in achieving targets in biodiversity action plans (BAPs), set out in Table 7.3, and/or improving access to nature in areas deficient in accessible wildlife sites;
- c not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species or a priority species or habitat identified in a UK, London or appropriate regional BAP or borough BAP.

D On Sites of Importance for Nature Conservation development proposals should:

- a give the highest protection to sites with existing or proposed international designations²⁵¹ (SACs, SPAs, Ramsar sites) and national designations (SSSIs, NNRs) in line with the relevant EU and UK guidance and regulations
- b give strong protection to sites of metropolitan importance for nature conservation (SMIs). These are sites jointly identified by the Mayor and boroughs as having strategic nature conservation importance
- c give sites of borough and local importance for nature conservation the level of protection commensurate with their importance.

E When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply:

- 1 avoid adverse impact to the biodiversity interest
- 2 minimize impact and seek mitigation
- 3 only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

Policy 7.21; Trees and woodlands

Planning decisions

B Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.

Richmond Local Plan (July 2018)

Relevant policies set out below (not all policy statements have been included), with some supporting paragraphs.

2.2 Strategic Vision

The Local Plan Strategic Vision

Natural environment, open spaces and the borough's rivers

- *The outstanding natural environment and green infrastructure network, including the borough's parks and open spaces, biodiversity and habitats as well as the unique environment of the borough's rivers and their corridors will have been protected and enhanced where possible. Residents will continue to highly value and cherish the borough's exceptional environmental quality.*

2.3 Strategic Objectives

Protecting Local Character

- 2. Protect and, where possible, enhance the environment including the heritage assets, retain and improve the character and appearance of established residential areas, and ensure new development and public spaces are of high quality design.*
- 3. Protect and improve the borough's parks and open spaces to provide a high quality environment for local communities and provide a balance between areas for quiet enjoyment and wildlife and areas to be used for sports, games and recreation.*
- 4. Protect and enhance the borough's network of green infrastructure that performs a wide range of functions for residents, visitors, biodiversity and the economy.*
- 5. Protect and enhance the borough's biodiversity, including trees and landscape, both within open spaces but also within the built environment and along wildlife corridors.*
- 6. Protect and improve the unique environment of the borough's rivers, especially the River Thames and its tributaries as wildlife corridors, as opportunities for recreation and river transport where possible, increasing access to and alongside the rivers where appropriate, and gain wider local community benefits when sites are redeveloped.*

Policy LP 5; Views and Vistas

The Council will protect the quality of the views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area, by the following means:

- 4. require development to respect the setting of a landmark, taking care not to create intrusive elements in its foreground, middle ground or background;*
- 5. seek improvements to views, vistas, gaps and the skyline, particularly where views or vistas have been obscured;*

Policy LP 9; Floodlighting

Floodlighting, including alterations and extensions, of sports pitches, courts and historic and other architectural features will be permitted unless there is demonstrable harm to character, biodiversity or amenity and living conditions. The following criteria will be taken into account when assessing floodlighting (inc):

- 1. the impacts on local character or historic integrity;*
- 3. the impacts on biodiversity and wildlife;*

Policy LP12; Green Infrastructure

Green infrastructure is a network of multi-functional green spaces and green features, which provides multiple benefits for people, nature and the economy.

A. To ensure all development proposals protect, and where opportunities arise enhance, green infrastructure, the following will be taken into account when assessing development proposals:

- a. the need to protect the integrity of the green spaces and features that are part of the wider green infrastructure network; improvements and enhancements to the green infrastructure network are supported;*
- b. its contribution to the wider green infrastructure network by delivering landscape enhancement, restoration or re-creation;*
- c. incorporating green infrastructure features, which make a positive contribution to the wider green infrastructure network.*

Policy LP 13; Green Belt, Metropolitan Open Land and Local Green Space

Green Belt and Metropolitan Open Land

A. The borough's Green Belt and Metropolitan Open Land will be protected and retained in predominately open use. Inappropriate development will be refused unless 'very special circumstances' can be demonstrated that clearly outweigh the harm to the Green Belt or Metropolitan Open Land. Appropriate uses within Green Belt or Metropolitan Open Land include public and private open spaces and playing fields, open recreation and sport, biodiversity including rivers and bodies of water and open community uses including allotments and cemeteries. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt or Metropolitan Open Land.

