

CANADA WATER DOCK – REF: 21/AP/3794

This document has been prepared in response to recent comments on the CWM Dock application by local environmental groups including Friends of Russia Dock Woodland; Green Connections; Surrey Docks Angling Club; and Andy Miller.

For ease of reference, the comment/query is included in black ink with British Land's response in blue italics.

Local Environmental Groups

Canada Water Dock Basin has been undermanaged for a number of years, and habitat improvements to this SINC would benefit not only the site itself, but the surrounding Rotherhithe landscape. We recognise that improvements to the Canada Water Dock Basin will be a very visual legacy from British Land to Rotherhithe, and a key statement regarding green infrastructure.

As local green stakeholders, we want these habitat improvement works to be a success, and for the Canada Water Dock Basin to realise its full potential as a wildlife site, creating a gateway to nature for the local community.

For that reason, we are now raising a number of concerns regarding the proposed restoration works.

1. The timeframe of the proposed restoration works. The current proposal is that works will take place over 12-15 months, and that work activity will be constant and will affect the two sides of the dock which offer all of the existing dry land. We are concerned that this activity will impact on both resident and visiting nesting birds for two breeding seasons, as there will be little or no available habitat for nesting and foraging.

Given the nature of the works, there will inevitably be short-term impacts on biodiversity and wildlife until the proposed landscaping has become established. This is regrettable but unavoidable and, as noted within the LBS Committee Report, the long-term ecological enhancements outweigh the short-term impacts.

Following the completion of works we expect those species of bird that currently breed at the Dock to rapidly re-colonise the area, as they colonised the existing habitat when it was created in the 1990's.

Appropriate measures to minimise impacts as far as possible have been detailed within a site-specific Demolition Environmental Management Plan (DEMP) and in due course within a Construction Environmental Management Plan (CEMP).

The harvesting and storage of areas of reedbed and marginal vegetation and provision of a fixed or floating platform specifically to provide a nest site for swans would provide retained foraging and nesting opportunities.

The short timeframe of the proposed works also means that the vegetated areas will be cleared very quickly, and in some areas cleared down to subsoil. We are concerned that the speed of the works will not allow refuge areas for invertebrates. These invertebrates, including dragonflies, moths and bumblebees will be resident on site for all stages of their development. Invertebrates will be present in all habitats of the site, from the soil layer to reed stems, in rotting logs and shallow water.

Although we understand that some of the dug out vegetation is to be stored on site, we are questioning whether this will be adequate to support the repopulation of the site. Will this storage provide sufficient refuge for the array of both aquatic and terrestrial fauna that are an important part of a wetland ecosystem?

Whilst there is the potential for Canada Water Dock Basin to be repopulated from other local wetlands, we feel that relying on this to happen quickly or effectively would be a mistake. We can hope repopulation occurs, we cannot ensure it.

To mitigate the temporary impacts, some of the existing reeds and marginal vegetation would be harvested and relocated to other parts of the Dock. This will ensure that some aquatic marginal vegetation will be maintained in the interim, along with those aquatic invertebrates which will be present as eggs, pupae or overwintering adults within the harvested vegetation.

Aquatic invertebrates will remain within the open areas of water whilst works are undertaken. Appropriate measures to maintain the water quality and minimise the potential for pollution events will be detailed within an agreed CEMP submitted under Condition 10 of the masterplan plan permission. Vegetated habitats in the adjacent Albion channel will also support invertebrates which will provide an adjacent source for invertebrate re-colonisation.

The value of the Dock for terrestrial invertebrates is assessed to be limited to common species associated with urban environments only and no comments stating otherwise, or requests for further investigation of the terrestrial invertebrate assemblages present, have been received from LBS or its independent ecological advisors to date. Consequently, no specific mitigation with regards to the temporary loss of terrestrial invertebrate habitat is considered to be required in this instance – although the retention of existing areas of reeds and marginal vegetation will retain habitat for species such as dragon and damselflies.

Given the highly mobile nature of the majority of terrestrial and aquatic invertebrate species it is likely that by invertebrates, including species not currently present and of greater conservation value will rapidly re-colonise the Site, as they colonised the existing habitat when it was created in the 1990's.

It should be noted that following discussions with the Council's Ecology Officer, the clear view was to undertake the works as quickly as possible so as to minimise the number of breeding seasons that would be affected.

The phased delivery of the Dock Works, with the phased retention of existing vegetation in situ, is also complicated by the proposed increase in water levels. This would result in existing, retained vegetation being flooded.

