Suffolk Coastal Friends of the Earth

Interested Party ID: 20025904

The Sizewell C Project: EN010012

Deadline 7 written submission following ISH10

Agenda item 4.g: Biodiversity Net Gain

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The Mitigation Hierarchy and the Environment Bill

In our response to Written Question Bio.1.33 we made the following point:

SZC Co has not followed the Mitigation Hierarchy by following the first step: Avoidance. Principle 2 of the 'Biodiversity Net Gain Good Practice Principles' makes it clear that impacts on irreplaceable biodiversity must be avoided ***as such impacts cannot be offset*** (CIRIA et al, 2016).

If we then turn to the Explanatory Notes of the Environment Bill, we see under paragraph 1637 that where direct land take and damage to a designated site, such as a SSSI, is involved, ***then no net gain can be claimed at all, as such harm can never be compensated for.*** Yet SZC Co is making considerable claims for biodiversity uplift, which they clearly should not be doing, bearing in mind the amount of SSSI land that would be both permanently lost and damaged as part of the Sizewell C construction works. We are aware that the RSPB/SWT have made this point and totally endorse their position.

The source of this net gain claim is Defra's Metric 2.0, which SZC Co have elected to run as a voluntary exercise. Thus it is necessary that we have a close look at their claims, particularly as they are used both in public, in their publicity literature and directly within this Examination. This leads the public to believe that the Sizewell Estate and surrounding countryside will be in a better condition afterwards than before. But will it? For further detail in this respect, we refer the ExA to the D7 submission by Dominic Woodfield of Bioscan. He clearly demonstrates how, by changing just a few of the metric inputs to something closer to reality, the claimed net gain quickly falls below zero.

EDF Energy's habitat schemes

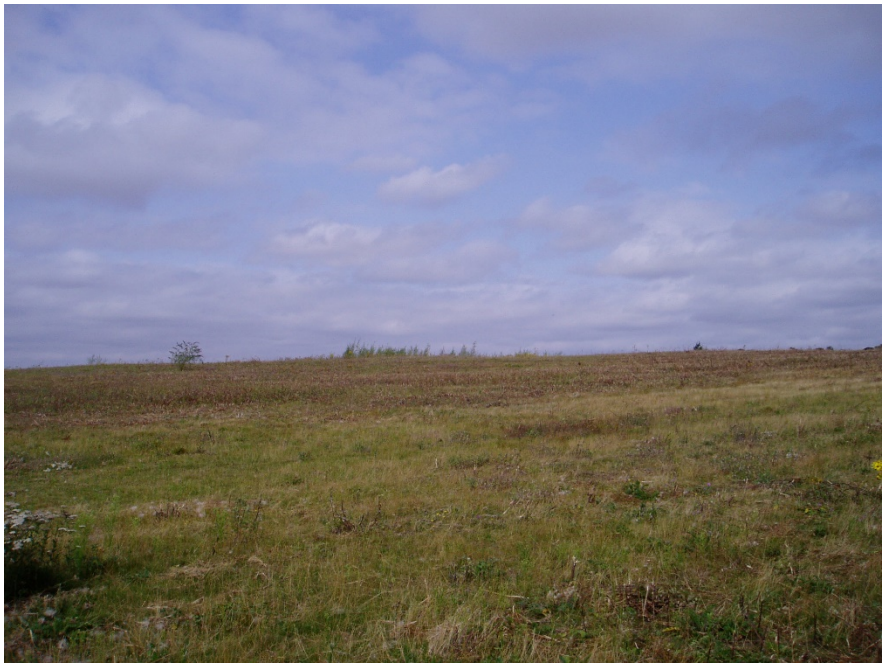
We pointed out in our previous submission that the Aldhurst Farm habitat creation scheme was not working out as planned, particularly as regards claims for acid grassland and heathland. The supposed acid grassland was overgrown with thistles and trampled all over by dog walkers. Our photographs supplied the evidence. We now learn that this situation has worsened. This area, amounting to about 27 ha, will now be officially used as a dog walking area to make up for loss of recreation land at Sizewell beach. Clearly, there can be no claims for 'acid grassland' here.

Furthermore, the attempts to create heathland on the northern area of the Aldhurst Farm site have totally failed. Instead, the land this summer was completely overtaken by ragwort, a pernicious weed, stretching from hedge to hedge, as the photograph below shows. No one could possibly claim that this is 'heathland'.

Following a complaint from a local resident, EDFE had the entire field cut, leaving very little vegetation at all, and no sign of heather or gorse or the promised 'scattered scrub' (see photo 2). This is the reality on the ground. It demonstrates to us a lack of care. How was it

that the company failed to notice the growth of the ragwort? It gives us no confidence at all, therefore, that the claimed heathland and acid grassland will ever materialise.

1. *Aldhurst Farm, overgrown with ragwort. (Photo J. Girling, 2021.)*



2. *Aldhurst Farm, the same field after cutting. (Photo M. Taylor, 2021.)*

This is a classic example of what the literature tells us: that developer-led habitat creations fare very badly over time, with a success rate as low as only around 26% (Germano & Bishop, 2009).

While Studio Fields might have been more promising, some of the original recommendations were never carried out, such as the creation of a pond to supply water for the introduced reptiles. The area is very dry and the grass already looking rather dead, with few sources of food for the animals. It is the view of a local ecologist that the reptiles would not thrive here.

In any case SZC Co should not be claiming net gain at all for this site, nor for the other reptile translocation sites, namely St James' Covert, Kenton Hills and Great Mount Walk. Natural England makes it very clear that any net gain should be 'additional' (Natural England, 2020). This is also stated clearly in the 'Good Practice Principles' under Principle 7: Be additional: achieve nature conservation outcomes that demonstrably exceed existing obligations' (CIRIA et al, 2016). As reptiles are protected under the Wildlife & Countryside Act 1981 and loss of their habitat would be extensive under the Sizewell C proposals, it is clearly the duty of the Applicant to supply suitable compensatory land. Any net gain that the Applicant wishes to make must be over and above this land. If these four habitats are taken out of the metric equation, as they should be, then the claimed units for net gain quickly fall into negative.

Conclusion

It is a serious concern of Friends of the Earth that EDF Energy continues to mislead the public about the amount and quality of compensatory habitat they propose to offer. They are also incorrectly claiming for land that has other purposes.

Despite their assertions, they have not demonstrated to us either that these mitigation habitats will be properly established in the first place, or that there will be ongoing care of them, of the same standard as would be offered by a conservation body. Commercial companies do not have the same motivation. They only supply such habitats because they are obliged to according to the various laws and regulations, not because they have a love of the wildlife. For this reason, as the literature shows, success rates are very low. As a result, biodiversity continues to decline throughout the whole of the UK, including here in East Anglia.

REFERENCES

CIRIA, CIEEM, IEMA (2016). *Biodiversity Net Gain: Good Practice Principles for Development.*

Germano, J.M. & Bishop, P.J. (2009). 'Suitability of amphibians and reptiles for translocation.' *Conservation Biology*, 23: 7-15.

Natural England (2020). 'Sizewell C; net gain calculations.' Email communication, 29/05/20.