Thank you for consulting Norfolk Wildlife Trust on the draft Greater Norwich Local Plan. We have attempted to comment wherever possible in response to the questions set out in the consultation, but have a number of comments which cover multiple policies or supporting documents and so have compiled our comments in this letter.

Our key overarching comments are given below, followed by specific responses to policy questions and supporting documents.

*Future Impacts of Climate Change on Wildlife and Zero Carbon targets*

Evidence is clear that the effects of climate change on Norfolk’s wildlife will be significant, in addition to the pressures it already faces from habitat loss, fragmentation, disturbance and invasive species. A recent paper[[1]](#footnote-23321) highlighted the many species likely to be lost from Norfolk in response to a 2 degree temperature rise. Therefore, to avoid committing Norfolk to further unnecessary wildlife losses, and to safeguard natural areas critical to the storage and sequestration of carbon in the future, we strongly recommend that the plan takes every opportunity possible to help reach national carbon neutrality goals as soon as possible, locking in gains for climate change mitigation and adaptation in all new development. This should include zero carbon targets for new housing, in line with the examples set by Reading Borough Council in policy H5 of their recently adopted Local Plan.

*Urban Greening*

We strongly recommend the inclusion of a mandatory requirement for development to include green design features such as green roofs, walls and sustainable drainage. Such measures will contribute to a wide range of targets set out in Policy 2, improving the resilience of the built environment to climate change, improving building energy efficiency through improved insultation, reducing the urban heat island effect and reducing rates of rain run-off that contribute to flooding, in addition to the benefits to wildlife that this will provide by enhancing the ability of the urban environment to provide habitats and stepping stones for wildlife to move in response to climate change. Southampton City Council City Centre Action Plan and the London Plan show examples of successful inclusion of such policies in other city plans. For further information on the benefits or urban greening policies, see reports produced for the London Plan[[2]](#footnote-25400) and by the Town & Country Planning Association[[3]](#footnote-6275) on the benefits of urban greening policies.

*Wildlife Site Safeguarding Consistency*

We have not been able to identify any allocations which would result in the direct loss of County Wildlife Sites (CWS), although a few have CWS within their site boundaries with draft policies to safeguard them and manage them as green infrastructure. We note that for the remainder of the proposed allocations in proximity to wildlife sites (SAC, SPA, Ramsar, SSSI, CWS, Ancient Woodland, Local Nature Reserves, Protected Road Verges), some make reference to adjacent CWS and support safeguarding from indirect impacts and buffering with new green infrastructure, but not all. We recommend that all allocations should be reviewed against these criteria in order to ensure that appropriate policy wording can be included to safeguard them from damaging development. This will help ensure compliance with targets in the plan to ensure no losses and net gains for wildlife from development.

*Biodiversity Net Gain and Nature Recovery Networks*

The Environment Bill currently progressing through Parliament includes provisions for mandatory Biodiversity Net Gain (BNG) for all new development and the creation of Nature Recovery Networks (NRNs). A metric for the measuring of BNG has been consulted on extensively by DEFRA and is already available for use. Natural England have recently released advice on the establishment of NRNs, which clearly highlights the important role the planning system (and in particular the delivery of BNG) needs to play in the successful creation and maintenance of NRNs. Whilst we recognise that the Environment Bill has not yet been passed, it is highly likely that it will be passed before the next consultation stage of the GNLP. Therefore we recommend that detailed consideration is given to how the GNLP will help deliver measurable biodiversity net gain in all new development and ensure that the development and green infrastructure it promotes will help towards the delivery of an effective NRN for Norfolk. Given our expertise with landscape scale nature conservation projects, the Trust would be happy to discuss this in further detail with the GNLP team once the Environment Bill has passed and the requirements are clearer.

