

Date: 15 February 2022
Our ref: 381197
Your ref: TR010039



National Infrastructure Planning
The Planning Inspectorate

BY EMAIL ONLY

Customer Services
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Dear Sir/Madam,

NSIP Reference Name / Code: TR010039 A47 Wansford to Sutton
User Code: 20029797

Thank you for your consultation on the above dated and received by Natural England on 18 January 2022.

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.

Written Representation

PART I: Summary of Natural England's advice.

PART II: Annexes including Natural England's evidence and answers to the Examining Authority's first written questions

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Annex B: Natural England's responses to the Examining Authority's first written questions

PART I

1. INTRODUCTION

1.1. Purpose and structure of these representations

- 1.1.1. These Written Representations are submitted in pursuance of rule 10(1) of the Infrastructure Planning (Examination Procedure) Rules 2010 ('ExPR') in relation to an application under the Planning Act 2008 for a Development Consent Order ('DCO') for A47 Wansford to Sutton ('the Project') submitted by National Highways ('the Applicant') to the Secretary of State.
- 1.1.2. Natural England has already provided a summary of its principal concerns in its Relevant Representations, submitted to the Planning Inspectorate on 21 October 2021. This document comprises an updated detailed statement of Natural England's views, as they have developed in view of the common ground discussions that have taken place with the Applicant to date. These are structured as follows:
- a. Section 2 describes the conservation designations, features and interests that may be affected by the Project and need to be considered.
 - b. Section 3 comprises Natural England's submissions in respect of the issues that concern it. This submission cross-refers to, and is supported by, the evidence contained in the Annexes.
 - c. Section 4 provides a summary of Natural England's case.
 - d. The Annexes contain evidence referred to in the main body of these Representations.

2. CONSERVATION DESIGNATIONS, FEATURES AND INTERESTS THAT COULD BE AFFECTED BY THE PROPOSED PROJECT

The following is a brief summary of the interest features of the relevant designated areas of concern in this matter. Designation citations and maps are included in Annex A.

2.1. International conservation designations

Nene Washes Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar

- 2.1.1. The Annex II feature present, as a qualifying feature, that is a primary reason for site selection of the SAC is populations of spined loach. Moreton's Leam, a large drainage channel running along the southern flank of the washes, contains a high density of spined loach. Full site data and boundary map for the SAC are attached at Annex A.
- 2.1.2. This site qualifies as an SPA under Article 4.1 of the Directive (79/409/EEC) by supporting an internationally important wintering population of Bewick's swan. The site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting, in summer, nationally important breeding populations of the following migratory species: gadwall, garganey, shoveler, black-tailed godwits as well as several other rare birds. The area further qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting nationally important wintering populations of five migratory species: wigeon, teal, gadwall, pintail and shoveler.
- 2.1.4. The Nene Washes is designated under Ramsar criterion 2 and criterion 6. The site is an extensive area of seasonally-flooding washland and supports several nationally scarce plants. The site also supports an important assemblage of nationally rare breeding waterfowl associated with seasonally-flooding wet grassland which includes assemblages of international importance and species/populations occurring at levels of international importance, such as Bewick's swan.
- 2.1.5. The applicant has submitted to Natural England, through our Discretionary Advice Service (DAS), a Report to Inform Habitats Regulations Assessment. After the submission of the updated 'Report to Inform Habitats Regulations Assessment (Highways England, August 2021)', Natural England is satisfied on the basis of the information submitted that, for the purposes of the Habitats Regulations, the project is unlikely to have a significant effect on the Nene Washes SAC, SPA and Ramsar site alone or in combination with any other plan or project. The scheme is approximately 9.8km from the Nene Washes site and and Natural England is satisfied that there has been sufficient consideration of the effects of the proposed scheme, including proposed drainage, to conclude that the scheme is not likely to have a significant effect on the qualifying features of the SAC, SPA or Ramsar site.

2.2. National conservation designations

Nene Washes Site of Special Scientific Interest (SSSI)

- 2.2.1. The site is one of the country's few remaining areas of extensive washland habitat. It is of particular note for the supporting nationally and internationally significant numbers of wildfowl and waders, as well as containing a large area of unimproved neutral grassland communities and a richness of the aquatic fauna and flora within its network of dykes. Of particular note in the winter are the large number of pintail, wigeon, and Bewick's swan. The SSSI citation and boundary map are attached at Annex A.

- 2.2.2. Natural England is satisfied that there will be no impacts on the notified features of the SSSI during construction and operation. The scheme is approximately 9.8km from the Nene Washes site and there has been sufficient consideration of the proposed drainage to confirm that the proposals are not likely to have a significant effect on the notified features of the site.

Sutton Heath and Bog SSSI

- 2.2.3. This area supports grassland communities of two main types, namely calcareous grassland of the Jurassic limestone type and neutral grassland of the base-poor marsh type. The Jurassic limestone grassland communities are characteristically species-rich. They are further characterised by the dominance of such grasses as sheep's fescue (*Festuca ovina*), tor-grass (*Brachypodium pinnatum*) and upright brome (*Zerna erecta*). The base-poor marsh communities occur along spring flushes and support a rich flora including a number of plants uncommon in the region. The SSSI citation and boundary map are attached at Annex A.
- 2.2.4. This site is approximately 0.04km to the north of the scheme. Natural England does not consider there is sufficient information available to rule out likely significant effect to Sutton Heath and Bog SSSI with regards to air quality. This SSSI is situated within 200m of the proposed scheme, and the change in nitrogen deposition as a result of the project would exceed the 1% critical load threshold for Sutton Heath and Bog SSSI.

Wansford Pasture SSSI

- 2.2.5. This site supports two main grassland types that are nationally scarce and are particularly uncommon in Cambridgeshire, notably a species-rich flush and Jurassic limestone grassland. The flush holds a wide range of wet-loving plants, with Blunt-flowered rush (*Juncus subnodulosus*) being a dominant species. The limestone grassland supports typical herbs and grasses, including salad burnet (*Sanguisorba minor*), cowslip (*Primula veris*) and crested hair-grass (*Koeleria macrantha*). The SSSI citation and boundary map are attached at Annex A.
- 2.2.6. This site is approximately 0.35km to the south-west of the scheme. Natural England is satisfied with the finding in Chapter 8 of the Environmental Statement (ES) that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated.

West Abbot's and Lound Woods SSSI

- 2.2.7. This site holds a range of lowland woodland types, many of which are scarce in Britain. Ash (*Fraxinus excelsior*) and field maple (*Acer campestre*) are present in many parts of the wood, with scattered trees of pendunculate oak (*Quercus robur*). Of particular note is the occurrence of alder (*Alnus glutinosa*) on a springline at the base of the limestone plateau, which is a type known from no other ancient woodland in Cambridgeshire. The SSSI citation and boundary map are attached at Annex A.
- 2.2.8. This site is approximately 0.6km to the north-west of the scheme. Natural England is satisfied with the finding in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated.

Old Sulehay Forest SSSI

- 2.2.9. One of an important group of ancient woodlands on calcareous strata in the north-eastern part of Rockingham Forest and contains diverse ground flora, which includes a number of species of rare occurrence in Northamptonshire. Field maple (*Acer campestre*), hazel (*Corylus avellana*) and Midland hawthorn (*Crataegus oxycanthoides*) are the main underwood species with standards of oak, ash and occasionally wych elm (*Ulmus glabra*). The SSSI citation and boundary map are attached at Annex A.
- 2.2.10. This site is approximately 1.1km to the south-west of the scheme. Natural England is satisfied with the finding in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated.

Castor Hanglands SSSI and National Nature Reserve (NNR)

- 2.2.11. Castor Hanglands contains a range of habitat types from ancient broadleaved woodland to unimproved grassland and scrub, with some of these habitats being scarce in Britain. The woodlands of Castor Hanglands are primarily of an ash-maple type over soils of limestone, clay, cornbrash and sands. The ground flora holds many plants indicative of an ancient woodland, including wood melick (*Melica uniflora*), yellow archangel (*Lamium galeobdolon*) and ramsons (*Allium ursinum*). The whole area is of high value for invertebrates and some nationally uncommon species are present, including the black hairstreak (*Strymonidia pruni*). The SSSI citation, and the SSSI and NNR boundary maps are attached at Annex A.
- 2.2.12. This site is approximately 1.1km to the north-east of the scheme. Natural England is satisfied with the finding in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated.

