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Our ref: 339861  
Your ref: Planning Inspectorate Reference: EN020022



The Planning Inspectorate

**BY EMAIL ONLY**

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Dear Planning Inspectorate

**Planning consultation:** EN020022 AQUIND Interconnector The construction and operation of a 2000 MW subsea and underground High Voltage Direct Current (HVDC) bi-directional electric power transmission link between the south coast of England and Normandy in France.

Thank you for your consultation on the above project with the Examining Authority's (ExA's) further written questions (ExQ2).

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has provided further comments in this submission for Deadline 7. This includes:

1. Natural England's response to ExQ2 questions HAB2.8.1, HAB2.8.2 and HAB2.8.3.
2. Further representation from Natural England in relation to Aquind's Deadline 6 Submission - 7.9.28 Denmead Meadows Position Paper (REP6-072).
3. Further comments in relation to bird refuge areas operating on Milton Common, Portsmouth City Council.

### **Section 1 ExQ2 questions - HAB2.8.1, HAB2.8.2 and HAB2.8.3**

***HAB2.8.1 - Please confirm whether agreement has been reached with regards to the approach and assessment of 'low use' sites defined by the Solent Waders and Brent Goose Strategy? If not, how are such 'low use' sites considered to be affected by the Proposed Development and to what magnitude?***

Natural England has agreed with the Applicant that the 'Low Use' sites defined by the Solent Waders and Brent Goose Strategy will fall under Principle 1 of the winter working principles. This agreement is set out within the Statement of Common Ground between the Aquind and Natural England (REP6-045).

***HAB2.8.2 - Please confirm whether Natural England's suggested amendment of Principle 7 of the winter working restriction principles [RR-181] has been***

***incorporated. If not, why does Natural England consider this wording necessary and what would be the respective implications of the existing and proposed wordings?***

Natural England's suggested amendment to Principle 7 has been incorporated into the revised Principle 6. The revision of the working principles has been agreed and is also referred to under reference 4.2.12 in the Statement of Common Ground between the Applicant and Natural England (REP6-045).

### **HAB2.8.3**

***Are the proposed woodland management measures to deal with ash die-back in the two ancient woodland copses known as Stoneacre Copse and Mill Copse, as set out in the Applicant's updated Outline Biodiversity and Landscape Strategy submitted at Deadline 6 [REP6-038]:***

***a) appropriate and proportionate;***

***b) capable of being implemented without harming the integrity of the ancient woodland habitats; and***

***c) sufficient to meet visual mitigation requirements against the updated future baseline?***

Natural England notes the additional information submitted in response to ash-die back. It is noted that losses to Stoneacre Copse and Mill Copse woodland as a result of ash dieback would erode the future baseline as the disease will cause the deterioration and loss of trees that provide a screening function. It is understood that the Order Limits are to be extended to include these woodlands to allow for additional screening planting (suitable non-ash native species) to be planted; and management of the decline of ash trees and replacement planting within the woodland blocks.

We welcome the inclusion of these woodland parcels into the Order Limits to ensure that long term management can be secured. We agree that this is appropriate and proportionate given the significant impact that ash-die back is likely to have on these woodlands.

A detailed long term costed monitoring and management strategy for the woodlands and supplementary screening should be agreed with the South Downs National Park Authority landscape and ecology officers and secured with any planning permission.

Provided a best practice long term management plan is agreed and secured then it is Natural England's view that it is capable of being implemented without harming the integrity of the ancient woodland. We advise that any works are undertaken in accordance with Natural England and Forestry Commission's joint advice on managing SSSI woodlands with ash dieback - <https://www.gov.uk/government/publications/managing-woodland-sssis-with-ash-dieback-hymenoscyphus-fraxineus>. This guidance is appropriate for ancient woodlands and we recommend that this approach is referenced in the Outline Landscape and Biodiversity Strategy. This will help to ensure that the wider biodiversity of the woodlands is protected and enhanced with long term management.

We welcome the proposal to retain some ash and standing deadwood and that natural regeneration will be encouraged. It is our advice to leave ash as much as possible unless there is health and safety risk, and this will also help from a visual perspective to allow other planting to mature as necessary. We recommend that the management plan encourages and protects ash regeneration as well as apparently less diseased / 'resistant' trees, rather than seek to phase ash out of an area. We advise that the alternative species that are used for re-stocking are native and agreed as part of the management plan. This is necessary to ensure the ancient woodland retains its full ecological function and that the biodiversity value of the woodlands can be enhanced with appropriate long-term management.

It is important that if machinery is required to fell trees, that it is low impact in areas of rich ground flora, and that all possible precautions are taken to minimise ground flora disturbance and soil compaction (e.g. brush mats). A deer management plan may be required to ensure that natural regeneration is successful, and this will require an understanding of deer impacts in the area. Consideration will also need to be given to the wider ecology of the woodland, as well as protected and notable species when undertaking works.

