

Bristol City Council Examination note – Hallen Marsh

This note has been prepared by Bristol City Council as part of the examination of the Bristol Local Plan in response to the Inspectors' document **IN8: Action Points Matters 5-16 (Weeks 3-5)**

In particular, the following action point is addressed in relation to Policy E4 (Avonmouth industrial Area and Bristol Port):

The Council undertook to provide a note on whether there was scope for Hallen Marsh to provide for additional biodiversity mitigation to accommodate the proposed allocations. Following this, the Council may wish to consider whether any further modifications are necessary to ensure satisfactory mitigation can be provided.

Council response

The Avonmouth and Severnside Enterprise Area (ASEA) and the surrounding areas of coastal floodplain have been, and continue to be, a focus for economic activity and development.

In 2010/11 Cresswell Associates, an environmental consultancy, undertook a study of the statutory requirements of the Habitats Regulations in relation to proposed development at Avonmouth (Creswell Associates 2010 and 2011) on the internationally designated Severn Estuary European Marine Site. They concluded that in order to avoid a likely significant in-combination effect of the cumulative effects of development on the qualifying interest feature wading birds and wildfowl of the Severn Estuary European Marine Site (Special Protection Area and Ramsar site) in Avonmouth that off-site ecological mitigation measures would be required.

Cresswell identified six sites where ecological mitigation may be possible, subject to the agreement of the landowners to mitigate the ecological impacts of development. These comprised five sites in South Gloucestershire and one within the Bristol area at Hallen Marsh. Within these sites ecological restoration works would need to be undertaken to increase their suitability for wading birds and wildfowl, including creation of scrapes and ponds.

The Avonmouth and Severnside Enterprise Area Ecology Mitigation and Flood Defence project has delivered the new wetland habitat at Hallen Marsh. The project webpage states that the project is needed to protect communities against anticipated rising sea levels and says that it will play a key role in unlocking future economic growth in ASEA. It further states that the flood defences will help make the mix of industrial and former industrial areas and greenfield sites in ASEA viable for commercial development and that it will also help protect and enhance valuable natural habitats and the wildlife which uses them.

A biodiversity offsetting scheme was developed by Bristol City Council (BCC) to raise funds from s106 contributions to meet statutory requirements of the Habitats Regulations with respect to the Severn Estuary European Marine Site. Developers of green field land within Avonmouth are expected to contribute to the biodiversity offsetting scheme in proportion to their quantum of development and the scale of its impacts. The scheme assumes that on average 5% of the area within green field site developments will be enhanced for ecology *on site*, an assumption which is taken from the White Young Green report of 2012 (the Avonmouth and Severnside Integrated Development, Infrastructure and Flood Risk Management Study). Funding is required to provide the remaining 95% off-site component of ecological mitigation measures to meet the requirements of the Habitats Regulations. This off-site mitigation has been focused on Hallen Marsh.

This approach has to date been followed in respect of various development proposals located within the proposed greenfield site allocations at Avonmouth contained within Policy E4: Avonmouth Industrial Area and Bristol Port.

ASA001 and 2 Land at Kings Weston Lane, south of Access 18

Planning permission has been granted for the largest of the proposed greenfield sites, Land at Kings Weston Lane, south of Access 18 (ASA001-2) – this covers 33 hectares which is 57% of the area of the proposed allocations in E4.

This permission, which is under construction, included by way of mitigation financial contribution towards the Hallen Marsh wetland habitat. Ecological enhancement areas are also to be created on site. Natural England were consulted and did not object to the planning application (20/02903/P) with its mitigation provisions. The habitat mitigation works at Hallen Marsh had permission as part of the ASEA Ecological Mitigation and Flood Defence Scheme (18/02847/FB) and were being implemented when the application at Kings Weston Lane, south of Access 18 (20/02903/P) went to planning committee in 2021.

ASA001-2 Land at Kings Weston Lane, south of Access 18 ASA003 Land east of Packgate Road

The development consent (DCO) for the Hinckley Point C connection project which was granted to National Grid Electricity Distribution in 2016 also included a financial contribution towards the Hallen Marsh wetland habitat. The overhead power lines cross over the Kings Weston Lane site allocation (ASA001-2) and the site allocation on land east of Packgate Road (ASA003) and crosses the eastern and northern perimeter of the Hallen Marsh wetland habitat area.

Habitats Regulation Assessment (PAL005)

Page 38 of the Habitats Regulations Assessment Appropriate Assessment of the Bristol Local Plan Submission Version 2024 (PAL005) states that Hallen Marsh provides mitigation in respect of the greenfield site allocations at Avonmouth contained in Policy E4 in the local plan:

“Hallen Marsh is reserved as mitigation for the Local Plan, and thus any potential loss of FLL can be mitigated through the provision of this habitat for birds (as per Policy E4). Furthermore, Local Plan Policy BG2 aims to ensure avoidance of adverse impacts through project-level assessment, and thus any impacts from loss of FLL to mobile species of the EMS would be considered at this stage. Consequently, AEol from any loss of FLL to qualifying species of the EMS can be ruled out”.

As stated in the assessment the new wetland habitat at Hallen Marsh provides ecological mitigation in respect of the proposed new greenfield site allocations for industrial and distribution uses contained within Policy E4 (Avonmouth Industrial Area and Bristol Port). The need for any further onsite ecological mitigation within these sites will be considered through the planning application process. There is sufficient land within the site allocations to allow for the provision of onsite mitigation if needed. Policies BG2 (Nature conservation and recovery) and BG3 (Achieving biodiversity gains) will be of relevance when considering potential impacts from development proposals and appropriate mitigation and reference to these policies has been included within proposed main modifications to the wording to Policy E4 in response to Action Note 2 IN8.

The habitat mitigation at Hallen Marsh has been provided in advance of or alongside the development of some of the greenfield sites. Contributions have been secured towards the creation of this space and will be sought for the ongoing maintenance.

Conclusion

The Hallen Marsh site continues to provide off-site biodiversity mitigation for development in Avonmouth. Contributions are still being collected for its maintenance and this ongoing role is recognised by the Habitat Regulations Assessment.