Castor Flood Meadows SSSI

- 2.2.13. Castor Flood Meadows are a remnant of the once extensive species-rich alluvial grasslands within the flood plain of the River Nene, with the variety of grassland types present largely influenced by the water content of the soil. Areas of wet alluvial grassland are characterised by the presence of marsh foxtail (*Alopecurus geniculatus*), floating sweet-grass (*Glyceria fluitans*), common spike-rush (*Elocharis palustris*) and tubular water-dropwort (*Oenanthe fistulosa*). On the drier soils, there are areas of calcareous loam pasture. The SSSI citation and boundary map are attached at Annex A.
- 2.2.14. This site is approximately 2.3km to the south-east of the scheme. Natural England is satisfied with the finding in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated.

Southorpe Roughs SSSI

- 2.2.15. This old quarry site supports limestone grassland communities of the type associated with Jurassic limestone. The grassland communities are characterised by the presence of the grasses

such as tor-grass (*Brachypodium pinnatum*) and sheep's fescue (*Festuca ovina*). Other characteristic herbs include common rockrose (*Helianthemum chamaecistus*) and dwarf thistle (*Cirsium acaule*). The SSSI citation and boundary map are attached at Annex A.

- 2.2.16. This site is approximately 2.1km to the north of the scheme. Natural England is satisfied with the finding in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated.

Southorpe Paddock SSSI

- 2.2.17. Southorpe Paddock holds a limestone grassland community of a type which is nationally scarce. The limestone grassland is dominated by the grasses upright brome (*Bromus erectus*) and false oat-grass (*Arrhenatherum elatius*). A range of typical limestone plants are present including purple milk-vetch (*Astragalus danicus*), clustered bellflower (*Campanula glomerata*), rockrose (*Helianthemum nummularium*) and dropwort (*Filipendula ulmaria*). The SSSI citation and boundary map are attached at Annex A.
- 2.2.18. This site is approximately 1.7km to the north of the scheme. Natural England is satisfied with the finding in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated.

Bedford Purlieus SSSI and NNR

- 2.2.19. This ancient woodland supports a variety of woodland community types which are largely restricted nationally in their distribution to lowland England. Oak (*Quercus robur*) and ash (*Fraxinus excelsior*) are generally dominant throughout the wood but the coppice types represented include small leaved lime (*Tilia cordata*), ash, hazel (*Corylus avellana*), wych elm (*Ulmus glabra*) and maple (*Acer campestre*) on the calcareous clays, and birch (*Betula sp.*) and sessile oak (*Quercus petraea*) on acidic sands. The ground flora holds a number of species at the limits of their national distribution such as the grass mountain melick (*Melica nutans*). The SSSI citation, and the SSSI and NNR boundary maps are attached at Annex A.
- 2.2.20. This site is approximately 2.2km to the west of the scheme. Natural England is satisfied with the finding in Chapter 8 of the ES that no impacts on the SSSI features are anticipated. Indirect impacts such as oil or chemical spills and air pollution from dust, and silt, which could result in the loss of plants through uptake of contaminants will be mitigated.

2.3. European Protected Species

Bats (various species)

- 2.3.1. Bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 2.3.2. Natural England is currently assessing a draft licence application for bats.

Great Crested Newts (GCN)

- 2.3.3. Great crested newts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 2.3.4. As further surveys are still to be completed, potential adverse impacts cannot be ruled out at this stage.

Otter

- 2.3.5. Otters are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and listed under Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 2.3.6. Mitigation proposals state that preconstruction surveys will be carried out in order to inform any required licences from Natural England. On this basis, Natural England has no objections to the scheme in relation to impacts on otters.

2.4. Nationally Protected Species

Badger

- 2.4.1. Badgers are protected under the Protection of Badgers Act 1992 (as amended).
- 2.4.2. Natural England is currently assessing a draft licence application for badgers.

Water vole

- 2.4.3. Water voles are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).
- 2.4.4. Natural England is currently assessing a draft licence application for water voles.

Wintering birds and breeding birds, including barn owl

- 2.4.5. All wild bird species, their eggs and nests are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended).
- 2.4.6. The ES has identified major adverse impact to wintering and breeding birds, including barn owl, through temporary loss of habitat / nesting habitat, and disturbance, obstruction and direct loss of habitat. Natural England is satisfied in principle with the mitigation measures set out, including implementation of best practice working methods and habitat creation and enhancement.

Reptiles: common lizard

- 2.4.7. Common lizard is protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and listed as priority species within the UK Post-2010 Biodiversity Framework.

- 2.4.8. The ES has identified minor adverse impact to reptiles. Natural England is satisfied in principle with the mitigation measures set out, including implementation of best practice working methods and habitat creation and enhancement.

2.5. Landscape designations

- 2.5.1. There are no statutorily designated landscapes relevant to the Scheme hence Natural England offers no further comment.

2.6. Non-designated interests and features of concern

- 2.6.1. There are areas of non-designated but valuable and sensitive habitat which could be affected, including Sutton Meadows North County Wildlife Site (CWS), Sutton Dismantled Railway CWS and River Nene CWS.
- 2.6.2. UK Priority Habitats that will be affected by the proposal include broadleaved woodland, calcareous grassland, and hedgerows. Other habitats affected include arable land, neutral grassland, ponds and rivers.
- 2.6.3. Non-designated interests and features are beyond the scope of Natural England's remit hence we offer no further comment.

2.7. Soils

- 2.7.1. The project will result in physical damage, and or permanent loss of approximately 45ha of agricultural land, including 33.8ha classified as Best and Most Versatile (BMV) land (Agricultural Land Classification (ALC) grades 1 – 3a) through temporary and permanent landtake. Physical damage to soil will occur through excavation and temporary storage, soil compaction and the exacerbation of soil erosion through handling and storage of soils. Embedded and essential mitigation measures and monitoring have been incorporated into the scheme to minimise impacts on soils and BMV land as far as possible.
- 2.7.2. There appears to have been good consideration of soil and ALC matters in the submitted documents using key reference and guidance documents. As advised in our Relevant Representation, it is important that soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management in order to safeguard soil resources of the temporary land-take as part of the overall sustainability of the development. As a result, we also advised that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled and how to make best use of the different soils on site.

2.8. Biodiversity Net Gain

- 2.8.1. As indicated in our Relevant Representation, Natural England advises that consideration should be given to incorporating biodiversity and green infrastructure enhancements into the scheme to deliver benefits for people and wildlife. The land around Sutton Heath and Bog SSSI could be enhanced and used to create species-rich grassland, which would act as a buffer between the road and the SSSI. There is also potential for beneficial wetland habitat to be created and improved between the road and the River Nene.

2.8.2. We note the use of Defra metric 2.0 for Biodiversity Net Gain, but we advise that further information is provided on the methods used to assess net gain, as well as the project's overall target for net gain. As a public body with statutory duties to have regard to biodiversity under the NERC Act, we expect National Highways to have clear and measurable ambitions for the project to leave a positive legacy for nature proportionate to the scale and location of the scheme. We also recommend the use of the Defra 3 metric to ensure accuracy of net gain calculations for this scheme.

3. NATURAL ENGLAND'S CONCERNS AND ADVICE

3.1. The principal issues

3.1.1. Natural England identified the following main issues in its Relevant Representations:

- Further information requested to rule out significant impacts on Sutton Heath and Bog SSSI with regard to air quality.
- Further information requested on the methods used to assess net gain, as well as the project's overall target for net gain.
- The ES and other relevant documents will need updating pending the outcome of ongoing habitat and species survey updates.

These issues will be discussed in corresponding sections below along with any updates on the progress or resolution of issues.

3.2. Further information requested should be provided to rule out likely significant effect on Sutton Heath and Bog SSSI with regard to air quality.

3.2.1. As detailed above, Natural England does not consider there is sufficient information available to rule out likely significant effect to Sutton Heath and Bog SSSI with regards to air quality. The main reason for this is that the site is approximately 40m to the north of the scheme, and the change in nitrogen deposition as a result of the project would exceed the 1% critical load threshold for Sutton Heath and Bog SSSI.

3.2.2. Air quality modelling has been conducted and has indicated an impact of nitrogen deposition 40m north of the proposed scheme. The habitat within the 40m area according to section 5.8.22. of the ES is deciduous woodland comprising of pedunculate oak (*Quercus robur*), sycamore (*Acer pseudoplatanus*), hawthorn (*Crataegus spp.*) and elder (*Sambucus nigra*). The report states that 'with the help of a competent expert, no significant effects on the sensitive qualifying features of the SSSI have been identified'.