Clearance of wetlands, to maintain or restore a habitat, is a recognised conservation practice. However, it is not a usual practice to clear the whole site at once – it is more usual to work on one third of the site, allow that third to repopulate from adjacent space, then move on to the next third. Canada Water Dock Basin has no adjacent sites to provide refuges for displaced or disturbed birds, invertebrates or fish. It has been suggested that if fish had to be moved due to a pollution incident, Russia Dock Woodland would be a suitable site. We have some reservations regarding this, mainly due to the legal requirement for a quarantine period before relocating fish.

Whilst phased clearance of a wetland site is a recognised practice, this is where natural recolonisation is the objective and the existing area of habitat in Canada Water Dock is not extensive enough to allow for the gradual recreation of reeds and marginal vegetation. At Canada Water Dock the proposal is to recreate and replant to establish habitats of better quality than now present.

Although seemingly drastic, the wholesale removal of most of the existing vegetation during the winter months, followed by reprofiling and replanting, would minimise the amount of disturbance and disruption, including to breeding birds, and allow new habitats to become established as quickly as possible. Whilst there are no habitats immediately adjacent to the Dock to provide refuges for displaced or disturbed birds and invertebrates, suitable habitats are present within the wider local area. The fish population would look to be retained in situ in with appropriate protection measures implemented within a DEMP and CEMP as appropriate.

It has been suggested that species such as amphibians or large aquatic invertebrates discovered during the above works would be attempted to be captured and re-located to suitable habitat within an appropriate receptor area, such as Russia Dock Woodland or Stave Hill Ecological Park. This receptor area would be agreed with the LPA ecologist and The Conservation Volunteers (TCV) who manage the site.

Monitoring of the fish population would be undertaken during the construction period. If problems occur and fish appear to be in distress then the first action would be to stop work and aerate the water at the surface (aerating deeper water should be avoided as this is likely to disturb the sediment leading to a bigger reduction in dissolved oxygen), rather than moving the fish populations.

If a fish rescue operation is required then fish would be removed and relocated to an agreed receptor site in the local area following consultation with the LPA ecologist and Surrey Docks Angling Club, and other stakeholders as required (such as the Environmental Agency). It is unlikely that Russia Dock Woodlands would be a suitable receptor site however a suitable receptor site, if required, could be the connected Surrey Waters Dock.

Legal requirements and any associated quarantine periods would be discussed and agreed with the Environment Agency and dependent on the agreed receptor site.

A further point of great concern is that the environmental impact study does not appear to have considered the impact of the construction of the steps leading down into the water on the south side of the dock. While we support the proposal in principle, it will reduce the surface area of the dock, and the space available for cygnets to take off. At present the cygnets have just about enough space to take flight, but a reduction in the surface area in combination with the development around the dock it has the potential to make it much more difficult for cygnets to leave the dock unaided. The impact assessment also does not appear to have considered the issue of managing potential risks to swans and other water birds coming on land on the waterside steps.

The resident swans, and their cygnets, are of significant value to the local community, and we would strongly advise that expert consultation is sought regarding this area of concern.

The Council employed an independent Ecologist to assist with the Reserved Matters Application to ensure that the full ecological impact has been robustly considered. The proposals to the southern edge are contained within an area extending 12m from the existing edge, leaving a length of some 130m to take flight.

No concerns with regard to the current design of the Development and flight space for cygnets to leave the dock unaided have been received from LBS and its independent ecological advisors.

The Swan Sanctuary advises that Swans need around 50-60m to become airborne and gain height to clear obstructions; consequently, there should still be adequate space for swans to take flight. In addition, the enhanced dock will be an integral part of public realm that will be managed to a higher standard than is currently the case. The care and management of the wildlife of the dock will be part of the management programme and measures will be in place to ensure the welfare of the swans should problems occur.

The steps themselves will be of benefit to breeding swans and cygnets who currently struggle to get out of the Dock, having to navigate to Albion Channel. The steps, at the lower height will allow them to exit the water in breeding season.

2. We are concerned that the fauna surveys undertaken do not adequately reflect a true picture of the species present on site.

The updated Preliminary Ecological Assessment states that an updated data search was carried out, with records requested from Greenspace Information for Greater London (GiGL). Whilst GiGL data is an excellent starting point, it cannot be too strongly stated that not all species recording is entered into GiGL. GiGL data should be supplemented by local records and by physical surveys carried out in an approved manner. This is clearly stated in Natural England's recommendations for those carrying out PEAs. As an example, consultation with local record holders would have shown that stag beetles *Lucanus cervus* have been recorded in 2020 both as larvae and adults, on a site within 1km of the Canada Water Dock Basin.