The Applicant's assessment of significance of the visual change from ash-die back is noted. Reference is made to an increase in the significance of the effect experienced by recreational users of the public right of way to the south of the site (footpath DC19 / HC28) at year 10 (which would change from Minor to moderate (not significant) to Moderate (significant), but no change on the longer term due to proposed management and screening mitigation. It is understood that ash dieback will not impact on any other receptors further afield due to the 'layering' effect of woodland features at a greater distance. Natural England considers that the long-term management of the woodlands and supplementary screening is sufficient to meet the visual mitigation requirements for the updated future baseline.

## **Section 2 Denmead Meadows**

### ***Importance and sensitivity of habitat***

Natural England remains concerned about the impact of the Aquind proposal on lowland meadows at Denmead. These meadows have been recognised as of national importance in the assessment and this is considered correct given the rarity of this habitat. The MG5 grassland habitat is rare in England with <6,000 ha remaining (ENR 315. 2000<sup>1</sup>).

Denmead Meadows conforms to the "Lowland Meadow" HPI designation under Section 41 of the Natural Environment and Rural Communities Act (2006). As you are aware, Section 40 of the Natural Environment and Rural Communities Act (2006), states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

The three main fields that will be impacted by the proposal include:

- Field 3, the proposed location for the southern compound, up to 0.5 hectares. This is MG5a habitat and recognised as priority habitat.
- Field 8 (part of King's Pond SINC), trenching and access road will be located within this area.

In section 1.2.2.3 (REP6-072) the eastern half of Field 8 (King's Pond SINC) is being assessed as not HPI quality by Aquind. However, please note that a recent habitat survey of this field has been undertaken by the Hampshire Biodiversity Information Centre (HBIC) (22 May 2020). (It is understood that this report is being submitted at Deadline 7 by Winchester City Council.) The report states that a high grazing level means that the sward is very short across the site. However, despite this management Lowland Meadow habitat (MG5) occupies much of the field.

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<sup>1</sup> Robertson, H.J. & Jefferson, R.G., 2000. *Monitoring the condition of lowland grassland SSSIs. English Nature Research Report 315*. Published online: <http://publications.naturalengland.org.uk/publication/64033>

Furthermore, there is capacity for further restoration with improved management regimes.

It is Natural England's view that this field should be recognised as priority habitat and further mitigation and compensation measures should be considered.

- Field 13 - trenching and location of work compound.

Field 13 is semi improved already and classified as MG6. However, it is Natural England's view that given its previous value, there is potential for an improvement in biodiversity terms with correct restorative management and by using seed harvested from elsewhere on the site.

It is understood that the total area impacted within Field 8 and 13 is 1.7 hectares.

It is noted there is New Access Rights across the Denmead Meadows (3.12a and 3.13a) on REP5-003). It is understood that this is not for vehicle movements, storage or other construction works; but to allow personnel to move between compounds on foot. Provided that this is the case, and this is secured, Natural England raises no further comments.

### ***Alternative options***

Natural England strongly recommends that alternative locations and designs are fully considered to avoid impact to all of these lowland meadows. Case studies have shown that translocation under the proposed methods at Denmead can have mixed success results and there are various problems that can arise. Translocation should only be considered when all other options have been explored and every effort should be made to avoid disturbance or damage to this rare habitat.

Natural England is concerned that there is a clear risk from the evidence that the proposals will result in a loss of priority habitat at Denmead Meadows. It is our view that further consideration should be given to the road option which would avoid all damage to this habitat at Denmead Meadows. *This is our preferred option.*

A further alternative is to move the southern compound to an alternative location outside of the sensitive area. An area within the Order Limits is available, south of Hambledon Road. It is understood that this option has been revisited and has, very recently, been agreed by Aquind. It will form part of a submission at Deadline 7. This approach would avoid impacts to Field 3 and is welcomed.

Damage to the priority habitat in Field 8 will remain, as well as loss of the restoration potential of Field 13. However, options for further mitigation and compensation measures are possible and these are discussed further below.

### ***Mitigation***

Aquind submitted further information to mitigate impacts to the lowland meadow at Denmead at Deadline 6 (REP6-072). This was originally concerned with the translocation of turves in Field 3. It is our understanding that no translocation was proposed for turves in Field 8 or 13 as these areas have been not previously been identified as priority habitat.

The recent HBIC survey (2020) provides evidence that Field 8 is priority habitat as MG5 grassland occupies most of the field. There is also capacity for further restoration with improved management regimes. It is Natural England's view that, if this area cannot be avoided, best practice translocation and after-care management should be carried out to

mitigate the impacts from the trenching and access road. Even with best practice methods, given the length of time of turf storage, there remains a risk of biodiversity loss.

We have provided our comments on the translocation methods originally proposed for Field 3. It is our view that these methods should apply to Field 8, as it has been recognised as priority habitat (and should be treated as Field 3). We advise that the turves are removed in accordance with the best practice translocation measures.