3.2.3. To rule out significant impacts to Sutton Heath and Bog SSSI with regards to air quality, we require further information on the work that was undertaken to determine the location and distribution of qualifying features that are sensitive to nitrogen deposition. Measures for mitigation and monitoring of air quality impacts for Sutton Heath and Bog SSSI should also be outlined.

3.3. Further information requested on the methods used to assess net gain, as well as the project's overall target for net gain.

3.3.1. We welcome the commitment to identify enhancement opportunities that would support net gain, however Natural England advises that further information is provided on the methods used to assess net gain, as well as the project's overall target for net gain. We also recommend the use of the Defra 3 metric to ensure accuracy of net gain calculations for this scheme.

3.4. The ES and other relevant documents will need updating pending the outcome of ongoing habitat and species survey updates.

- 3.4.1. We note that further habitat and species survey work is still to be undertaken, including survey work for GCN. Natural England advises that the ES and other relevant documents will need updating pending the outcome of this ongoing work.

4. CONCLUSIONS

4.1.1. Natural England has reviewed the Environmental Statement (ES), Habitats Regulations Assessment (HRA) and accompanying documents and is broadly satisfied that impacts to statutorily designated sites can be ruled out or proposed mitigation is sufficient to demonstrate no adverse effect. The exception to this is in relation to Sutton Heath and Bog SSSI and Natural England have advised that further evidence is required, to support the no likely significant effect conclusion. As detailed above, we require further information on the work undertaken to determine the location and distribution of qualifying features that are sensitive to nitrogen deposition and measures for mitigation and monitoring of air quality impacts for the SSSI should be outlined. Further information will need to be provided on the methods used to assess net gain, as well as the project's overall target for net gain and we recommend the use of the Defra 3 metric. The ES and other relevant documents will also need updating pending the outcome of ongoing survey work.

4.2. The questions received

4.2.1. In its Rule 8 letter dated 18 January 2022, the Examining Authority asked Natural England a number of questions. These are set out, along with the answers, in the table provided Annex B. The table cross-refers to passages in these Written Representations and their Annexes.

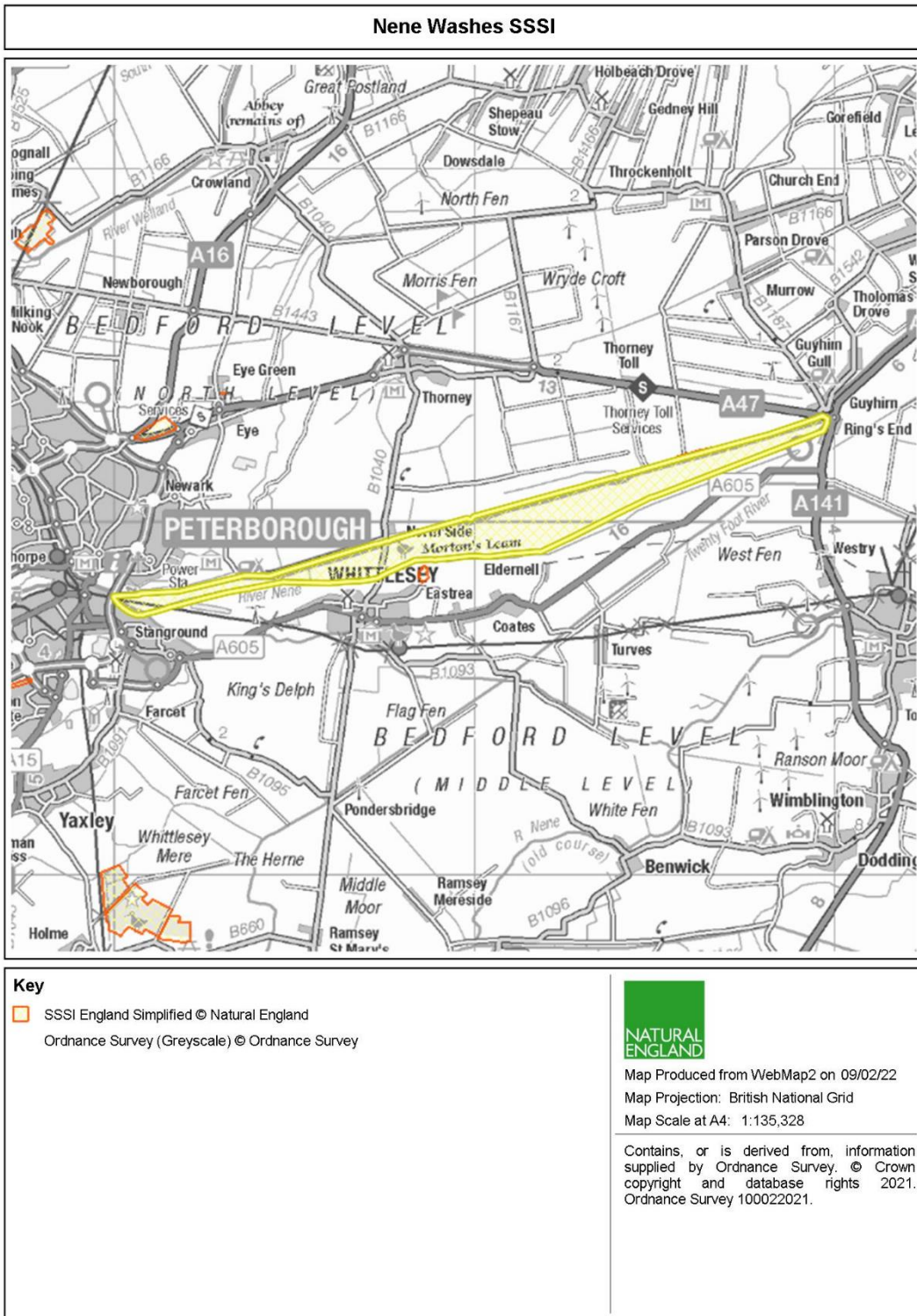
PART II

ANNEXES

Annex A: Designated site maps and information.

1. Nene Washes Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar
2. Sutton Heath and Bog SSSI
3. Wansford Pasture SSSI
4. West Abbot's and Lound Woods SSSI
5. Old Sulehay Forest SSSI
6. Castor Hanglands SSSI and National Nature Reserve (NNR)
7. Castor Flood Meadows SSSI
8. Southorpe Roughs SSSI
9. Southorpe Paddock SSSI
10. Bedford Purlieus SSSI and NNR

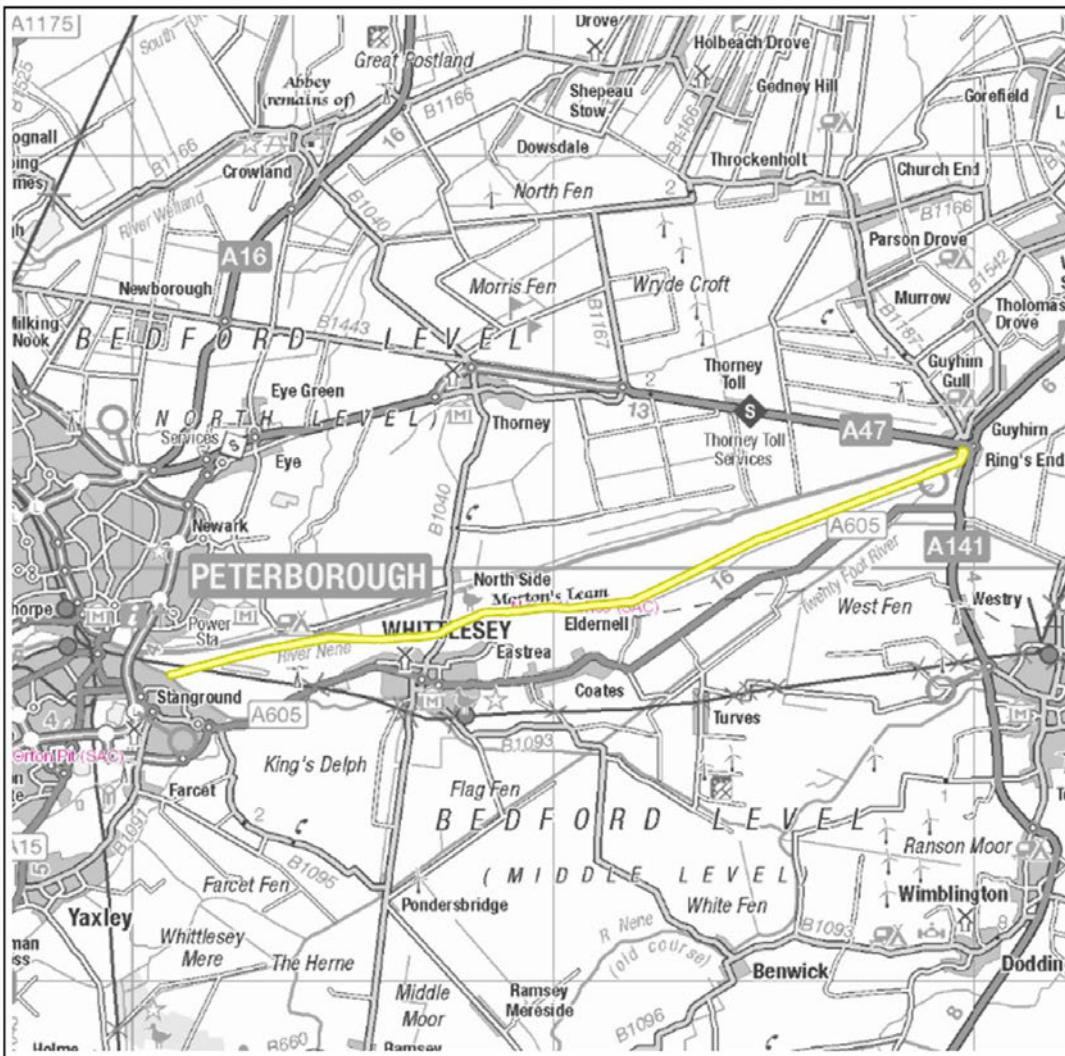
1. Nene Washes Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar





