



NORFOLK WILDLIFE TRUST  
Norwich Western Link Road Proposal



28 August 2020

**Request to remove Norwich Western Link from further funding consideration due to unacceptable wildlife impacts**

We are writing to the Department of Transport to raise our concerns with the provisional support given to Norfolk County Council's (NCC) Norwich Western Link proposal from the Large Local Majors Programme. Based on the evidence available, we consider that the proposal would result in the loss of significant and irreplaceable ecological features of national importance for which mitigation and compensation are not feasible, which would leave any application in obvious contravention of multiple wildlife laws.

The proposal would very likely result in the long-term complete loss of a Special Area of Conservation calibre breeding colony of barbastelle bats, listed as endangered on the IUCN and UK red lists, significant areas of woodland likely to qualify as ancient woodland, and permanent damage to two chalk rivers, a globally rare habitat of which the UK holds a significant proportion. We regard responses made by NCC to concerns over the biodiversity impacts, claiming that a net gain for biodiversity can be delivered, to be overly optimistic and not supported by evidence.

*Outline Business Case*

We note the request in recent correspondence between DfT and NCC on their draft business case<sup>1</sup> DfT's statement that *'there is land close to the scheme which is environmentally sensitive. You should demonstrate what mitigation is in place'*. NCC respond in section 3.6.6 of their Strategic Outline Business Case referring to the project target for delivery of Biodiversity Net Gain. We strongly disagree that this target can be met due to the irreplaceable nature of the habitats that would be lost to the development and the consequent scale of losses to protected species that would occur. We recommend that robust evidence is sought from the Council before any further confidence is placed in any claim that a net gain can be delivered.

In the absence of meetings of the Ecology Liaison Group since last November, we have also written to NCC setting out our concerns on this and other aspects of the proposal in detail. We have highlighted that proposed new tree planting, regardless of scale, cannot replicate the mature woodland roosting habitats used by a significant colony of endangered bats on the route, leaving impacts on protected species unaddressed, in addition to wider concerns about many other protected habitats and species.

Given the scale of impacts and the absence of any evidence that mitigation or compensation for the impacts is possible, and without evidence that a net gain for wildlife can be delivered as claimed, it is our recommendation that any further decisions on allocating public funds for the proposal must be deferred. This should be the case until, such time as NCC are able to demonstrate robustly that these impacts on protected habitats and species can be confidently avoided and compliance with the Habitats Regulations and the Wildlife & Countryside Act ensured.

We would be happy to discuss our comments further with the DfT if that would provide further clarity at this stage. A copy of our letter to NCC is appended for your reference.

Thank you for your consideration.

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<sup>1</sup> In NCC covering letter to DfT, dated 02/12/2019, page 3.



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Pamela Abbott  
Chief Executive



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**Annex – copy of letter to Norfolk County Council**

**Recommendations for further ecological surveys and appraisal for the Norwich Western Link proposal**

On behalf of Norfolk Wildlife Trust (NWT) I am writing to raise our grave concerns regarding the proposed Western Link Road which we have previously expressed to the County Council during public consultations and via the local press. We have now had the opportunity to consider the interim ecological reports provided by the Council in May 2020, and in the absence of any meetings of the Ecological Liaison Group since November 2019, are writing to you to make recommendations for further ecological surveys that we believe are necessary before any planning application is made.

NWT assessment and recommendations

The preferred route runs for several kilometres through an old landscape of woodland, hedges, arable fields and grassland over floodplain and hills. The route would impact on a nationally significant colony of an endangered bat species, several areas of woodland which potentially ancient and irreplaceable, as well as requiring built crossings of two chalk rivers when considered in combination with the A47 upgrades which will be required to join the NWL to the existing road network on its southern edge. One of the chalk rivers, the Wensum, is already designated as a Special Area of Conservation (SAC), the barbastelle bat colony is of SAC calibre and the woodlands are irreplaceable in their own right and as roost sites for bats due to their age. The second chalk river, the Tud, whilst currently only partially designated as a County Wildlife Site (CWS) at present, is considered by the Trust to be as ecologically valuable and vulnerable to damage from road development as the River Wensum SAC.

