

# Hopkins Ecology

**Site:** Crisp Maltings Expansion, Great Ryburgh  
**Item:** Responses on Comments Regarding the Ecological Assessments (Other than the HRA)  
**Client:** Crisp Maltings

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## INTRODUCTION

The ecology team at North Norfolk District Council have supplied feedback on the ecological assessments prepared for the Crisp Maltings scheme at Great Ryburgh. Comments relating to Habitats Regulations Assessment matters are addressed separately. Below are the comments and responses to matters to other ecological aspects of the scheme.

Please note that references to “negligible”, “minor”, “moderate” which categorise the level of impact have been used following the methodology set out in Chapter 4 of the Environmental Statement and in particular Table 2.3 and paragraph 2.19.

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The Landscape Section consider that in the interpretation of the survey data in the ecological assessment this has resulted in lower values attributed to the ecological features present on the site, which affects the significance of the impact and magnitude of effect. This difference in opinion could be because the evaluation and interpretation process hasn't been sufficiently justified in the ES, or potentially could be as a result of not having all of the original data available for scrutiny and/or lack of clarity within the ES regarding the baseline survey data collected or the methodology used.	<p>The values assigned to features follow the criteria as described within guidance (CIEEM, 2019), or other appropriate schemes such as Wray et al. (2010 for bats). While some professional judgement has been applied in assigning value (e.g. with respect to the low numbers of barbastelle bats), the overall scheme follows standard practice and a straightforward representation of how importance at different spatial scales (following CIEEM) translates into value is shown in the methods (para 9.27).</p> <p>The ES (Chapter 9) includes summary descriptions of methods, with additional detail provided in the technical appendix. The survey methods follow relevant guidance and standards.</p>
Furthermore, questions remain over the effectiveness of the mitigation and	The areas and lengths of new landscape planting are presented in Table 9.13A of the ES,

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<p>compensation measures proposed for identified biodiversity impacts. The assessment fails to justify how the proposed measures will adequately mitigate and compensate for the loss of ecological connectivity and foraging habitat as a result of the hedgerow and tree removal and the severing of ecological corridors through the introduction of the access road, crossing the ditch/stream and lighting requirements.</p>	<p>and these changes are considered in the context of available foraging habitat for bats in particular.</p> <p>For bats this does include an estimate of the quality of existing habitat areas and of the new landscaping.</p> <p>While this is an informal scheme the assigned categories of negligible, low and moderate are intended to be indicative and are not thought to provide inflated qualitative impressions of the value of new habitat areas, or indeed underestimate habitat loss.</p> <p>A level of professional judgement has been used for assigning these categories and refers to the likely of abundance of prey generated based on professional opinion. Thus, for example, it is considered that the wildflower planting will provide better foraging habitat than the semi-improved grassland on a per unit basis, this being driven by the diversity of plant species and greater diversity of insect prey and what would be judged likely to be a greater overall abundance of prey.</p> <p>There will be a net increase in the area of habitat types of greater value than arable and improved grassland. The key drivers in the assessment are area and quality of individual habitat types. However, within the overall assessment while there may be a case for interpreting this as a positive change, the assessed impact is nevertheless conservative, and the impact is assessed as negligible.</p>
<p>There remains a concern regarding the biodiversity value attributed to the development site when considered within the wider intensively farmed landscape and the connectivity with the River Wensum. As stated previously the Landscape Section consider that the site has been undervalued and/or the assessment of the value of the site has not been sufficiently justified within the ES/Ecology Assessment. The Ryburgh Neighbourhood Plan, September 2020 (RNP) and the supporting documentation (Wild Frontier Ecology Report – Evidence Document 3) attributed a greater value to the connecting habitat and tributaries of the River Wensum than the applications ES/Ecology Assessment has</p>	<p>The Site is outside of the immediate corridor of the River Wensum, as designated by the valley bottom adjacent to the channel. The tributary which runs through the site, runs roughly perpendicular from the Wensum corridor bottom, up to an area of improved horse grazed pasture adjacent to the Crisp Maltings landholdings. This corridor of non-arable habitat then ends abruptly against Highfield Lane where it meets arable farmland. This east-west corridor from the valley bottom to the arable farmland is ~0.8km in length.</p> <p>With reference to the Ryburgh NP (RNP), it is understood that the Wild Frontier Ecology Report is based on a desk study with information from local sources and provides a strategic vision. This includes information such as the Norfolk Biodiversity Information Service, as does the ES, and also makes reference to online mapping information of habitats.</p> <p>Reference to landscape corridors in this largely relate to the Wensum corridor itself, and while undoubtedly tributaries provide connectivity to</p>

