

## Churchview, Twickenham Reasons for Objection

My name is Dr Sarah Cox, I am Associate Director for The Ecology Consultancy. I have been a consultant ecologist for 20 years and am a Chartered Ecologist and Environmentalist and a full member of our governing body, The Chartered Institute for Ecology and Environmental Management (CIEEM). I have reviewed the information in support of the application and have the following comments. I have been asked to compile a statement in relation to proposals for land adjacent to Churchview, Twickenham.

Overall, the application is supported by a poorly constructed ecology report that is out of date in line with current best practice on the age of survey data (CIEEM, 2019)<sup>1</sup>. This report appears to have been submitted with no change from the previous application despite the time period and the change of scheme. The report is written to provide information in relation to the proposals for three mews houses and not the current proposals for two 3-storey mews properties. It also makes assertions over the retention of habitats that are no-longer present. Whilst the site itself isn't particularly biodiverse or of significant ecological importance in isolation; however, of fundamental relevance is that any direct or indirect impacts on the adjacent Local Wildlife Site (Crane Corridor SINC) and 'Land South of River Crane' Local Nature Reserve (LNR) are not mentioned at all<sup>2</sup>. Of note, is that the habitats along the Crane corridor are included on the broadleaved woodland habitat inventory as Habitats of Principal Importance. This also appears to overlap with the boundary of the site proposed for development. No mention is made of the presence of this habitat at all within the report. The site lies within 50m of the River Crane, however, no consideration is made in terms of the requirement to avoid impacts. Given the site's location next to a river, the zone of influence of the scheme (never defined in the report) extends downstream of the river, perhaps as far as the Thames. This relates to the need to avoid impacts on the watercourses and must be covered in the report.

Lack of consideration of the wide context of the site is in direct contrast to best practice and to local and national planning policy. In this regard, no reference is made to Policy LP15 of the Richmond Upon Thames Local Plan, the London Plan or the London Environment Strategy. Demonstrating that the authors have failed to consider the wider context of the proposals, not just in terms of the adjacent SINC but also in policy terms. The problem with this is that it undermines the mitigation hierarchy, which requires the developer to first avoid impacts before attempting to mitigate or compensate. Lack of consideration of the impacts on adjacent sites means that the proposals themselves ignore the issue of avoidance and move immediately to mitigate or compensate. This is, of itself, in direct contrast with policy LP15<sup>3</sup> which is explicit in the requirement to consider the mitigation hierarchy.

There is also limited information on the proposed development, especially regarding lighting which means that, at this stage, it is not possible for the Local Planning Authority to make an informed decision on the potential negative effects resulting from the scheme. It is my view that the report and its associated assessment, as submitted, is inadequate. It is also my view that, as this is a new application, it is of no relevance that the previous reasons for refusal did not consider effects on ecology to be of concern.

In addition to the fundamental flaws outlined above, additional comments are set out below.

1. The PEA report states (para 3.15) that it is only a scoping report, and an Ecological Impact Assessment (EclA) should be produced where there is the potential for any significant ecological effects or if any mitigation or further surveys are required. It could be argued therefore that there is not sufficient information for the LPA to make an appropriate decision and an EclA is required

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<sup>1</sup> CIEEM (2019) *Advice Note on the Lifespan of Ecological Reports and Surveys*.

<sup>2</sup> [http://discover-london.gigl.org.uk/?theme=SITES\\_TO\\_VISIT](http://discover-london.gigl.org.uk/?theme=SITES_TO_VISIT)

<sup>3</sup> [https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

to assess ecological effects – of which there are some that could in fact be significant. This is in line with current best practice and BS42020:2013. I would note also that the description of the evaluation of the importance of ecological receptors is out of date with best practice. The term ‘value’ has not been used in the EclA guidelines since 2016. This does not materially affect the report or its recommendations but speaks to the lack of attention to best practice and industry standards.

2. Richmond Upon Thames adopted local plan policy LP15 Biodiversity states: *‘The Council will protect and enhance the borough's biodiversity... 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’.*
3. Linked to the above, although for a different ecological feature, the PEA recommends at paragraph 6.20, that an isolux plan should be produced with input from an ecologist to ensure the trees and hedgerow remain suitably dark – has this been done as it is not apparent from the information on the planning portal.
4. The PEA states at paragraph 4.35 that *‘The **majority** of the trees within the Application Site have been assessed as having negligible potential for roosting bats’.* This statement therefore implies some have potential other (higher) than negligible. However, little more is said, just, *‘The mature oak tree within the north eastern boundary has a split branch on the south western elevation. The split does not currently lead into a cavity suitable for bats, however, over time a cavity may develop’.* An update survey is required prior to removal and to assess impacts at this stage and to provide a clear evidence base against which to evaluate the proposals. A picture of trees on the boundary shows very dense common ivy covering, not mentioned in report, that would preclude ground level survey and climbed inspections. I would argue that a precautionary approach should have been taken to result in at least an assessment of low potential in line with guidelines with potentially more significant potential roost being obscured. Surveys are necessary to inform the application.
5. A repeat survey of the garages is also required as, again in line with CIEEM advice, these data are now out of date and cannot be relied upon for this application.
6. There is no Phase 1 habitat survey map or equivalent – contrary to BS42020, which states, ‘Where relevant, a) to j) ought to be made clear through the use of appropriate maps, plans, drawings, tables, photographs and summary forms, etc.’
7. The PEA states that the hedgerow and trees will be retained, and new native trees will be planted, however, it is not clear what vegetation remains on site at this stage as an updated survey is required.

Other minor notes for completeness are as follows:

1. Paragraph 4.5: Ramsar is not an acronym it is a place, so Ramsar sites should not be referred to as RAMSAR.
2. Paragraph 4.5: Local Wildlife Sites are not locally important by default despite their name as they are usually designated at county level. In this case, LWS are SINCS and are selected at London scale. This makes them important above local level and should in actual fact be in the category of ‘Metropolitan, County, vice-county or other local authority-wide area’. As the authors have presented the 2006 hierarchy not the 2019 hierarchy, this is an issue more widely with their report.
3. Paragraph 5.2: Legislation is out of date for instance it should be (now and in 2017) The Conservation of Habitats and Species Regulations 2017 (as amended).

4. References to the NPPF are out of date for this submission. The NPPF was substantially reviewed and updated in 2018 and updated again in 2019, increasing the focus on net gains as opposed to no net loss.
5. In relation to Biodiversity Net Gain, the post Brexit government White Paper refers to making net gains mandatory. Whilst this is not yet the case, BNG should be referred to in these terms in line with the aims of the NPPF.
6. The Richmond Upon Thames local plan was adopted in 2018 (including LP15) and should therefore not be referred to for this application as 'currently under review'.
7. If the ecological receptors are of negligible importance, then there can be no significant impacts and these receptors should not be considered as part of an impact assessment. Again, this is not a material issue here but speaks to the apparent lack of understanding of the assessment process.