*Habitats Regulations Assessment (HRA)*

There is a legal requirement for the plan to be accompanied by a HRA demonstrating that the plan will not result in any adverse effects on European Sites before the plan can be adopted. Our detailed comments are given below, but we wish to highlight our overall concerns with the conclusions drawn by the draft HRA issued at this stage. The conclusions that adverse effects on the River Wensum SAC and the suite of Broads European Sites appear to mostly depend on an evidence base being produced by third parties that is not yet complete. We therefore disagree with the overall conclusion of the draft HRA that there would be no adverse effects on European Sites either alone or in combination with other plans and projects. This issue will need resolving prior to publication of the submission version of the plan. We request a direct meeting with the Council and their consultants, ideally alongside other nature conservation bodies, as soon as possible after the consultation in order to discuss the outstanding actions required to ensure the HRA is completed satisfactorily in time for the submission stage.

Draft Plan

Section 3 – The Vision and Objectives for Greater Norwich

Q6 – We support the Vision and Objectives in principle, in particular the clear requirement to protect and enhance the natural environment and significantly reduce emissions in order to ensure Greater Norwich is as well adapted to climate change as possible. We expect the next draft to be able to make more specific reference to biodiversity net gain and the creation of a Nature Recovery Network as core objectives of the Plan.

Policy 2 – Sustainable Communities

Q18 – Whilst we support the drive to increase energy efficiency and on site renewable energy provision in order to help mitigation the impacts of climate change, in line with best practice advice, the recent adoption of an even more ambitious zero carbon target for major housing development by Reading Borough Council (RBC Local Plan policy H5) shows that even greater gains can be delivered through the GNLP. We strongly recommend, in order to reduce future impacts of climate change on wildlife as far as possible, that the GNLP adopts a zero carbon target for all new housing.

We support the measures in point 5 to protect and enhance the landscape, as this will provide vital space for wildlife to move through the landscape in adaptation to climate change. Given the vital role of nature-based solutions to climate change mitigation and adaptation, we see the need to safeguard and restore our natural environment as a vital part of progress to a carbon neutral future. In addition, in order to maintain this connectivity through the natural landscape, which overlaps with the incoming need in the Environment Bill to develop Nature Recovery Networks, we also strongly recommend that policy measures are added to the GNLP to ensure that new development includes green natural features wherever possible to ensure living space and movement corridors for wildlife in the built environment. We recommend that a policy requiring minimum standards for provision of green infrastructure such as green roofs, walls and sustainable drainage are required for new development. In addition to benefits for wildlife, this can contribute to improved climate resilience and adaptation through improving energy efficiency in buildings, reducing the urban heat island effect, and reducing rain run-off rates, as well as improving quality of life through providing more wildlife rich public space. Such policies have been successfully adopted in many cities across the world, including in the UK Southampton (Southampton City Centre Action Plan policy AP12, Green Space Factor) and the Urban Greening Factor in policy G5 of the draft London Plan.

Policy 3 – Environmental Protection and Enhancement

We support the reference in paragraph 186 to the likely future requirement for mandatory biodiversity net gain as a result of the Environment Bill currently being considered by Parliament. In addition to biodiversity net gain, there is a requirement to develop Nature Recovery Networks (NRNs), which will likely require further amendments to the submission plan. We highlight and direct the Council to recently published guidance by Natural England on NRNs, the Nature Networks Evidence Handbook[[4]](#footnote-21369), which highlights the important role Local Plans can play in helping deliver them successfully.

We note with concern the reference to the 2017 Interim Habitats Regulation Assessment (HRA) in paragraph 187. It suggests the development mitigates impacts on sites protected by the Habitats Regulations. Whilst mitigation has a role in the HRA process and can be considered at the Appropriate Assessment stage, the overall target of the HRA process is to ensure that adverse effects on European Sites is avoided.