Our concerns regarding surveys arise in part from the paragraphs quoted below, and taken from Canada Dock Reserved Matters Application Environmental Statement (ES) Statement of Conformity (SoC) incorporating Further Environmental Information October 2021:

Appendix D, para 3.12, states that '*Macrobiota surveys undertaken at Canada Water Dock in 2017 by APEM did not record any species of aquatic invertebrate on conservation value*'.

This would seem to indicate that no rare or important species were found. It does not mean that there are no aquatic invertebrates. Those aquatic invertebrates, which will be present, make up an essential part of the wetland ecosystem. Major disturbance to their habitat will have an impact on population numbers, and thus on other species such as fish, as food webs will be damaged. We were unfortunately unable to find the APEM 2017 Macrobiota survey within Watermans Environmental Statement.

Appendix D, para 3.11, states that '*APEM's 2017 fish survey of Canada Water Dock found the Dock to comprise a low fish species assemblage, likely as a result of reduced vegetation and increased siltation, with three-spined stickleback *Gasterosteus aculeatus*, perch *Perca* sp, and carp species *Cyprinus* spp. recorded.*'

Early consultation with the Surrey Docks Angling Club would have given records of species present and an indication of population sizes. The SDAC has recorded 12 species at Canada Water Dock Basin, including pike, roach and chub. Surrey Docks Angling Club, following on from a request made in December 2021, have now sent information on fish species and numbers to British Land consultants.

In addition, there do not seem to be records within the Preliminary Ecological Appraisal of physical surveys of terrestrial (land) invertebrates, which would have entailed three or four visits between April and September. We are concerned that species such as bees, bumblebees, dragon and damselflies and beetles may be under or un-recorded. Without a complete picture of species present, it will be difficult to make an informed evaluation of the success of this wetland restoration. Furthermore, with incomplete data on species present, there will be no plans for mitigation of temporary or permanent habitat loss. It would be reassuring to know if such surveys took place, by whom, and over what time period.

The Council employed an independent Ecologist to assist with the Reserved Matters Application to ensure that the full ecological impact has been robustly considered.

Species specific surveys showed that the site supports low numbers of foraging common and soprano pipistrelle and noctule bats; a number of breeding bird species including waterfowl such as mute swan, tufted duck and great crested grebe; a limited assemblage of fish species and no aquatic invertebrate species of conservation value. This largely aligns with the reasons for designation of the SIN.

The Committee Report considers that the survey effort for bats and breeding birds and the assessment of the value of the site in its current condition for these species groups is

correct. The Committee Report also considers the fish and aquatic invertebrate surveys are correct.

Whilst it is noted that stag beetle was recorded in 2020, the updated Preliminary Ecological Appraisal noted the presence of a 2019 record for this species 2km north-west of the Site. The habitats present on Site are considered to lack suitable habitat in the form of veteran trees and significant amounts of dead wood suitable for supporting this species. Whilst those habitats to be created would also largely be unsuitably or supporting stag beetle, as part of the proposals and ongoing management, deadwood/ log piles will be included in the wet woodland for a range of other invertebrate species that require this habitat.

Although the 2017 Macrobiota survey undertaken by APEM did not record any rare or important species it is acknowledged and agreed that aquatic invertebrates will be present. Those aquatic invertebrates recorded as part of the 2017 APEM Macrobiota survey are presented within the 2017 APEM Canada Water Dock Environmental Surveys Report, which was presented as Appendix 13.5 of the 2018 Environmental Statement.

To inform the 2018 Environmental Statement, in addition to the fish surveys undertaken by APEM in 2017 - presented as Appendix 13.5 of the 2018 Environmental Statement, early consultation was also undertaken with the Rotherhithe Angling Club (now Surrey Docks Angling Club). Anecdotal information on the species of fish found within the Dock provided by the Club comprised various carp species; rudd; roach; bream; tench; pike; perch; hybrid roach / rudd; trout; mullet; flounder; bass; European eel; and zander. This information was set out within the 2018 Preliminary Ecological Appraisal, presented as Appendix 13.1 of the 2018 Environmental Statement. Whilst the fish assemblage is noted, it is not assessed to be of any significant ecological or conservation value and is likely to play a role in the limited aquatic invertebrate interest currently present.