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	<p>the wider countryside the role of the tributary through the site is thought to be less than elsewhere in the RNP area:</p> <ul style="list-style-type: none"> <li>• First, it is relatively short at 0.8km and ends abruptly at Highfield Lane, beyond which is arable farmland.</li> <li>• Second, the RNP maps priority habitat types and none are shown within the area under consideration. Other tributaries within the RNP area have priority habitat and / or associated County Wildlife Sites.</li> </ul> <p>Paragraph 5.4 of the Wild Frontier report states that the tributary has wildlife value (and the ES notes the main hedgerow is Important). However, it is not clear as to why it should have <i>'equivalent ecological value to the Wensum floodplain to which it is joined'</i>.</p>
<p>With respect to policies 8 and 9 of the RNP, the Landscape Section consider that there is currently insufficient justification within the application submission documents as to how the development meets with these policy requirements and provides sufficient and robust mitigation and compensation measures that will prove effective to mitigate the harm of the development proposals and provide enhancement in terms of the ecological functioning of the landscape and connectivity with the River Wensum.</p> <ul style="list-style-type: none"> <li>• policy 8 of the RNP looks at development within the RNP area that is outside of the main River Wensum valley and settlement boundary and requires that development proposals must <i>"... demonstrate how they enhance; and how they avoid, or adequately mitigate, or as a last resort compensate for; significant harm to wildlife-rich habitats and wider ecological networks with reference to the Ecological Report (August 2018), or more recent ecological appraisals or evidence"</i></li> <li>• Policy 9 of the RNP supports development proposals that improve habitat connectivity and ecological networks.</li> </ul>	<p>In broad terms the road is not thought to represent a significant severance within the landscape. The corridor along the tributary is ~0.8km in length up to the limit of the arable farmland at Highfield Lane. There is a tract of improved horse pasture between the site and this limit. The road will have only a low level of traffic.</p> <p>The soft landscaping within the scheme represents a net increase in non-arable and improved grassland habitat. As considered above, these habitats are thought to be of greater value, as bat foraging habitat for example. Notwithstanding their value is not inflated, and the assessment is considered robust, such that there is not significant habitat loss and that wider networks are not adversely affected.</p> <p>In summary, the proposals are considered to comply with these policies, in that adverse impacts will be mitigated and that they will not adversely affect local ecological networks.</p>
<p>The Amended DAS states that <i>'the proposed planting mitigation strategy has evolved significantly to address many of the comments received from North Norfolk District Council in relation to landscape and ecology'</i>. For example,</p>	<p>The access road will have a low level of traffic and it is not considered to be a significant barrier to dispersal. Volumes and speeds of traffic are thought very unlikely to be significant with respect to wildlife collisions, and the</p>

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<p><i>'additional native hedgerow and woodland screening planting is proposed to the west of the proposed warehouse',</i></p> <p>which the DAS states will form strategic green links with the surrounding vegetation. However, this new mitigation feature has not been put into context with the field data collected on species distributions throughout the site or given sufficient justification provided as to how this compensates for the removal of other connecting features, such as the plantation along common lane and common lane itself and how this links with the surrounding network given that the access road will be a significant barrier to dispersal.</p>	<p>physical road itself is not thought to represent a significant barrier.</p> <p>The field data demonstrate that the species of local value are mobile, thus it is not thought unreasonable to conclude that they will modify foraging behaviours according to the local distribution of foraging areas. It is not thought that species would show fidelity to individual areas of the site. For example, the young plantation that will be removed does not have 'added' value from features such as dead wood. Common Lane itself has a small number of mature trees in association with it but the wider value in the local context is its 'secluded' character with the trees and buildings provided screening which may offer sheltered foraging habitat for bats in windy weather. The new landscaping has areas with similar character.</p> <p>At a more strategic level the planting maintains connectivity north-south from the village edge northwards, and along the east west line of the tributary.</p>
<p>It is not clear whether this mitigation, and the attenuation basin and associated planting, will protect or enhance this tributary of the river and the connectivity with the River Wensum. Furthermore, the value of this habitat to badgers is greatly reduced due to the presence of the access road which will sever the links between suitable habitat in the area. No mitigation measures are proposed for the access road which could improve the connectivity for difference species, such as underpasses or un-wetted culverts.</p>	<p>Much of the wider matters relating to the attenuation basin and site drainage are addressed within the response to the draft HRA.</p> <p>In terms of the wildlife habitat offered within the attenuation basin this is thought likely to provide enhancement within the local context. A key driver in the assessment has been the availability of bat foraging habitat. The attenuation basin and new grassland planting are viewed as providing good resources for relevant insect prey. For example, the wildflowers would generate moths relevant to larger bats, while much of the local grassland is species-poor and unlikely to generate a suite of relevant species. The existing grassland is derived from an agricultural sward that was previously more intensively managed.</p> <p>It is not thought that the severance impact of the road will be significant, given the low level of traffic and relatively narrow width. In terms of species which might be deterred by roads (such as some bats), it is thought that the level of use will be substantially below any threshold at which it might limit bat commuting or deter other activity.</p>
<p><i>'There are opportunities to increase biodiversity across the site, the proposals include wildflower rich wet meadow and pond edge mixtures'</i> again these features have not been sufficiently justified as to how they will compensate for the loss of the semi-improved pasture and how these will provide enhancements or</p>	<p>The habitat to be lost is species-poor semi-improved grassland.</p> <p>Within the assessment these are viewed as enhancements as they provide habitat that will be relevant to local species. Most of the relevant species that will benefit are mobile and likely to</p>