C. Improvement and enhancement of the openness and character of the Green Belt or Metropolitan Open Land and measures to reduce visual impacts will be encouraged where appropriate

Policy LP 15; Biodiversity

A. The Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats. Weighted priority in terms of their importance will be afforded to protected species and priority species and habitats including National Nature Reserves, Sites of Special Scientific Interest (SSSI) and Other Sites of Nature Importance as set out in the Biodiversity Strategy for England, and the London and Richmond upon Thames Biodiversity Action Plans. This will be achieved by:

- 1. protecting biodiversity in, and adjacent to, the borough's designated sites for biodiversity and nature conservation importance (including buffer zones), as well as other existing habitats and features of biodiversity value;*
- 2. supporting enhancements to biodiversity;*
- 3. incorporating and creating new habitats or biodiversity features, including trees, into development sites and into the design of buildings themselves where appropriate; major developments are required to deliver net gain for biodiversity, through incorporation of ecological enhancements, wherever possible;*
- 4. ensuring new biodiversity features or habitats connect to the wider ecological and green infrastructure networks and complement surrounding habitats;*
- 5. enhancing wildlife corridors for the movement of species, including river corridors, where opportunities arise; and*
- 6. maximising the provision of soft landscaping, including trees, shrubs and other vegetation that support the borough-wide Biodiversity Action Plan.*

B. Where development would impact on species or a habitat, especially where identified in the relevant Biodiversity Action Plan at London or local level, or the Biodiversity Strategy for England, the potential harm should:

- 1. firstly be avoided (the applicant has to demonstrate that there is no alternative site with less harmful impacts),*
- 2. secondly be adequately mitigated; or*
- 3. as a last resort, appropriately compensated for.*

Para 5.4.7 Therefore, the Council expects developments to incorporate new biodiversity features and habitats into the design of buildings themselves as well as in appropriate design and landscaping schemes of new and/or redevelopments (including surrounding areas where appropriate) with the aim to attract wildlife and promote biodiversity where possible. This is particularly important in areas with less access to areas of nature conservation importance. Therefore, proposals should seek to include:

- habitat restoration, re-creation and expansion;
- improved links between existing sites;
- buffering of existing important sites;
- new biodiversity features within development; and
- securing management for long term enhancement.

5.4.8 The Richmond BAP and other relevant local strategies set out measures to protect and enhance the borough's biodiversity resource by improving the quality of the local environment through practical management, habitat creation and protection of important wildlife sites and connectivity. The implementation of the Richmond BAP is an important vehicle to improving the biodiversity of the borough.

5.4.9 Any schemes for incorporating new biodiversity features or creating new habitats should take account of site constraints (such as utility infrastructure) and consider the use of native species. The species suitability and their adaptability to the likely effects of climate change need to be taken into account. Guidance on the use of native species and climate change can be found in the relevant BAPs, the Mayor of London's Biodiversity Strategy and the London Tree and Woodland Framework.

Policy LP 16; Trees, Woodlands and Landscape

A. The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

B. To ensure development protects, respects, contributes to and enhances trees and landscapes, the Council, when assessing development proposals, will:

Trees and Woodlands

- 1. resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling is for reasons of good arboricultural practice; resist development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland;*
- 2. resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;*
- 3. require, where practicable, an appropriate replacement for any tree that is felled; a financial contribution to the provision for an off-site tree in line with the monetary value of the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT);*
- 4. require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate;*
- 5. require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations).*

The Council may serve Tree Preservation Orders or attach planning conditions to protect trees considered to be of value to the townscape and amenity and which are threatened by development.

Landscape

- 1. require the retention of important existing landscape features where practicable;*
- 2. require landscape design and materials to be of high quality and compatible with the surrounding landscape and character; and*
- 3. encourage planting, including new trees, shrubs and other significant vegetation where appropriate.*

Para 5.5.4 It is important that species are chosen that are appropriate to the scale of their surroundings and public amenity, and guidance should be sought from relevant experts. The Council encourages the use of native species where appropriate. However, it is acknowledged that native species may not always be the most suitable choice, such as in certain historic landscapes, where there is an existing positive character of distinctive non-native trees. There may also be other particular situations where the use of non-native species may be beneficial. In addition, the Council encourages schemes that include large trees, where appropriate, as evidence suggests that the larger the tree, the greater the benefits to both amenity and ecosystems.

Policy LP 18; River corridors

A. The natural, historic and built environment of the River Thames corridor and the various watercourses in the borough, including the River Crane, Beverley Brook, Duke of Northumberland River, Longford River and Whitton Brook, will be protected. Development adjacent to the river corridors will be expected to contribute to improvements and enhancements to the river environment.