SSSI citation [REDACTED]

List of operations likely to damage the special interest - [REDACTED]

Nene Washes SAC



Key

-  Special Areas of Conservation England © Natural England
-  Ordnance Survey (Greyscale) © Ordnance Survey



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 Map Projection: British National Grid
 Map Scale at A4: 1:135,328

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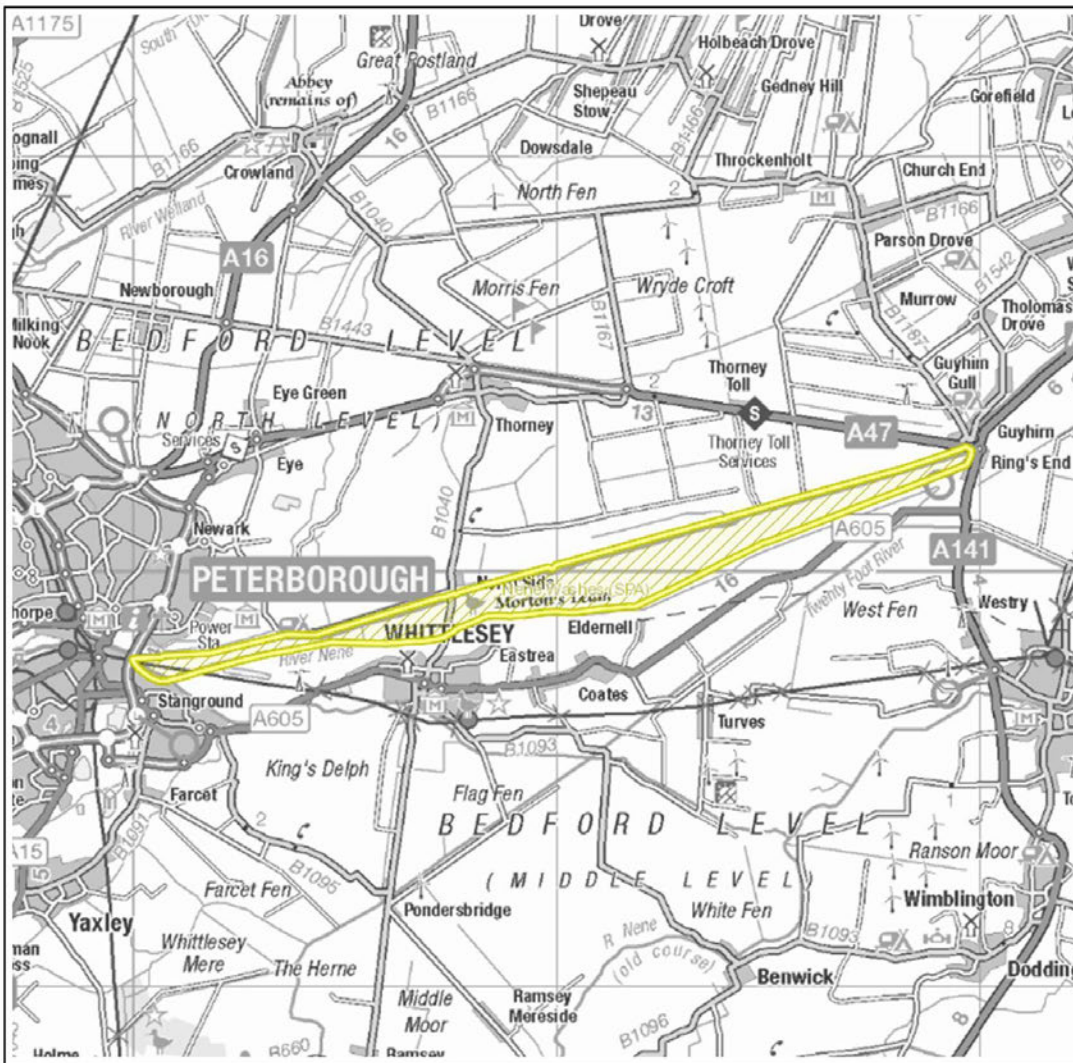
Summary information (JNCC) - [Nene Washes - Special Area of Conservation \(jncc.gov.uk\)](https://jncc.gov.uk/nene-washes-special-area-of-conservation)

Conservation Objectives - [REDACTED]

Supplementary Advice - [REDACTED]

Citation - [REDACTED]

Nene Washes SPA



Key

-  Special Protection Areas England © Natural England
- Ordnance Survey (Greyscale) © Ordnance Survey



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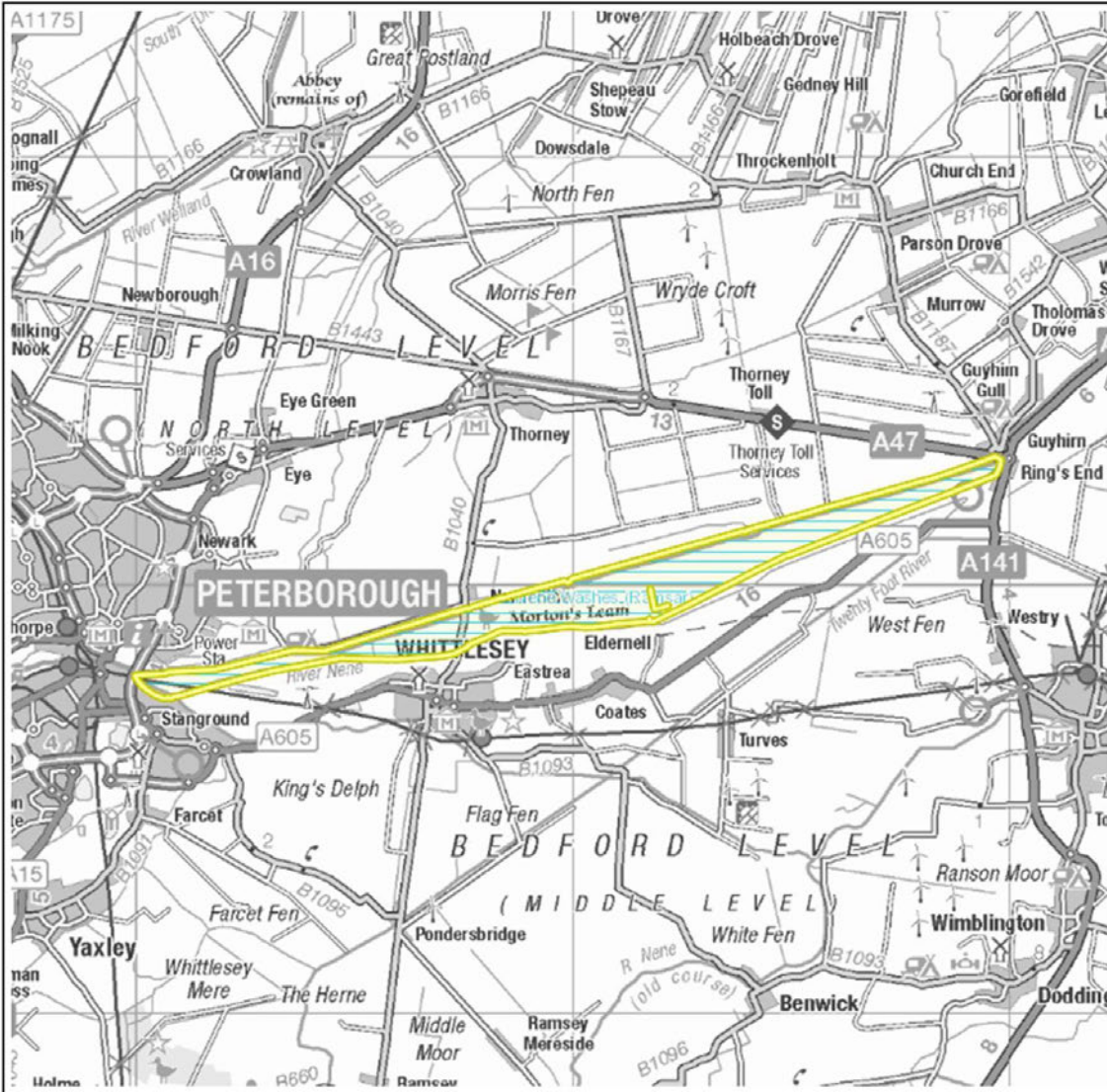
Summary information (JNCC) - [Nene Washes - Special Protection Area \(jncc.gov.uk\)](https://jncc.gov.uk/nene-washes-special-protection-area)