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<p>compensation for different species given the disconnected nature of the feature with the other mitigation planting proposals?</p>	<p>be able to colonise or utilise these from neighbouring areas. For example, widespread generalist moths are likely to benefit from more species-rich swards, and even though many of these are generalists as caterpillars, the more diverse swards are likely to be of benefit to the existing populations locally. Bats would benefit from a more extensive area of species-rich sward and also damp soil likely to benefit pipistrelle and other smaller moths through a greater abundance of small flies whose larvae live in damp substrates. Although far more extensive habitat of this type is present within the Wensum valley bottom, additional areas would improve foraging opportunities for bats. Areas of sparsely vegetated damp substrate, as typically found in draw down zones of attenuation basins may also become of botanical interest.</p> <p>While these areas would be relatively small it is not thought that they would be 'disconnected' within the local context but rather they would increase relevant habitat diversity.</p>
<p>Section 9 of ES considers the great crested newt surveys and records that the ecological survey area was extended to 500m around site with a scoping exercise conducted for possible breeding ponds using maps and aerial photography (9.10). Two ponds were subject to eDNA surveys out of three ponds identified within 500m (one was scoped out due to lack of water in consecutive years) and the resulting eDNA test results came back as negative. The additional surveys scoped in a further pond that was identified close to the site and although the eDNA sample was taken 3 days outside of the optimal test sampling window, it is not thought that this is a significant limitation or would change the result of the test, which came back negative. However, GCN have been recorded in Great Ryburgh and it is considered that the numerous ponds within the parish boundary (located mainly to the south of the Fakenham Road and to the east of the Wensum) could contain populations of GCN although species abundance is not known (Ryburgh Neighbourhood Plan). The Ecology report submitted as part of evidence for the RNP does identify other ponds that could potentially be within 500m of the development site boundary (Figure 4) which were not scoped into the ecological assessment and there has been no justification as to why this is the case. It could be that for ponds located to the south of the Fakenham road, the road would be a significant barrier to dispersal of the population.</p>	<p>Other ponds within 500m were scoped out on the basis of intervening habitat and physical barriers making it very unlikely that any individuals would enter the site from these ponds. While 500m is the upper limit for dispersal, it should also be noted that 250m is the typical upper limit applied to all but very large schemes. In practice, few individuals are found at distances close to this limit.</p> <p>The scoping is consistent with the earlier assessment by Kepwick Ecology (2010). Where differences were found, as with the garden pond that is not visible on maps or from the site, then a prompt response to obtain additional data was made. Also, as incidental observations, great crested newts were not found beneath reptile refuge felts in 2010 or later surveys for the current scheme.</p>