Thames Policy Area

B. Development proposals within the Thames Policy Area should respect and take account of the special character of the reach as set out in the Thames Landscape Strategy and Thames Strategy as well as the Council's Conservation Area Statements, and where available Conservation Area Studies, and/or Management Plans. Developments alongside and adjacent to the River Thames should ensure that they establish a relationship with the river, maximise the benefits of its setting in terms of views and vistas, and incorporate uses that enable local communities and the public to enjoy the riverside, especially at ground level in buildings fronting the river.

Public Access

- C. All development proposals alongside or adjacent to the borough's river corridors should:*
- a. Retain existing public access to the riverside and alongside the river; and*
 - b. Enhance existing public access to the riverside where improvements are feasible; or*
 - c. Provide new public access to the riverside where possible, and maintain existing points of access to*

the foreshore subject to health and safety considerations. There is an expectation that all major development proposals adjacent to the borough's rivers shall provide public access to the riverside.
d. Provide riparian life-saving equipment where required and necessary.

River Thames public riverside walk

D. All development proposals adjoining the River Thames are required to provide a public riverside walk, including for pedestrians and cyclists, which will contribute to the overarching aim of providing a continuous publicly accessible riverside walk. For major developments, applicants will be expected to work with adjoining landowners in case ownership issues would prevent public access.

Policy LP 20; Climate Change Adaption

A. The Council will promote and encourage development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property.

B. New development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption in accordance with the following cooling hierarchy:

- 1. minimise internal heat generation through energy efficient design*
- 2. reduce the amount of heat entering a building in summer through shading, reducing solar reflectance, fenestration, insulation and green roofs and walls*
- 3. manage the heat within the building through exposed internal thermal mass and high ceilings*
- 4. passive ventilation*
- 5. mechanical ventilation*
- 6. active cooling systems (ensuring they are the lowest carbon options).*

Policy LP 21; Flood Risk and Sustainable Drainage

A. All developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere. Development will be guided to areas of lower risk by applying the 'Sequential Test' as set out in national policy guidance, and where necessary, the 'Exception Test' will be applied.

Sustainable drainage

C. The Council will require the use of Sustainable Drainage Systems (SuDS) in all development proposals. Applicants will have to demonstrate that their proposal complies with the following:

- 1. A reduction in surface water discharge to greenfield run-off rates wherever feasible.*
- 2. Where greenfield run-off rates are not feasible, this will need to be demonstrated by the applicant, and in such instances, the minimum requirement is to achieve at least a 50% attenuation of the site's surface water runoff at peak times based on the levels existing prior to the development.*

Flood defences

D. Applicants will have to demonstrate that their proposal complies with the following:

- 1. Retain the effectiveness, stability and integrity of flood defences, river banks and other formal and informal flood defence infrastructure.*
- 2. Ensure the proposal does not prevent essential maintenance and upgrading to be carried out in the future.*
- 3. Set back developments from river banks and existing flood defence infrastructure where possible (16 metres for the tidal Thames and 8 metres for other rivers).*
- 4. Take into account the requirements of the Thames Estuary 2100 Plan and the River Thames Scheme, and demonstrate how the current and future requirements for flood defences have been incorporated into the development.*

Policy LP 30; Health and Wellbeing

Planning, at all levels, can play a crucial role in creating environments that enhance people's health and wellbeing. The Council promotes and supports healthy and active lifestyles and measures to reduce health inequalities.

A. The Council will support development that results in a pattern of land uses and facilities that encourage:

- 1. Sustainable modes of travel such as safe cycling routes, attractive walking routes and easy access to public transport to reduce car dependency.*
- 2. Access to green infrastructure, including river corridors, local open spaces as well as leisure, recreation and play facilities to encourage physical activity.*
- 3. Access to local community facilities, services and shops which encourage opportunities for social*

interaction and active living, as well as contributing to dementia-friendly environments.

4. Access to local healthy food, for example, allotments and food growing spaces.

5. Access to toilet facilities which are open to all in major developments where appropriate (linked to the Council's Community Toilet Scheme).

6. An inclusive development layout and public realm that considers the needs of all, including the older population and disabled people.

7. Active Design which encourages wellbeing and greater physical movement as part of everyday routines.

Policy LP 31; Public Open Space, Play Space, Sport and Recreation

A. Public Open Space, children's and young people's play facilities as well as formal and informal sports grounds and playing fields will be protected, and where possible enhanced. Improvements of existing facilities and spaces, including their openness and character and their accessibility and linkages, will be encouraged.

New open spaces, play facilities and formal and informal land for sport and recreation should be linked to the wider Green Infrastructure network as they play an important role in creating social cohesion, encouraging and promoting healthier and more active lifestyles.