Conservation Objectives - [REDACTED]



Supplementary Advice - [REDACTED]

Citation - [REDACTED]

Nene Washes Ramsar



Key

-  Ramsar sites England © Natural England
-  Ordnance Survey (Greyscale) © Ordnance Survey



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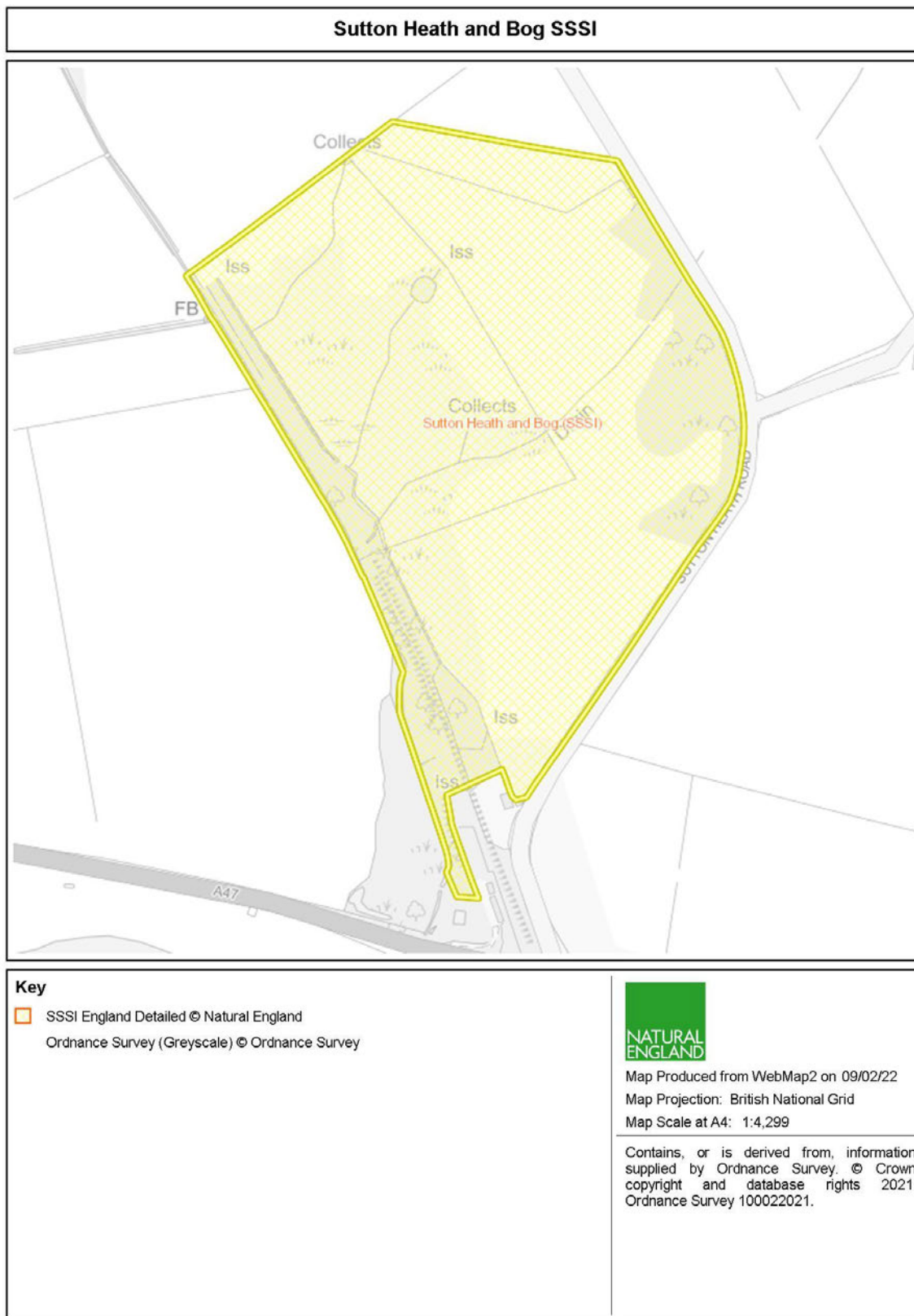
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JNCC Ramsar Information sheet - <https://jncc.gov.uk/jncc-assets/RIS/UK11046.pdf>