Given that capacity for restoration is possible for Field 13, we also recommend that these turves are translocated, stored appropriately in accordance with best practice and reinstated following the construction works. This field could be enhanced by using seed harvested from elsewhere on the site with long term management and would form part of a wider mitigation and compensation strategy to prevent residual effects. This combined approach is one way to help ensure this area is improved following the project and that biodiversity enhancements are secured.

#### *Translocation methods*

Our key concerns about the methodology proposed for translocation is the length of time that the turves will need to be stored for and the approach for after-care management. There is very little evidence of successful reestablishment where turves are stored over a month. Where there are examples of turves being stored for longer, these are on upland sites. This is not comparable to the lowland grassland habitat at Denmead (Section 5.5.2. Anderson 2003<sup>2</sup>). The use of peatland restoration as comparison (section 1.5.4.3 REP6-072) is not appropriate as peat holds more water than other soils and this work was undertaken in an upland area where weather conditions are very different to Denmead.

The timing of turve removal in Field 3 was proposed as August to November (section 1.5.2.4 REP6-072). It would be useful to understand if different timing is possible for Field 8 and 13. We have concerns about turve removal in August -mid September, particularly if conditions are dry or in drought as this last year. Translocation of turves during drought conditions in August on a site known as Potatopot, Cumbria, resulted in fracturing of subsoil and collapse at the edges of turves. (Section 5.6.1. Anderson 2003).

Turves will be 200-250 mm (section 1.5.4.10 REP6-072), where we recommend 300-500 mm to ensure capture of deeper rooted plants and rhizomes. This has been recommended previously but no information has been provided as to why this is not possible in this case. Translocation at Newhall Reservoir, Nottinghamshire, resulted in a major loss of richness, in particular deep rooted species which was largely to the depth of the turves (Section 6.4.5. Anderson 2003).

Stock piling of turves is proposed for some of the fields (section 1.5.4.5 REP6-072), but experience indicates that this leads to the death of vegetation on turves lower in the pile. Stock piling of turves for 5-6 weeks at Monkspath Meadow, Warwickshire resulted in the death of turves due to the way they were stored in piles (Section 5.5.1. Anderson 2003). We therefore advise that the turves should not be stockpiled. Storage under an impermeable membrane is also not appropriate (section 1.5.4.12 REP6-072). If turves are stored in single layers as is our advice, this will not be necessary. Reseeding augmentation should not be through commercially available seed mixes, but through seed that has been harvested from the site (section 1.5.6.2 REP6-072).

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<sup>2</sup> Anderson, P., 2003. *Habitat Translocation: a best practice guide*. Report for CIRIA

### *Long term management*

Appropriate and continued aftercare is one of the main reasons for translocation of a habitat to fail or succeed. It is our advice that long-term management protocols and financial support are agreed at the outset. Translocation is at the greatest risk of failure if there is no permanent or continued presence on the site and it has been found that there is less security of long-term management if the site passes to an individual landowner without binding agreement. This was the case at Brampton Meadow, Cambridgeshire, as part of A14 roadworks in 1991. (Section 4.4.5. Anderson 2003). The success rates are greater if the involvement of nature conservation bodies is secured, as demonstrated at the Wilford Power Station, Notts (Section 4.4.4, Anderson 2003).

The long-term management should be costed and agreed and secured by any planning permission to confirm who will take responsibility for aftercare and monitoring, and to ensure there are checks and balances in place as to who will take responsibility for corrective and adaptive management, if problems arise. We recommend that the site is monitored for a minimum of 10 years. The meadow at Monkspath, Warwickshire showed little change in species on the areas of turve removal and replacement in the first 5 years, but the species composition degraded after that (Section 6.4.11. Anderson 2003).

It is our advice that further consideration is given to a partner organisation (such as a Wildlife Trust or local planning authority) who could help with undertaking the long-term management, after care and monitoring of the meadows to ensure that all residual effects are addressed.

### **Section 3 Milton Common Bird Refuge Areas**

It is Natural England's understanding from Portsmouth City Council that a bird refuge for brent geese (a qualifying feature of the Chichester and Langstone Harbours Special Protection Area and Portsmouth Harbour Special Protection Area) has been established on Milton Common, Portsmouth in an area bordering Moorings Way. It is Natural England's view that this area should be recognised in the Habitats Regulations Assessment for the Aquind project and measures taken to avoid impacts. We recommend that these areas fall under Principle 1 of the winter working principles.

It is our understanding that a further area may come forward in relation to an alternative planning application, but this has not yet been submitted. Given that this second site could also come forward prior to construction work commencing, and to avoid unnecessary delays in the planning process, we advise that the approach taken also considers the potential for this second area.

If you have any queries relating to the advice in this letter, please contact me on

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Yours sincerely  
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