Given the scale of the likely damage the road would create to multiple important habitats, legally protected sites and species, we can identify no means by which it would be possible to mitigate or compensate for the damage, nor provide a net gain for biodiversity as stated by the Council. We cannot envisage how it would be possible to proceed with the road and comply with wildlife laws and planning policies. As a result, NWT intends to object strongly to the planning application. It is **therefore our recommendation that the road proposal is stopped at this point and alternative options for meeting future transport needs that do not contravene multiple wildlife laws are examined further.**

Should the Council wish to proceed with the project against this advice, then we recommend the following additional surveys and assessment as an absolute minimum in order to robustly assess the ecological impacts, and that any planning application is deferred until such time as this work can be fully carried out.

Bats

All UK bat species are protected under the Wildlife & Countryside Act and the Habitats Regulations. The negative impacts of new road schemes on bats are well documented, with a high likelihood that the habitat loss, severance of remaining habitat, reduction in habitat quality nearby and increased collision risks will lead to long term declines that can result in the extinction of local bat colonies<sup>2</sup>. There

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<sup>2</sup> Altringham, J.D. & Kerth, G., 2015. Bats and Roads, in: Bats in the Anthropocene : conservation of bats in a changing world. Springer.



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is a very real risk that the road would lead to the local extinction of multiple bat colonies, which would be a clear contravention of the Habitats Regulations and the Wildlife & Countryside Act. This includes the endangered barbastelle colony at Weston, which is likely to be of international significance due to its current size. The barbastelle bat is listed as Near Threatened on the red list<sup>3</sup>. The mature woodland habitat used for roosting along the route is irreplaceable, so any suggestion that new tree planting can mitigate or compensate for this loss is wrong and should be disregarded. Any assessment of impacts on the colony would need to include an accurate baseline of the entire colony in order to inform a Population Viability Analysis of the increases to the mortality rates of the colony from the impacts so that the full risks of colony losses can be considered. We would not consider any assessment of the impacts limited to a narrow 75 metre corridor around the road, as indicated in the interim survey reports, to provide sufficient information to inform the full scale of the impact on the colony and its core sustenance zone.

#### Ancient woodland

Several of the woodlands in the surrounding landscape are included in the Ancient Woodland Inventory and there is therefore a risk that there are further areas of ancient woodland directly on the route or its zone of influence. Ancient woodland is a rare and irreplaceable habitat and the full extent of ancient woodland habitat on the route and its zone of influence should be identified through detailed Phase 2 botanical surveys in order to properly assess the risk to this irreplaceable priority habitat.

#### Chalk rivers and their floodplains

The UK holds a significant proportion of the world's chalk rivers, and so holds a key responsibility for their conservation. The road would require crossing the River Wensum SAC, and would also result in the loss of County Wildlife Site floodplain habitats which are functionally linked to the health of the SAC. Whilst the focus appears to be on ensuring that adverse effects on the SAC are avoided, it is not clear from the information provided if the habitat loss, hydrological and pollution impacts on the supporting floodplain habitats adjacent to the SAC have been considered in assessing the long term impacts on the SAC. We therefore recommend the full hydrological impacts on the functionally linked CWS wetlands are assessed as part of the impacts on the SAC.

We also consider the River Tud on the southern edge of the proposal to be of equal ecological value to the River Wensum. Whilst it is not designated as a SAC, and only partially designated as a CWS<sup>4</sup>, we believe it is of equal ecological value, with the remainder of undesignated river near the proposal likely to be of CWS quality and potentially also of SSSI calibre. It is also likely to suffer from in-combination effects from the A47 upgrades necessary to join to the Western Link, with cumulative impacts on habitat quality and its hydrology. In addition, the NWL would need to cross a tributary of the Tud below Foxburrow Plantation, with likely additional hydrological impacts on the flow and water quality of the Tud.

