

# CRoW Appendix 4

## Application for permission - Formal Notice

Environment Agency (EA) Formal Notice to Natural England (NE) or other relevant SNCB.

Requirements of Section 28I of the Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act (CRoW) 2000.

Duty in relation to granting any consent, licence or permit for activities likely to damage Sites of Special Scientific Interest (SSSI).

This record was sent to Natural England for consultation.

For EPR permits only (excluding Flood Risk Activity Permits): Was an additional component charge for habitats assessment levied for this application? No

1.	<b>EA area/NPS hub</b>	East Anglia Area
2.	<b>Name of SSSI</b>	Bure Broads and Marshes SSSI
3.	<b>Type of permission</b>	EPR Flood Risk Activity Permit
4.	<b>Date for EA permit determination</b>	10 <sup>th</sup> June
5.	<b>Predicted 28 day date for NE response (under S28 I (4))</b>	N/A - As this assessment concludes that there is no likely significant effect on the designated features there is not requirement for us to consult with Natural England. We are sending copies of this assessment to Natural England for information only.
6.	<b>EA reference number</b>	EPR/RB3557SW
7.	<b>National grid reference</b>	TG 31671 16208

### 8. Description of proposal

Installation of three fish barriers at Hoveton Great Broad as part of the Hoveton Great Broad Restoration Project. Barriers will be installed on Hoveton Great Broad. The barriers are to be constructed by piling wood supports into the river bed and attaching the barriers to them. The barriers will be in place for up to 10 years.

### 9. Is the proposed activity within (wholly or partially) the SSSI boundary?

Yes

### 10. Has there been any discussion or correspondence with NE or other SNCB?

Yes. Natural England are the applicant.

**11. What aspect(s) of the proposed activity may damage the features which are of special interest for the SSSI?**

The following 'Operations Requiring Consent' (or other activities associated with the work) that may cause damage are relevant to the proposed works:

13b - Modification of the structure of water courses (eg rivers, springs, ditches, dykes, drains), including their banks and beds, as by re-alignment, re-grading and dredging.

16a - The introduction of or changes in freshwater fishery production and/or management.

23 - Erection of permanent or temporary structures, or the undertaking of engineering works, including drilling.

26 - Use of vehicles or craft likely to damage wetland plant communities or disturb birdlife.

Notified features which may be affected by this activity:

<b>Notified feature</b>	<b>Exposure, mechanism/pathway and scale of effect</b>
Assemblages of breeding birds - Lowland fen without open water	The site supports a broad suite of breeding bird species. The breeding bird assemblage features of the SSSI are currently assessed as favourable.  The works may create a short term noise disturbance on breeding birds, but this is only likely to be over a few days. Biomanipulation will reduce the availability of fish for piscivorous species, such as common tern and kingfisher, although some fish will still be present and other feeding opportunities will still be available in immediately-adjacent water bodies (Hoveton Marshes dykes, River Bure) which are currently already used.
Invertebrate assemblage	A number of the species that make up the invertebrate assemblage (fen, marsh and swamp) are found in the habitat surrounding HGB and Hudson's bay.  The works will have no adverse impact on fen vegetation. Excluding the fish species is expected to result in a positive impact on Invertebrate assemblage.
Lowland ditch systems	No Impact
M22 - Juncus subnodulosus - Cirsium palustre fen meadow	Not present
M24 - Molinia caerulea - Cirsium dissectum fen meadow	Not present
S2 - Cladium mariscus	A number of the species that make up the vascular plant

swamp and sedge-beds	assemblage (fen, marsh and swamp) are found in the fen habitat surrounding. The works will have no adverse impact on fen vegetation.
S24 - Phragmites australis - Peucedanum palustris tall-herb fen	A number of the species that make up the vascular plant assemblage (fen, marsh and swamp) are found in the fen habitat surrounding. The works will have no adverse impact on fen vegetation.
Standing waters	No Impact
Vascular plant assemblage	A number of the species that make up the vascular plant assemblage (fen, marsh and swamp) are found in the fen habitat surrounding. The works will have no adverse impact on fen vegetation.
W2 - Salix cinerea - Betula pubescens - Phragmites australis woodland	The works will have no adverse impact on wet woodland, as the wet woodland is set back from the broad's edge.
W5 - Alnus glutinosa - Carex paniculata woodland	The works will have no adverse impact on wet woodland, as the wet woodland is set back from the broad's edge.
W6 - Alnus glutinosa - Urtica dioica woodland	The works will have no adverse impact on wet woodland, as the wet woodland is set back from the broad's edge.
W7 - Alnus glutinosa - Fraxinus excelsior - Lysimachia nemorum woodland	The works will have no adverse impact on wet woodland, as the wet woodland is set back from the broad's edge.

## 12. Decision

The proposed permission is not likely to damage any of the flora, fauna or geological or physiological features which are of special interest

The works are to be undertaken between September and February to ensure that Birds are not disturbed from the noise of the plant installing the barriers. As such no features will be impacted.

### The Environment Agency is minded to:

Issue the permission

<b>13.</b>	<b>Name of EA officer</b>	Benjamin Peter Freeman
	<b>Job title</b>	FCRM Officer
<b>14.</b>	<b>Date sent to NE</b>	30/04/2021

For EA use only, once NE response received.

Ensure that NE response is attached to/saved with this Formal Notice.

<b>15. NE comment on notice</b>	N/A - As this assessment concludes that there is no likely significant effect on the designated features there is not requirement for us to consult with Natural England. We are sending copies of this assessment to Natural England for information only.
<b>16. Name of NE officer</b>	N/A
<b>Job title:</b>	N/A
<b>17. Date response received from NE</b>	N/A