Proposals for the Docks include for the provision of new habitats that would be of far greater value to terrestrial invertebrates than those currently present. Native species and species of benefit to biodiversity including pollen and nectar producing species are to be incorporated as part of the planting scheme.

In review of the above, the October 2021 Canada Dock Reserved Matters Application Environmental Statement (ES) Statement of Conformity (SoC) is therefore considered to remain valid.

3. As key stakeholders in the local green landscape, we have a keen interest in the long-term development and management of Canada Water Dock Basin. We see this site as having the potential to make a major contribution to local biodiversity, actively supporting the green corridor from the Thames into Southwark and the green connections within this Core Habitat Area. In view of this, we would like to have some reassurance regarding the long-term management plan for the site. A site that is effectively being remodelled should have at least a 10-year plan, with stated targets, a framework of actions, monitoring systems and a set of key performance indicators to measure success. It will take at least five years for the new landscape to establish and for successful repopulation to take place – a single five-year plan will not be sufficient.

We wholeheartedly agree.

In accordance with the original conditions and s106 obligations for the Outline Permission an Ecological Management Plan (EMP) has been produced to secure the management of the Site and maintenance of its ecological value in the long-term. The EMP will be agreed with LBS and controlled under Schedule 3 of the s106 agreement.

The EMP has been written in line with BS 42020: Biodiversity. Code of practice for planning and development and covers the ongoing management and monitoring requirements for the Site for an initial 10-year period. Following this initial 10-year period the EMP would be fully reviewed and updated as necessary to cover the management of the Site for the following 10-year period.

4. As part of the long-term management plan, we would also like to be assured that there is longer term planning in place to support resident species both during and after the proposed works. A firm commitment to effective mitigation is essential, and would demonstrate a commitment to the success of Canada Water Dock Basin as a thriving, biodiverse site.

For example, the breeding pair of swans on the dock, which have been there for several years, will stand to be severely affected if the work goes ahead as proposed without any phasing. It will be essential to ensure not only that they have somewhere to nest, but also that there is adequate space for them, and the cygnets/juvenile swans, to rest, preen, and sleep. They will also require suitable arrangements for supplementary feeding.

The harvesting and storage of areas of reedbed and marginal vegetation and provision of a fixed or floating platform specifically to provide a nest site for swans would provide retained foraging and potential nesting opportunities whilst works are undertaken.

Notwithstanding the provision of this alternative nest site, an arrangement will also be put in place with a suitable wildlife rescue organisation, such as the Swan Sanctuary, to respond to any problems or issues that might arise.

We would welcome an assurance that not only has thought been given to mitigation, but there are also effective action plans ready to be put in place to support key resident species throughout and beyond the proposed restoration works. An assurance that organisations such as the Swan Sanctuary had been consulted in the drawing up of any action plans would be helpful.

The DEMP and CEMP would incorporate any action plans considered necessary by LBS to support key resident species during the construction period. The action plans would be agreed by LBS and other stakeholders as necessary (such as the Swan Sanctuary).

Any specific action plans to support key resident species beyond the proposed restoration works would be determined based on the findings of the monitoring requirements set out

within the Ecology Management Plan. The action plans would be agreed with LBS and the London Wildlife Trust and other stakeholders as necessary.

In conclusion, whilst we are broadly supportive of the proposed works to enhance Canada Water Dock Basin, we have serious concerns regarding the short timeframe for the proposed works. We recognise the need to create a 'statement piece', a visual demonstration of what is to come, but feel it is more important that Canada Water has a nature conservation site that is sustainable, biodiverse and an effective part of the Rotherhithe/London green landscape. We believe that a longer time frame for restoration works would be advisable, with a phased programme of clearance and re-landscaping. A phased programme would be more in keeping with accepted conservation techniques, would minimise disturbance to resident and visiting species, and would speed repopulation of re-created habitats.

In addition, we believe that long-term planning is essential. Management consistency over the next ten to fifteen years will be crucial to the success of the site and both five and ten-year management plans should be created, along with a vision statement giving the long term (10-15 years) objectives. Sites of Importance to Nature Conservation must be given every opportunity to grow and increase their contribution to London's biodiversity, and this can only happen with the support of long term management strategies.

As stakeholders in the Rotherhithe green landscape, we have a vested interest in supporting the success of all of that landscape, and we would urge British Land to take a longer view, to expand their time frame, and ultimately produce a site that is worthy of Local Nature Reserve status.