

West Thurrock Marshes

The story of West Thurrock Marshes in south Essex is similar to many other brownfield sites. Once grazing marsh, a power station was built on the site after the war. Large areas of the site were then covered with fly ash waste from the power station. When it closed down in the early 1990s the wildlife started to colonise the site.

It gradually became one of the richest and most important reservoirs for nature in the country, with over 1,200 species of bug, bird and reptile, many of them extremely rare and endangered including the [Distinguished jumping spider](#).

In summer its bursting with wildflowers, but it is still considered a brownfield site, and as such it is viewed as prime development land.



The majority of this [wonderful brownfield site is now safe](#) and its long term management secured - a great outcome for bugs - thanks to a partnership between the new owners The Land Trust, developer Goodman, Natural England and Buglife. West Thurrock Marshes will be open to the public soon.

Buglife fought to save West Thurrock Marshes

Early in 2006 a planning application was submitted for warehousing and a lorry park on the site. Buglife – in partnership with the local Council and Essex Wildlife Trust pushed hard for a less damaging scheme to be developed, but in November 2006 the Thurrock Development Corporation approved the damaging plans.

Buglife sprang into action. We launched an online petition which more than 2,500 people signed. We also tabled a motion in the House of Commons, calling for the protection of the site, which received cross-party support. In early 2007, Buglife met with then Prime Minister Tony Blair and the Biodiversity Minister to press for the site to be protected. As we said at the time, if you can't protect the second best invertebrate wildlife site in the UK, what's safe?



Distinguished jumping spider (*Sitticus distinguendus*) © Peter Harvey

Court action to save West Thurrock Marshes

In February 2008 Buglife went to the High Court to challenge the development of the site. The Judge declared that biodiversity protection legislation in the UK is ‘weak’ and unfortunately we lost the case. Despite this setback we pressed on and went to the Court of Appeal. The judges agreed with Buglife that, despite the Biodiversity Duty

on Public Bodies making biodiversity the main consideration for the planning decision, the Development Corporation had failed to follow national biodiversity and planning policy. However, the judges concluded that the Corporation was entitled to rely on a letter from Natural England in which the Government conservation body withdrew their objection and mentioned that the development offered the ‘possibility of a long term nature conservation gain for the area’.

It was very sad news for nature, but there have also been some positive outcomes.

The judgment did establish that the NERC Biodiversity Duty Act was an important consideration in such cases, and highlighted failings in the Biodiversity Duty, court system, planning policy and SSSI system. We are continuing to tackle these issues through working with Natural England and local authorities and influencing planning policy.

The House of Lords refused to give permission to hear Buglife’s appeal against the most recent court decision. This ended Buglife's legal attempt to save the site. Any further action by Buglife would have been against the UK for failing to properly implement the EC legislation and would not have held up the development.

Planning permission was granted for two development plots, in 2011 a lorry park and large office block constructed resulting in the loss of a large area of flower rich habitat. The second plot has not yet been developed and there is a small silver lining – an electricity pylon rather than a large warehouse is going to be installed on the plot, this will have a much less damaging effect on the important wildlife habitat. In addition The Land Trust is looking at the possibility of managing the remaining parts of the site for nature conservation.

A ground-breaking campaign

The campaign gave wildlife a two and a half year’s reprieve. It also exposed the frailty of the protection that biodiversity is given in the planning system, and it was shortlisted by the Observer Ethical Awards 2009.

It was the first time that biodiversity protection had been tested in UK courts and it has clarified relevant legislation and policy guidance. It also emphasised the importance of Natural England's advice in decision making.

Wildlife campaigners have been very concerned about the implications of the ruling for Britain's wildlife. We have a long way to go.

Thank you to everyone who supported this campaign.

We received huge support both from the public, other conservation bodies and environmental organisations in our campaign. Patagonia Environmental Grants helped to fund our work, as did many other organisations and individuals.