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<p>The AIA and Tree Protection Plan only addresses (and can only) the known impacts of the development on trees and hedges. ... It is not clear whether the potential removal of these features has been taken into consideration in the assessment of the ecological impacts of the development, or whether any impacts have been adequately mitigated for as part of the ecological mitigation proposals.</p>	<p>It is confirmed that these have indeed been taken into account within the ecology survey work and assessments. Please see Chapter 9 of the Environmental Statement in particular. This has included bat emergence surveys of trees where indirect impacts are anticipated on trees with potential roost features.</p>
<p>Paragraph 175 of the NPPF stipulates the need for development to adopt the mitigation hierarchy principle, where harm to biodiversity is in the first instance sought to be avoided. The Ecology Assessment has not followed the mitigation hierarchy as attempts to avoid impacts do not appear to have been considered and the compensation measures proposed do not address the ecological connectivity impacts arising from the development. As stated previously, it is not clear what measures seek to actually compensate for the loss of ecological features and what measures are provided as genuine enhancement proposals. It is not clear or sufficiently specific within the supporting information as to what function or functions the proposed mitigation and planting measures are providing for biodiversity, for example will certain features be managed and maintained to benefit certain species (e.g. BAP species such as turtle dove, barn owl, or bat species by providing enriched prey habitat) or re-create lost or degraded habitat, such as wet meadows. If a clear distinction can be provided by the applicant this could be taken into consideration when weighing up any benefits of the proposed development against the adverse impacts. However, unless these benefits are clearly set out, justified and are likely to be effective, then they cannot be taken into account.</p>	<p>The scheme was developed in association with ecological information, with direct input since 2017 and with reference to the Kepwick Ecology work from 2010. Specific points within the scheme that were changed on this basis include the position of the road where it breaches the hedgerow from the arable field. Ultimately, the options for applying the first stage of the mitigation hierarchy were limited by simple logistical and operational constraints.</p> <p>The distinction between enhancement and compensation is not made with respect to individual units of landscaping. A scheme wide consideration is considered more appropriate based on net changes in habitat areas /lengths. The assessment provides a conservative assessment of impacts based on these overall net changes. This conservative approach is considered more able to express the inevitable uncertainty within the ecological assessment than providing a more prescriptive separation of compensation and enhancement would be.</p> <p>The landscaping which forms the core of the mitigation measures is thought appropriate in the local context, and with regard to local species. These are described by the baseline surveys and data search. While specific species are not necessarily listed, it would also be an expression of over-certainty to list these. For example, while turtle doves may utilise the new landscaping it would not be appropriate to say this based on their absence from the site baseline and extreme rarity within the Norfolk countryside. Likewise with bats, while their foraging can be broadly characterised in terms of the habitats / vegetation which are likely to generate prey, a precautionary approach is taken to recognise the inevitable uncertainty within all ecological data.</p> <p>Further, although a planning policy point, paragraph 175 of the NPPF provides that mitigation or compensation should be provided if "significant" harm cannot be avoided. As summarised in Chapter 9 of the Environmental Statement and in particular Table 9.15A it is not considered that the impacts from the proposed development are minor in terms of habitat loss</p>

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	(and certainly not significant therefore), even without mitigation.
<p>the current form and based on the existing supporting information, the Landscape Section remain to be convinced that the development proposals for both applications accord with policy EN9 of the Core Strategy and other relevant local and national policies. EN9 stipulates that all development proposals should protect the biodiversity value of land and minimise fragmentation of habitats; and maximise opportunities for restoration, enhancement and connection of natural habitats. Paragraph 170 of the NPPF requires that the mitigation hierarchy principle to be applied to development. For the reasons stated above it is not considered that the development proposals meet with these stringent policy requirements and that the harm to biodiversity through the loss and severing of habitat has been adequately compensated for. Policy EN9 further states that when development proposals cause a direct or indirect adverse effect on nationally designated sites or protected species and cannot be located on alternative sites, then they should only be permitted if the benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats and prevention, mitigation and compensation measures are provided. The above applications do not adequately justify that the impacts have been mitigated for or satisfactorily compensated for and it is not clear what measures are compensation and what measures constitute enhancement and how the enhancement measures provide benefit to biodiversity and local ecological networks.</p>	<p>As discussed above:</p> <ul style="list-style-type: none"> <li>• The mitigation hierarchy was applied, within the overall operational constraints of the site and scheme. The principles of the mitigation hierarchy are good practice, even though the hierarchy is not named in the NPPF.</li> <li>• The ecological assessments are considered to provide a robust assessment of the value of the site and impacts. This includes the assessment of relevant ecological processes in the context of policies.</li> <li>• The mitigation that is outlined, including landscaping is considered to be assessed in a conservative manner. This describes the likely net ecological changes (habitat areas / lengths) plus species-level impacts at an appropriate level of resolution. These are relevant in the local context and adequately reflect the inevitable uncertainty that exists within all ecological data. More prescriptive descriptions of the species which may benefit are not appropriate, as these would provide a false level of confidence compared the conservative approach applied within the assessment. Notwithstanding, the impacts arising are assessed in Chapter 9 of the ES and minor without mitigation and the residual impacts with the mitigation are negligible.</li> <li>• Matters relating to designated sites are addressed separately.</li> </ul>