

Application by NNB Generation Company (SZC)
Limited for an Order Granting Development
Consent for The Sizewell C Project

(PINS ref: EN010012)

Deadline 10 Final Written Submission

Biodiversity and Ecology

2. Terrestrial ecology

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12 October 2021

Introduction

As we leave the examination process, there is a sense of having considered an inadequate proportion of the rudimentary information needed for key aspects of the application in relation to terrestrial ecology. This has prevented proper scrutiny and comment of the type expected. This is especially important for an important English AONB in one of the most nature depleted countries in the world, and in a government-recognised biodiversity crisis.

In a painfully slow way, the application has provided some of the information that should have been available right from the start. Not to have provided it, for me has prevented sufficient time and opportunity to raise the kind of detailed concerns around which such a vast and intrusive proposal should be properly considered. Its content opened, judged, no doubt adapted and evolved for suitable improvement clarification and conclusion. This has not been possible. Instead, the process has been reduced to fighting to get the correct information to examine.

I provide below some specific examples of matters that question the acceptability of what was put in front of us. This is to consider if what has been proposed was accurate, sufficient, and appropriate to comment upon as lawful parties to the process.

One of my repeated concerns surrounds the quality of what is being proposed, which requires the need for, the approaches, and quality-assurance detail of described process. This would offer reassurance as to the applicant's capability of, and willingness to deliver, the various undertakings. With clear capacity and resources to put them in place successfully.

This is not an exaggerated request for detail that could be decided later. Ecological processes are as subtle as museum curation and require extreme diligence and appropriate skills. The experience of track record of those doing the work is a key component of delivering both statutory and non-statutory undertakings to manage avoidance, protection, mitigation, and compensation in the various discharge of duties.

Without accuracy there is no reliable baseline.

Without true baseline, undertakings lack credible points of reference. What unfolds cannot be judged against appropriate targets and milestones but is left as some vague hope. Outcomes are reduced to being of some interest but hold no comparative learning or meaning over time. Such unwarranted flexibility in fact prevents accountability and is the hallmark of rogue development.

Accuracy of information.

While much information provided is no doubt correct, much of the assessment has been far too basic. It is incomplete, inadequately planned and compromised by a limited depth of investigation and interpretation. Much of the approach and presentation reflects a reluctance to go to the effort and cost of answering unknowns via thorough investigation or committing to 'research and learn' conditions.

We can look at the applicant's main vehicle for publicising to the wider public as well as the examination, at great effort and using the various media. The 'green' credentials of its proposals; for Biodiversity Net Gain (BNG).

In the final few days of the examination, we can see that the spreadsheet figures provided by the applicant are formed around ambiguous decisions that mask the true accuracy of claims made. No wonder they were held back. These need to be remade in a transparent and collectively agreed manner, to make sense of the 'big picture' that informs those wanting to know some quantified (if qualified) measure of the overall impact to the biodiversity of the AONB.

Problems involve the basics of what habitats exist on the ground, as fact. These could have been ironed out before the examination began, had the applicant shown their work for normal consideration. Mr Collins and Mr Woodfield, as evidenced in their D10 submissions have managed to prize the BNG aspects of the application open, but with no time for it to be inspected and managed into clarity. This is far more than disappointing.

In relation to key detail, we can see from the Suffolk Coastal Friends of the Earth retained experts D10 submissions and previous submissions, formidable concerns over the way in which ecohydrological impacts has been monitored within Sizewell Marshes SSSI. In areas in and around those to be destroyed for the proposed platform. Accurate and adequate information on water flow within the SSSI and analyses is not available. Work has simply not been done in a way where confidence is available for decision making. In relation to the feature interest of the SSSI and the future security of what will happen to interest such as rare and threatened invertebrates, should the development be constructed.

Accurate information is not available too elsewhere, for example at the long shot Pakenham fen meadow/wet woodland creation site, where 3-5 years of hydrological data will inform a proper proposal and a few months data will not provide a professional approach.

Masking damage and loss at different scales

As has been made clear from my submissions to the examination and those of others along the way, losses of all or much of large habitat areas and significant features such as Coronation Wood or the Shingle Beach County Wildlife Site will change the areas forever, for biodiversity as well as public use and appreciation, with construction disruption lasting a decade or more.

At the largest scale, little time has been devoted to the biggest wildlife severance issue of all, the building of a main roads across the entire AONB and coastal landscape beyond to the A12, from west to east. This is an extraordinary proposal, given the curtailing of the UK roads programme in the late 1990s and the careful way any new road is now scrutinised and debated.

The examination has seen just pitiful mitigation of the severance that the temporary construction village and new road will have on all kinds of wild animal currently moving north and south along the coast. Beyond slight mention of a few statutory species the kind of evaluations that the UK wildlife laws demand, Ministerial department standards expects, and County Councils require are conspicuous by their absence. This in turn prevented scrutiny, beyond complaint of its omission, with no reply from the applicant.