Whilst we recognise that significant changes may need to be made to the policy wording in response to the outcome of the Environment Bill, in order to ensure that the plan objectives to protect and enhance the natural environment can be delivered, we recommend the following changes are made to the text of Policy 3:

Policy 3, paragraph 5 ‘...development should deliver biodiversity net gain ~~wherever possible~~ *proportional to the scale of the development, as set out in the DEFRA biodiversity net gain metric’.* This is in order to ensure that the policy meets the plan objectives to secure net gains for wildlife and offers clear guidance to developers on the proportional contributions expected from all development, in line with the requirements of the NPPF.

Policy 3, paragraph 7 *‘*All housing development is required to *avoid*~~mitigate~~ impact*s* on sites protected under the Habitats Regulations ~~Directive~~*’.* We presume this refers specifically to the indirect impacts of recreational pressure from new housing on European Sites, but this is unclear in the policy text and we recommend the wording is changed to clarify the wider legal requirement applying to development that may affect European Sites. The legal need is set out in the UK Habitat Regulations, originally derived from the European Habitat Directive.

In addition, the last sentence in the fourth paragraph is too ambiguous and risks misinterpretation of developers’ obligations regarding protection of the various difference wildlife designations. We strongly recommend that this wording is expanded to highlight the requirements regarding development and legally protected European Sites, Sites of Special Scientific Interest and Ramsar sites, as well as local designations including County Wildlife Sites, Local Nature Reserves, Roadside Nature Reserves and ancient woodland. Clear policy wording should be included to demonstrate how the plan will ensure that the natural environment will be protected and enhanced.

Policy 4 – Strategic Infrastructure

Whilst we recognise the requirement in the NPPF for the GNLP to make provision for strategic infrastructure, it is unclear from the draft plan which elements are reliant on the provision of strategic infrastructure and are therefore at risk of delivery should the infrastructure projects fail to be delivered. We note the potential significant impacts on wildlife from proposed new road infrastructure and the demands new development will place on water supply and treatment capacity. Given the proximity of these infrastructure concerns to European Sites, and the apparent presumption by the plan that they can be delivered without adverse effects, there is a risk to delivery of the plan if the infrastructure projects are unable to demonstrate that they can avoid these adverse effects and gain consent.

We seek further clarification from the Council regarding the risks to delivery of the plan if infrastructure proposals are not able to be delivered. We note that the baseline ecological surveys for the Western Link Road are still being carried out, whilst the water cycle and visitor pressure studies which are needed to inform the legality of the plan via the HRA are still in production, with their completion dates unknown. Our concerns are given in more detail in our comments on the HRA below, given the legal need for the plan to demonstrate that adverse effects on European Sites will be avoided.

Policy 7.1 - The Norwich Urban Area including the fringe parishes

We note the inclusion of an allocation for development in the East Norwich strategic growth area, which overlaps with the Carrow Abbey County Wildlife Site. The outline permission granted several years ago highlights the clear need to safeguard this site in perpetuity as part of the wider site design and we recommend that specific reference to these requirements is made in the policy text for clarity.

Appendix 3 Monitoring

The monitoring framework is intended to identify how well the local plan is implemented, but we believe that the indicators chosen for the natural environment need to be changed, as those currently selected do not relate to the planning system.

Indicator GNLP18 measures the percentage of SSSIs in favourable condition, whilst indicator GNLP19 measures the percentage of County Wildlife Sites in positive conservation management. However, these variables are unrelated to the local plan and planning permissions and we recommend they are reviewed. We support the inclusion of GNLP20 which gives an indication of the proportion of cases approved against formal advice. However, given that NWT are not able to comment on all cases where there are biodiversity impacts, whilst this indicator could act as an index of development pressures on wildlife sites, it is incomplete. We recommend the addition of an additional target which records the areas of nature conservation sites (as listed in Table 4 of the plan) and non-designated Priority Habitats including ancient woodland (as defined by the NERC Act 2016) lost to development. As one of the plan objectives is to protect and enhance the natural environment, we recommend the target is set at zero loss.