#### Biodiversity Net Gain

We are aware of public suggestions from the Council that the ecological impacts of the road can be dealt with, and that a net gain for biodiversity will be delivered. The February 2020 Cabinet minutes,

<sup>3</sup> <https://www.iucnredlist.org/species/2553/22029285>

<sup>4</sup> Potential CWS are only surveyed with landowner permission, so absence of CWS designation does not infer a site is not of ecological value. CWS designation criteria for rivers are based on the biological SSSI selection criteria.

Norfolk Wildlife Trust

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in response to multiple public questions, referred to assessment against the DEFRA criteria to '*ensure that, overall, habitats for wildlife are left in a measurably better state than before construction began*'. Additional reference was made in paragraph 10.4 of the minutes to a million trees proposal which would mitigate the environmental impact.

Whilst the DEFRA metric has a role to play in quantifying habitat loss impacts previously neglected in planning applications, it is not an appropriate tool for considering the impacts on a wide range of protected species dependent on mature habitats and the new planting offered by the Council to replace those areas of mature habitats cannot replicate the habitats lost or provide for the many protected species currently dependent on them. For example, with reference to the Council's suggestion that it will plant 1 million trees as mitigation, these will all be saplings which cannot replicate the roost sites that the endangered barbastelle bat depends on, so it is not possible to credibly suggest that a net gain could be delivered for this road.

**We therefore strongly disagree with the claim that a net gain for biodiversity can be delivered in this context, and politely request that it is not made in the future.**

Cumulative landscape scale impacts

The NWL, if permitted, would not exist in isolation, and would add to the impacts of the existing NDR and planned A47 upgrades. The Ringland Hills, which the road would cross, are the last major green corridor into Norwich not severed by a major road, and if permitted, it would complete a major barrier to wildlife movement around the whole of the city.

Given the scale of impacts typically associated with roads on bat populations, and the failure of the bat gantries provided as mitigation for the NDR, significant impacts on bat populations in the greater Norwich area are likely to have already occurred. Any assessment of the impacts of the NWL will need to consider them in-combination with the NDR, taking into account the flaws in the NDR monitoring specifications widely reported in the press recently. We are keen that any assessment of the NWL avoids errors made with the NDR, and also assesses the cumulative impacts on bat populations in the Greater Norwich area.

The in-combination approach will also be key to assessing the impacts of the combined road works on the Tud chalk river and its tributaries.

Climate change

We are acutely aware of the impacts of climate change on Norfolk's wildlife and the wide range of species that are likely to be lost from the county if climate targets are not met<sup>5</sup> and the role healthy functioning ecosystems play as nature based solutions to climate change.

We note the requirements of the Climate Change Act and the UK's signing of the Paris agreement and question whether the road should be allowed if it will lead to an increase in greenhouse gas emissions, undermining the wider collective effort of society to meet climate change targets in the near future. If the Council chooses to proceed with the proposal, we would expect any assessment of the climate

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<sup>5</sup> [https://tyndall.ac.uk/sites/default/files/publications/nns\\_transactions\\_2017\\_norfolk\\_biodiversity.pdf](https://tyndall.ac.uk/sites/default/files/publications/nns_transactions_2017_norfolk_biodiversity.pdf)



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impacts to be robust and include the losses from the existing carbon stored in the habitats on route and the lost potential for carbon sequestration from the habitats lost in perpetuity once replaced by several kilometres of concrete.

Conclusion

Norfolk Wildlife Trust notes significant areas of ecological appraisal which do not appear to have been fully considered by the Council. Based on the information provided, the proposal is likely to contravene multiple wildlife laws leading to the long-term loss of significant colonies of endangered species in addition to large areas of protected habitats. Therefore we would object to any planning application and recommend that the current proposal is not progressed, allowing alternative options to be further considered. **Should the Council wish to proceed with the proposal, then we recommend the planning application is deferred until sufficient robust baseline surveys have been carried out.**

We would have wished to present these concerns to the Council at the Ecology Liaison Group, but in its absence we trust that this letter sets our concerns clearly. We would be happy to discuss them further with the Council and their consultants if further clarity on our position is required. Given their role as a potential major funder of this proposal, we have also written directly to the Department for Transport to recommend they put any consideration of further funding on hold until these matters are fully resolved.

Mike Jones  
Conservation Officer