

## **Richmond Biodiversity Partnership**

### **Response to planning application 18/2977/FUL – Marble Hill**

#### **Introduction**

Richmond Biodiversity Partnership (RBP) started in 1998 as the Richmond Biodiversity Group and was renamed in 2011. Members include the Royal Parks, Historic Royal Palaces, the Wildfowl and Wetlands Trust, Barnes, and Thames Landscape Strategy, as well as many local groups and individuals with an interest in wildlife and ecology. RBP is chaired by Colin Cooper Chief Executive Officer of the charity South West London Environment Network which acts as its Secretariat. RBP is responsible for developing and implementing Richmond's Biodiversity Action Plan.

The Natural Environment and Rural Communities (NERC) Act came into force on 1st October 2006. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The list has been drawn up in consultation with Natural England, as required by the Act.

The Richmond Biodiversity Action Plan (BAP) contains individual species action plans covering many of these priority species which are in decline nationally and require conservation action at local level, including bats and song thrushes. The plans exist to:

- Effectively conserve wildlife and remedy deficiencies
- Develop targets and action plans for the conservation of habitats and species that are of international, national, regional, or local importance;
- Promote access to and enjoyment of wildlife; and
- Resolve conflicts between nature conservation and other interests.

The Richmond BAP is a material consideration in any planning application under the National Planning Policy Framework (NPPF). The NPPF aims to minimise impacts on biodiversity and provide net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including the establishment of coherent ecological networks more resilient to current and future pressures.

Although not specifically covered in a species action plan, the RBP also takes an interest in badgers and seeks to protect their habitat and ensure that legal requirements relating to disturbing their habitat are met.

### **Contribution of members of RBP to this response**

All members of RBP were consulted about and given the opportunity to contribute to this response.

Two members of the RBP have not contributed to this response as they have a connection to the planning application and Marble Hill Revived project. Salix Ecology undertook the Breeding Birds Survey submitted with the planning application on behalf of English Heritage. The Environment Trust developed and maintains a market garden at Marble Hill, is named as a community partner in English Heritage's Heritage Lottery Funding application and will receive some funding should the project go ahead.

The London Borough of Richmond as the planning authority has also not contributed to the response, although it is a member of the RBP.

The RBP Bats Species Action Group has submitted a separate response to the planning application which should be read together with this response.

London Wildlife Trust is also a member of RBP due to its stewardship of the Shot Tower and Crane Park Island. Tony Wileman of London Wildlife Trust's Central Office has written its response dated 2nd November 2018 in its role as a consultee. It has not liaised with RBP about this response. RBP broadly agrees with the conclusions of the LWT response.

### **Comments on the Application**

RBP welcomes the revisions to the previous planning application. It has no objection to the works proposed to the house, café, service yard, sports pitches or changing rooms. It does however have some concerns about the proposed landscaping works, particularly in relation to the woodland quarters.

The woodland quarters are known to be occupied by priority species under the Richmond BAP including song thrushes, house sparrows and bats, and by badgers. RBP's starting point is that any alterations or disturbance to those areas should be avoided unless absolutely necessary and any work must be undertaken with extreme care. The woodland quarters are known to be the nesting site of song thrushes which seek out precisely the type of dense

undergrowth that the present unmanaged woodland quarters contain. Work has already been undertaken by English Heritage that has removed some of this habitat. RBP agrees with the LWT response which states that the song thrush “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” (page 5). Some species of bats, particularly Myotis/Plecotus species, also favour very dense tree canopy as found in the woodland quarters currently and more surveying work is required to ascertain whether they are present.

Therefore, whilst recognising that there may be the need to remove some trees which are affecting the house or are dangerous, RBP questions whether so many trees need to be removed and such drastic groundworks undertaken and would like to make the following points about the proposed works:

1. Further surveying work must be carried out at the appropriate time of year to determine exactly where bats, birds and badgers are present in the woodland quarters and elsewhere in the park and the Construction Management Plan and other plans adapted accordingly and agreed with the Council’s Ecology Officer before any work is started. Further surveying work is recommended in the reports and responses of FoA, Salix Ecology and LWT.
2. The reports do not specifically mention hedgehogs which are also a priority species under national legislation and the Richmond BAP and should be the subject of survey work and protection.
3. The proposal to erect a 2 metre hoarding around the two northern quarters and to use them as a storage area (Design and Access Statement 3.2) is completely unacceptable. Hoardings will exclude badgers from using the area, deter birds and bats, and make it difficult to monitor how workmen are behaving behind the hoardings. It could result in widespread damage to these quarters even if this takes place inadvertently as a result of equipment being dumped, used, overhauled etc.
4. No heavy or noisy equipment should be used in the woodland quarters to take out trees, rip out the understorey or re-contour the ground (which is currently very uneven) unless absolutely necessary. This work should be done carefully by hand wherever possible. It may take a lot longer but will cause less disturbance and will offer the opportunity to local organisations to work with volunteers on this project. RBP agrees with the LWT response

which states “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” (page 7).

5. Work should not take place at all in the woodland quarters or Sweet Walk during the bird nesting season (March – August). RBP does not think the approach outlined in the Arboricultural Development Statement November 2018 (para 10.5) is adequate to protect song thrushes and other nesting birds and agrees with the concerns expressed in the LWT report.

6. RBP feels that the proposals to plant an orchard in the north eastern quarter and a flower garden in the south eastern quarter are unsuitable because both areas will be surrounded by taller trees and will be too dark. RBP would welcome the planting of an orchard and flowers in a suitable location elsewhere in the park.

7. The public should be excluded from the woodland quarters at sensitive times of year such as the nesting season for song thrushes and at other times on an ad hoc basis if needed for wildlife protection.

RBP welcomes the following aspects of the proposals:

1. The exclusion of dogs from the woodland quarters at all time during the work and in the future.
2. The planting of surrounding hedges which will hopefully help to exclude dogs.
3. The extra planting in other parts of the park.