Ramsar Sites Information service - 

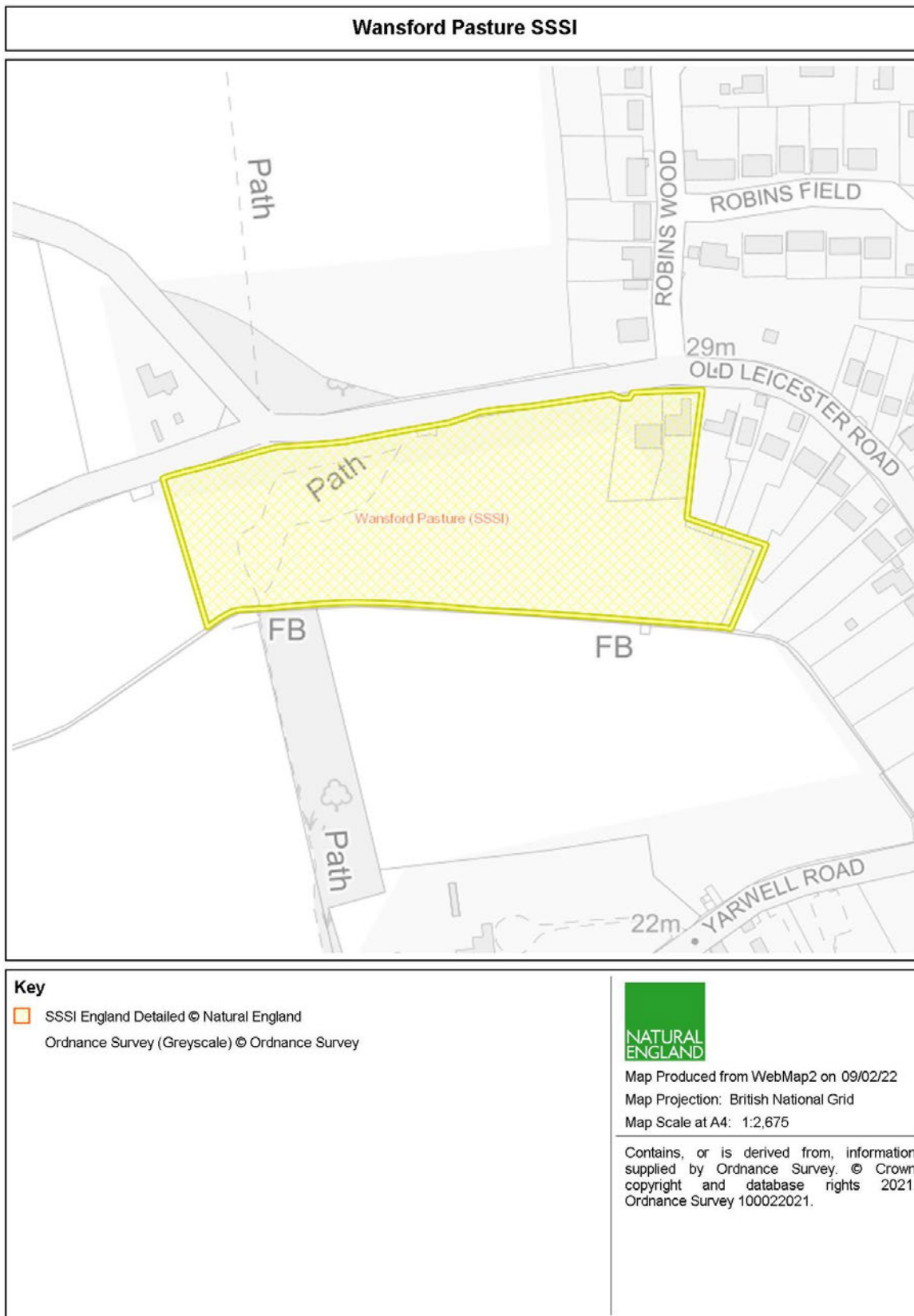
2. Sutton Heath and Bog SSSI



SSSI citation – [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

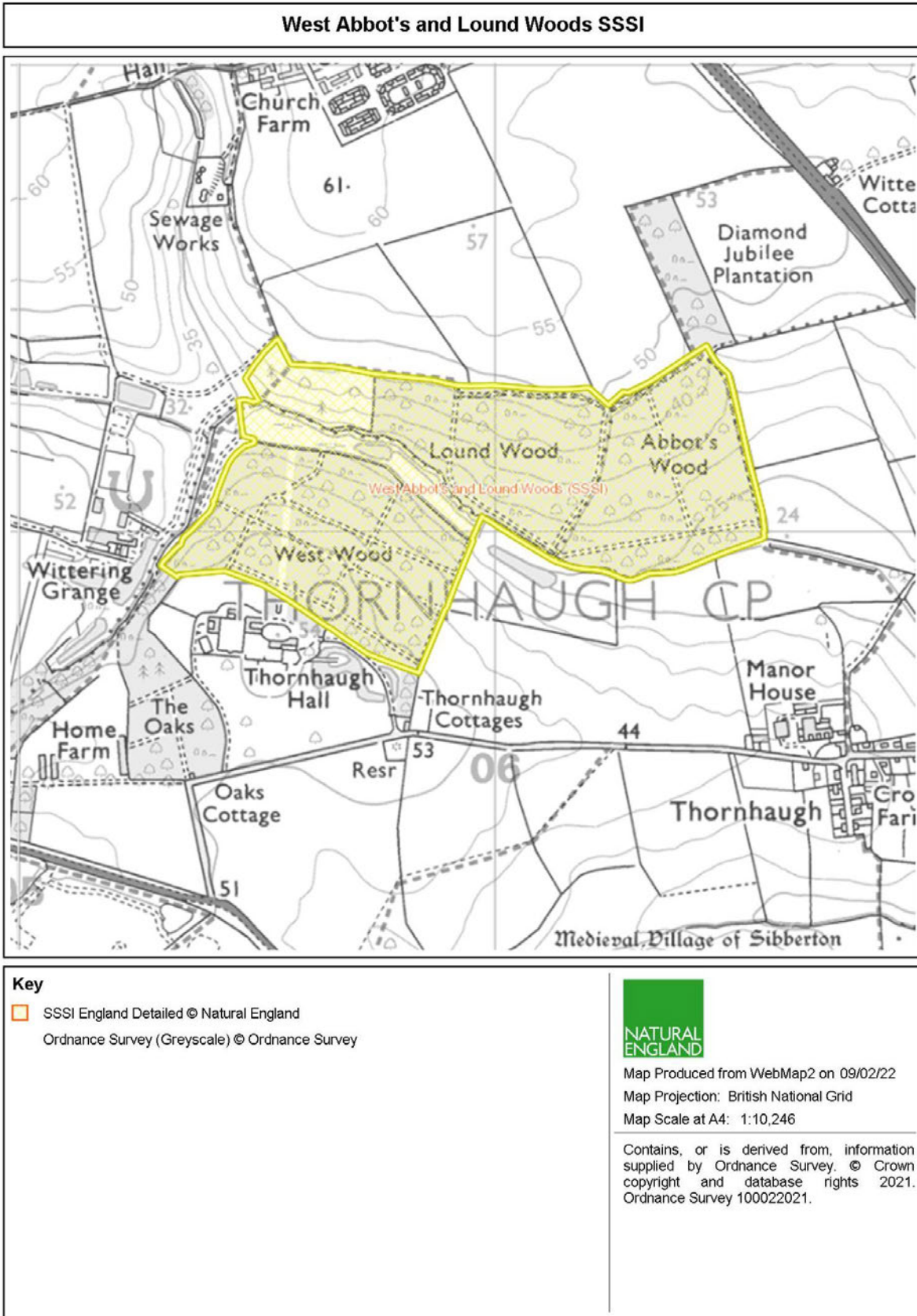
3. Wansford Pasture SSSI



SSSI citation [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

4. West Abbot's and Lound Woods SSSI



Key

- SSSI England Detailed © Natural England
- Ordnance Survey (Greyscale) © Ordnance Survey



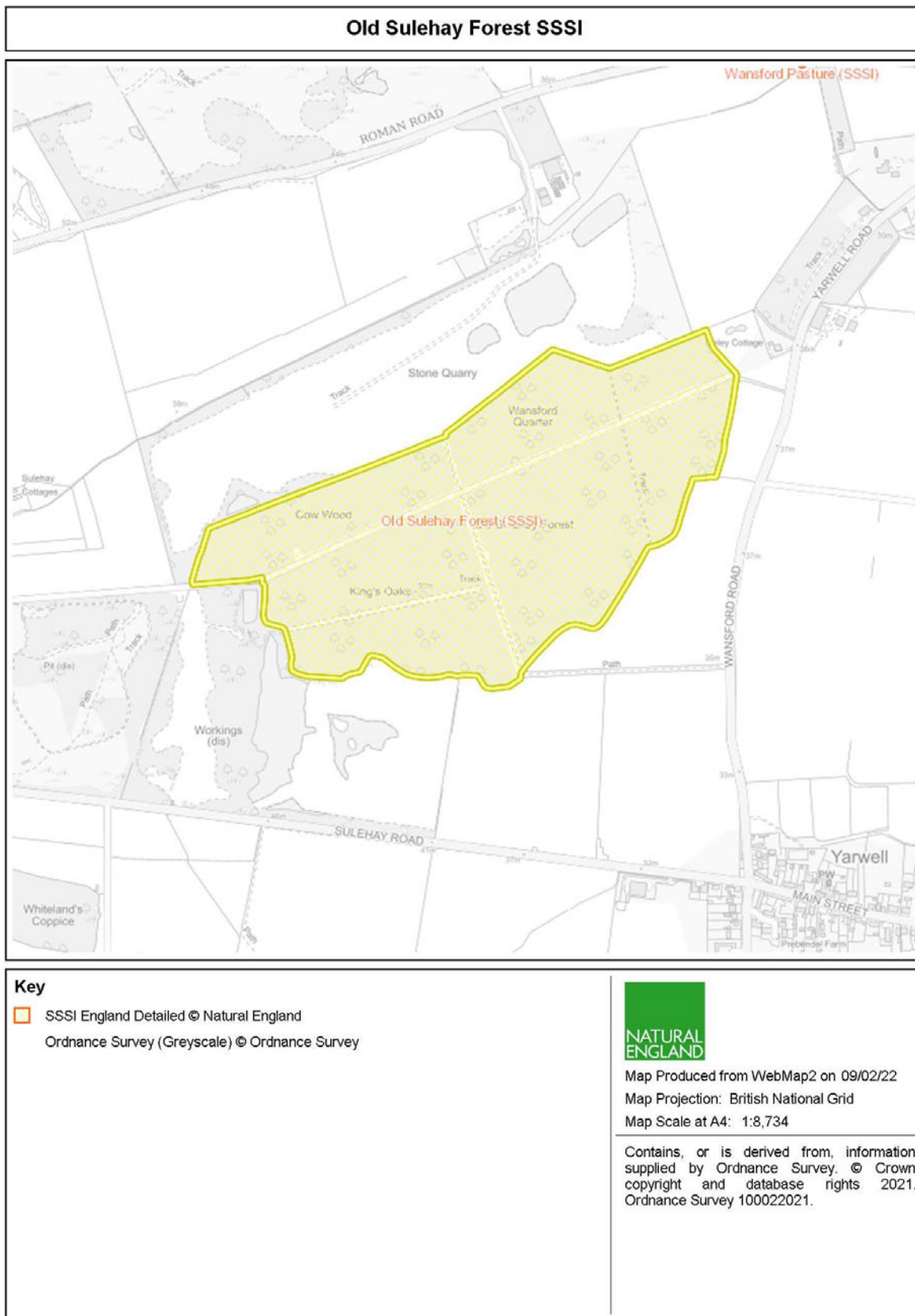
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SSSI citation [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