In addition, in anticipation of the mandatory biodiversity net gain requirement included in the current Environment Bill, we recommend that an additional target is added to measure the amount of net gain delivered, as per the DEFRA Biodiversity Metric. The related aspiration in the Environment Bill to create a Nature Recovery Network also has clear overlaps with the requirement for development to provide biodiversity net gain.

Habitats Regulations Assessment

There appears to be an over-reliance in the HRA on third party reporting to provide evidence that adverse effects on Habitats Regulations sites can be avoided. The HRA presumes that the water cycle and recreational pressure studies will be delivered in time and able to cover all the points the HRA needs them to. There is a clear risk to delivery of the plan by relying on work by third parties which is not yet complete and the HRA appears to offer no indication regarding the completion of these studies in relation to the Local Plan production timetable. At this stage, we would expect the HRA to state the limitations of the evidence base, note the likely completion dates for the studies in comparison to the plan production schedule, and conclude that at this stage it is not possible to rule out adverse effects on several European Sites due to the need for third parties to complete their studies and for the recommendations of those studies to be accepted and be deliverable. There is a clear need for these studies to be completed and to be made publicly available for scrutiny before consultation on the final draft of the GNLP occurs.

Wea re also concerned at the approach taken in section 8.2.2 of the HRA regarding the potential impacts of the NWL on the River Wensum SAC and the anticipated increases in traffic flows on the A146 from allocations on the Broads suite of European Sites. The HRA identifies Likely Significant Effects on these sites from growth promoted in the plan, but at the Appropriate Assessment stage in 8.2.2 of the HRA it proposes adding the following wording ‘*provided that it can be achieved without causing an adverse effect on the integrity of the* [European Site]’. We do not believe the addition of this wording is sufficient to ensure that the plan will avoid any adverse effects on the European Sites as it defers any assessment to the planning application stage without being able to provide any certainty that the project level HRA could be passed. Whilst the recommended wording is technically correct in that any planning application would need to demonstrate that it can avoid adverse effects on European Sites, this is a non-negotiable legal obligation required of planning applications, and referring to it in the Local Plan HRA is not proof that the adverse effects of the plan can be avoided. Therefore, until such time as robust evidence is provided that these adverse effects can be avoided through modifications to the plan, the HRA should be revised to conclude that adverse effects on the River Wensum SAC and the suite of Broads European Sites from these infrastructure elements promoted by the plan cannot be ruled out. Any allocations dependent on the delivery of this infrastructure are at risk of not being deliverable until such HRA issues are investigated and concluded robustly.

We also note from survey effort to date the likely presence of a nationally significant breeding colony of barbastelle bats, one of the UK’s rarest bat species. All UK bat species and their roosts are legally protected under the Wildlife & Countryside Act and the Habitats Regulations, and advice from government’s nature conservation advisors the Joint Nature Conservation Committee, is that due to their rarity, any barbastelle breeding site would qualify for designation as a Special Area of Conservation. Given the ecological value of land on the proposed western link route and the need for extensive further survey efforts to inform the impact assessment, we believe it is premature to conclude that this infrastructure proposal will be able to comply with the Habitats Regulations and gain consent.

Section 11.4.1 of the HRA makes two references to other assessment work where the HRA presumes that HRA work carried out by a third party (footpaths being promoted by the County Council in Acle and Loddon) has ruled out adverse effects. We are surprised that this conclusion has been reached based on a presumption rather than with direct reference to the HRA mentioned and recommend that further evidence is sought.

Site Allocations

Our comments below relate to specific ecological concerns regarding allocations. In addition to the protection provided in Policy 2, we recommend that specific wording is included in the allocation policies to ensure they are properly addressed at the planning application stage. Any applications in proximity to known wildlife sites (as set out in Table 4), as well as irreplaceable habitats such as ancient woodland, and priority habitats (as set out in the NERC Act 2016) should be accompanied by an ecological appraisal, with provision of biodiversity net gain and sufficient buffering and safeguarding space secured between the development and the wildlife site in perpetuity (potentially also delivering contributions to green infrastructure).