The lack of information on need and design for wildlife underpasses, roadside barrier fencing and measures to prevent bird-strike or light pollution affecting, for example the more light-sensitive bats, is atypical for a road construction in such a sensitive location.

Much has been made of the need for a larger underpass in the areas where the SSSI drains to the north. But such a feature is needed for wildlife all along the road, even if it can only come into commission once the construction area is removed.

At the largest scale, the over-reliance on Aldhurst Farm as a 'cure-all' has placed multiple overlapping roles upon a single location. For examples much of one side of the valley is now for dog walking but also serves for adder protection, a design paradox. A warning is placed upon the public notice board yet with no information on what to do in the event of an accident. The two purposes do not go hand in hand– it is neglectful planning.

Equally the area is allocated for skylark mitigation, but the habitat is rank, due to farm-use nutrification not being depleted via cropping prior to removal of land from production. The public will now drop food scraps around the area that will encourage predators and the skylarks will not remain for long. All the consequence of using one area to resolve multiple land-take issues. Any proper road proposal would have mitigated its impact around the stretch of road concerned, not somewhere else, to save on cost. This is bad road design and depletes wildlife interest inland.

I have already written about the severance effects of slicing and dicing the Sizewell Marshes SSSI interest into different parts of the County in relation to attempted Fen Meadow and Wet Woodland compensation. This scattering of interest denudes the Suffolk coast and avoids the creation of coastal fenland in proximity to the place of loss.

At the site-based scale, loss of the SSSI could have been mitigated by design in the wet component of the Aldhurst farm design. For some reason, now lost in the time when RSPB and SWT were involved, the project formed reed bed with some pools now largely encroached by reed. This makes more reed bed with some characteristic species but quite incredibly (considering the effort and cost) does not reflect the loss of habitats in the SSSI. Given attention to nutrient loadings it could and should have been a site with fen meadow and wet woodland. Why wasn't it? Was there a misunderstanding of what Natural England would require in the long run? Was it a simple misunderstanding? When asked at the time, Dr Mannings said 'wet woodland would have been too expensive to create' which doesn't really add up.

At the finer detail are many provisions for small and fragmented populations of both rarer and declining species for which the construction location forms an important part. The provisions for reptiles for example are grossly inadequate. EDF has adopted a process where attempts are to be made for reptiles to be little more than bluntly 'scared away' from where they live rather than properly translocated, according to best practice. This happened at Coronation Wood with no evidence of any animals surviving the destruction. The approach is proposed for the platform area too where the reptiles will also have nowhere to disperse to. I will pick up loose ends with Suffolk constabulary to ensure no repeat of Coronation Wood and consider the events at Coronation Wood a historic wildlife crime to be taken into consideration, moving forwards once the busy examination period has concluded. The widening of rides and woodland blocks has failed due to rich litter layers rapidly regenerating scrub and woodland.

Other fine detail includes the lack of provision for otter road mortality protection on Lovers Lane at Aldhurst Farm and for Natterjack toad pools at Studio fields. Where indeed are the recovery plans for all the impacted species with real insight and forward plans with requisite detail? With a few exceptions for the most endangered species, they are conspicuous by their absence. Especially for mammals, reptiles and invertebrates. Many of these comments have been made throughout the examination but not raised for scrutiny.

Conclusions

Masking accuracy, damage, and loss has a cumulative effect in places where impacts relate to adjoining habitats, ecotones, and the more subtle responses to increased density of people and traffic, noise and light by the species that move across many habitat types. Provisions for NERC Act species and habitats are not upheld. Mitigation is speculative, far fetched in some locations and genetically ill-conceived in terms of extinction risk.

That the two main statutory bodies are barely satisfied, not satisfied or silent on various outstanding issues speaks volumes and the late plans in recent weeks are more often rehashes of old documents with occasional paragraphs added or deleted making examination tedious and unrewarding. Frankly our time has been wasted by disrespectful behaviour.

The SZC biodiversity proposals are simply not adequate and should be rejected. The examination in my view has therefore been ineffective in relation to this area. Some elements are close to being adequate if properly secured. But enough of the components are wrong or lacking, for the security of Suffolk Coastal biodiversity and the AONB to be at risk of significant and permanent damage if the development proceeds. So overall the proposals fall a long way short and fail to meet any test of being sufficient.

See also my previous submissions:

- Written Deadline 7 Submission. 3rd September
- WRITTEN REPRESENTATION. BIODIVERSITY PROTECTION ISSUES. May 2021
- SIZEWELL C: LAST MINUTE CHANGES TO PLANNING APPLICATION BY EDF/SZC IN NOVEMBER 2020 (5th) CONSULTATION RESPONSE