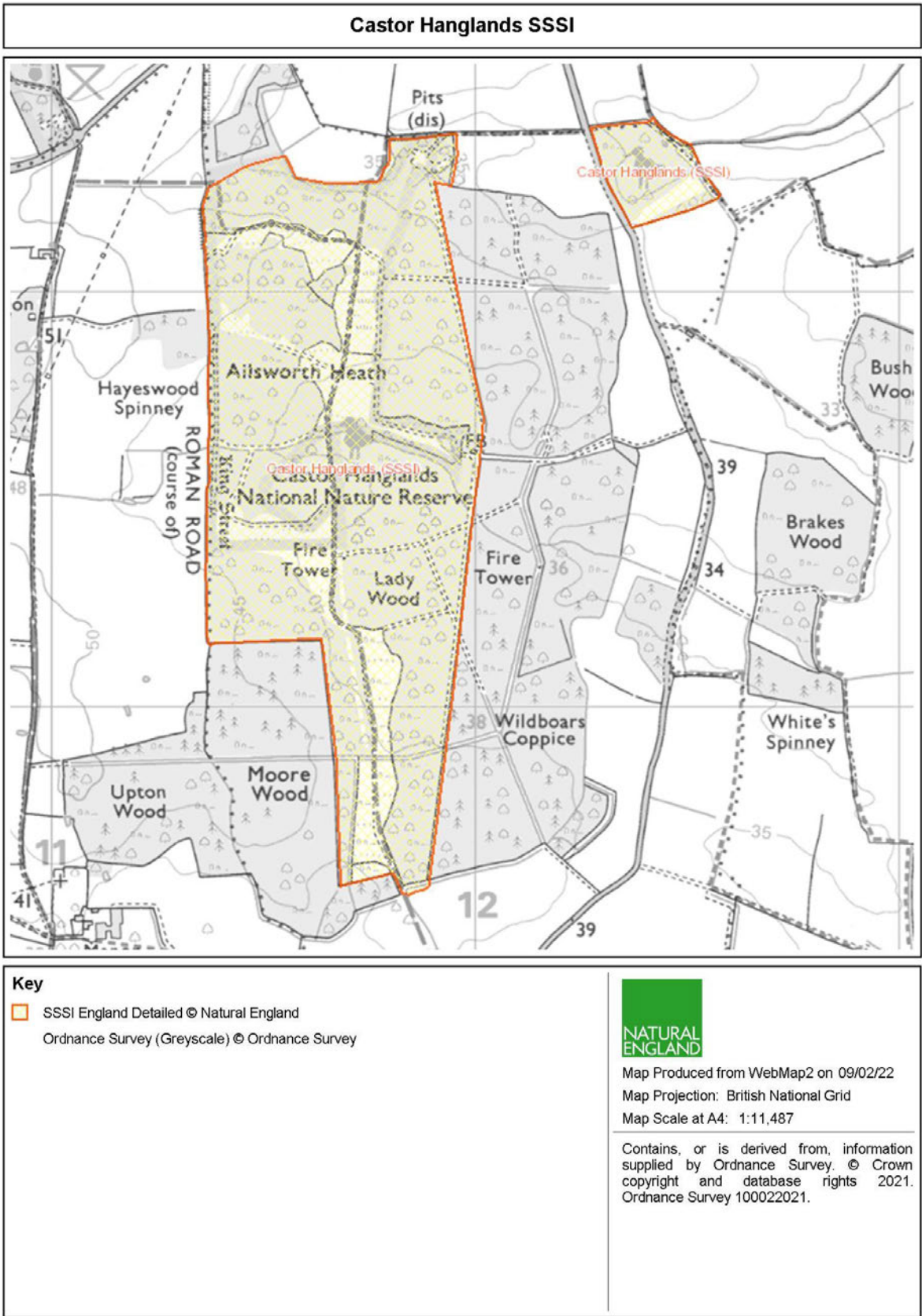
5. Old Sulehay Forest SSSI



SSSI citation [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

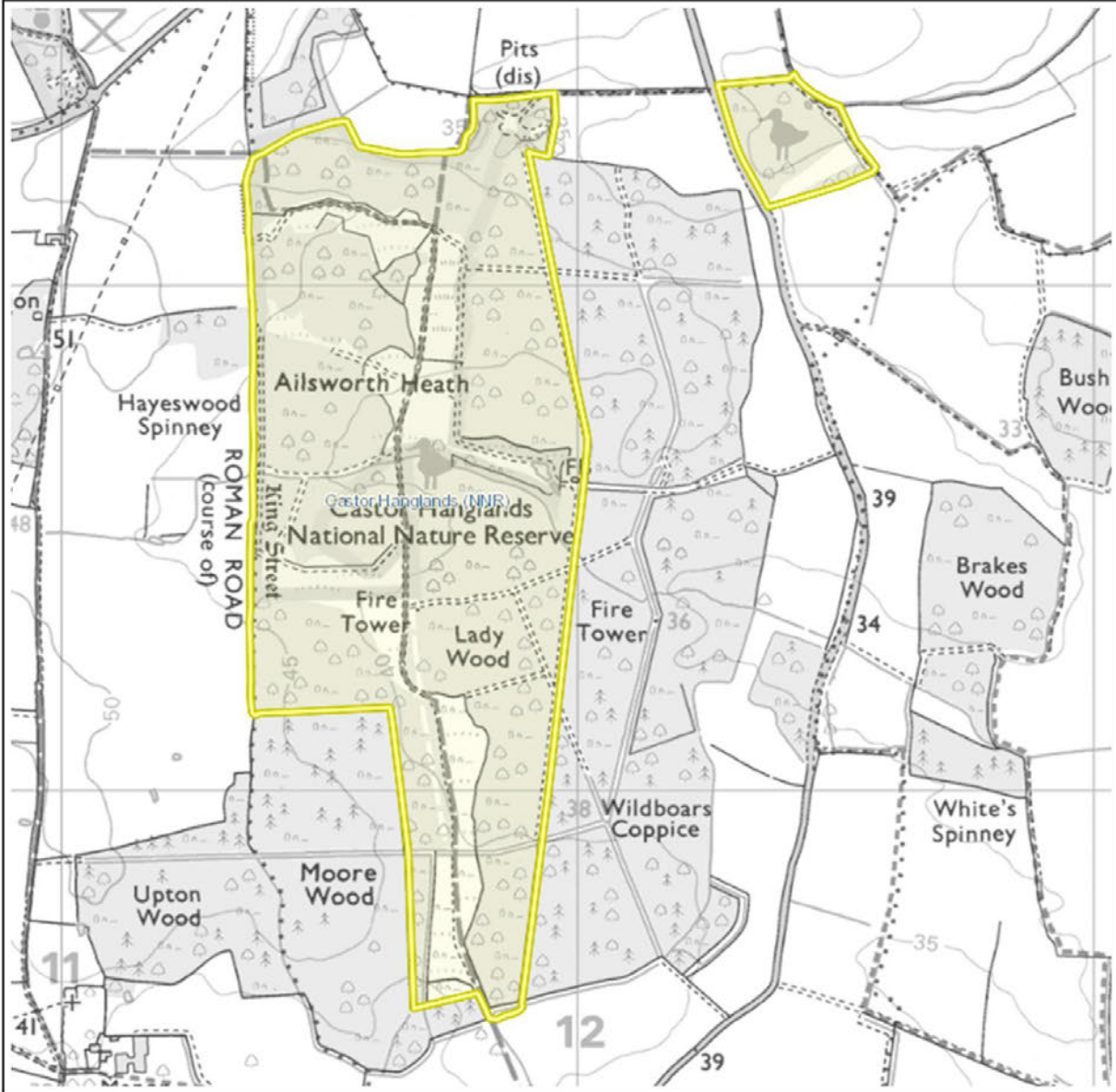
6. Castor Hanglands SSSI and National Nature Reserve (NNR)