KES2 – this site is adjacent to Harford Bridge Marshes CWS and NWT Nature Reserve. Run-off from the development onto the CWS may be an issue and will need to be mitigated for.

GNLP0132 – this site includes an area of ancient woodland in the south-west corner of the proposed allocation. This area should be safeguarded through sufficient buffering (at least 50m, preferably 100m, in line with Woodland Trust guidance[[5]](#footnote-30789)).

GNLP0102 – this proposal is adjacent to Frenze Beck CWS. This CWS is a vital part of local green infrastructure with public access granted by the Waveney Rivers Trust. Adjacent housing will add to visitor pressure on the CWS and should contribute to the restoration of the CWS and management of local green infrastructure in order to avoid visitor pressure impacts on the CWS.

DIS9 – this site partially overlaps the northern end of Frenze Beck CWS. We recommend that the boundary of this allocation is reviewed and that the overlapping area is secured. Anecdotal records of turtle dove, a rapidly declining migrant species that is at risk of extinction as a UK breeding species, are known from the local area and there is the potential for this area to contribute vital nesting habitat.

HETHEL1, HETHEL2, GNLP2109 – these allocations are adjacent to Hethel Wood CWS, an important ancient woodland site, likely to also be of importance for several bat species. Given the proximity of the existing industrial area to the wood, and the sensitivity of ancient woodland to nearby development, we recommend that any allocations in this area safeguard the CWS from further encroachment and includes appropriate policies to avoid indirect disturbance from features such as external lighting. This area is also a key location for connectivity with other priority habitats in the south Norfolk claylands and net gain contributions could help link Hethel Wood with other County Wildlife Sites and ancient woodland.

REP1 – this site is adjacent to Broomhill Meadows CWS, a wet grassland site reliant on local groundwater conditions. Any application should be accompanied by an ecological appraisal including an evaluation of drainage impacts on the adjacent CWS.

GNLP0608 – this proposed allocation is adjacent to Lenwade Pits West CWS, which the Trust will be resurveying this summer. We would be happy to provide further comments on this site once the survey has been completed.

HNF3 - this site is adjacent to Horsham Meadows CWS, a pingo site. Impacts on the local hydrology and changes in drainage may have a significant effect on the adjacent CWS and so would need to be addressed by any application.

BAW2 – the inclusion of this site, on the Bawburgh/Colney Pits CWS is dependent on the guarantee that it is only as green infrastructure, and not as retail/ commercial land as described in the draft plan. Any proposals for the site would need to ensure that the ecological value of the CWS is retained and enhanced if they are to be made open to the public.

BKE3 – this allocation appears to overlap with Atlas Gravel Workings CWS and needs further clarification.

GNLP0360 – this allocation partially overlaps with Carrow Abbey CWS. The ecological conditions set out in the 2013 outline planning permission (planning reference 12/00875/O) should be included in the policy wording, as set out elsewhere in more detail in our comments.

We trust that our comments have been helpful and hope that we can meet with the GNLP team soon to discuss our outstanding concerns in further detail.

Mike Jones

Conservation Officer

1. <https://tyndall.ac.uk/sites/default/files/publications/nnns_transactions_2017_norfolk_biodiversity.pdf> [↑](#footnote-ref-23321)
2. <https://www.london.gov.uk/sites/default/files/urban_greening_factor_for_london_final_report.pdf> [↑](#footnote-ref-25400)
3. https://www.interregeurope.eu/fileadmin/user\_upload/tx\_tevprojects/library/file\_1551105810.pdf [↑](#footnote-ref-6275)
4. <http://publications.naturalengland.org.uk/publication/6105140258144256> [↑](#footnote-ref-21369)
5. <https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf> [↑](#footnote-ref-30789)