SSSI citation – [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

Castor Hanglands NNR



Key

-  National Nature Reserves © Natural England
-  Ordnance Survey (Greyscale) © Ordnance Survey



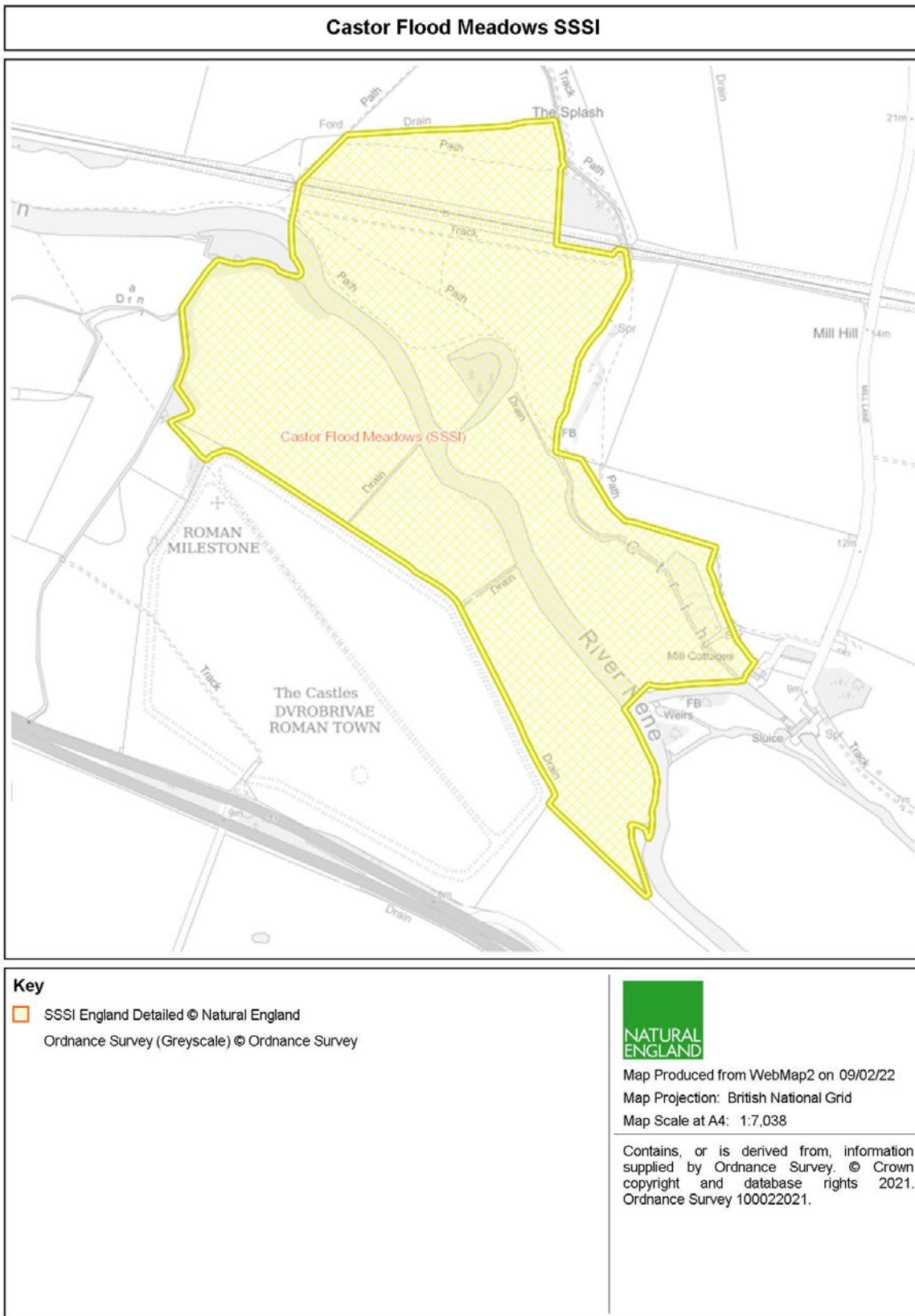
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Map Scale at A4: 1:11,487

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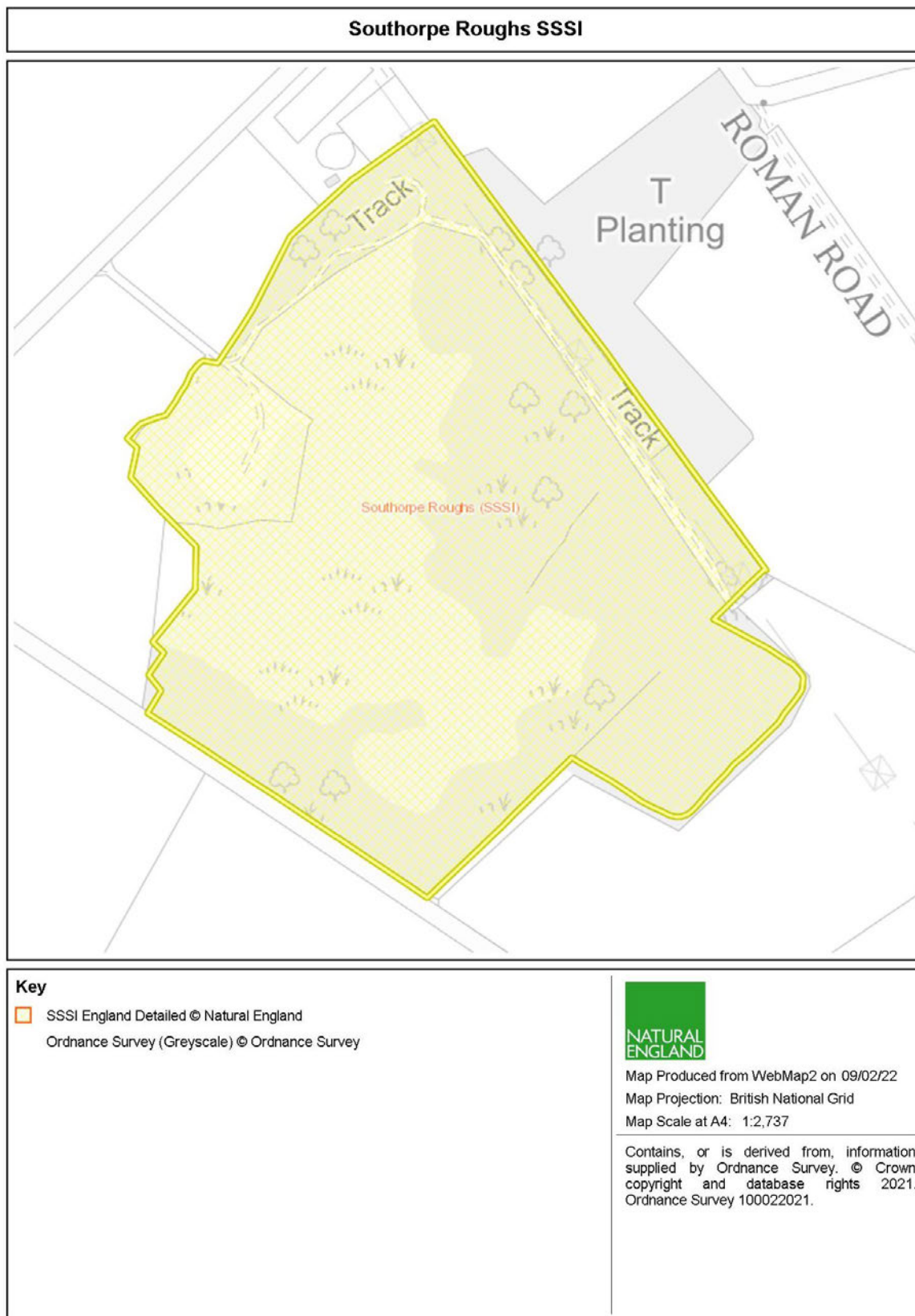
7. **Castor Flood Meadows SSSI**



SSSI citation [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

8. Southorpe Roughs SSSI



SSSI citation – [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

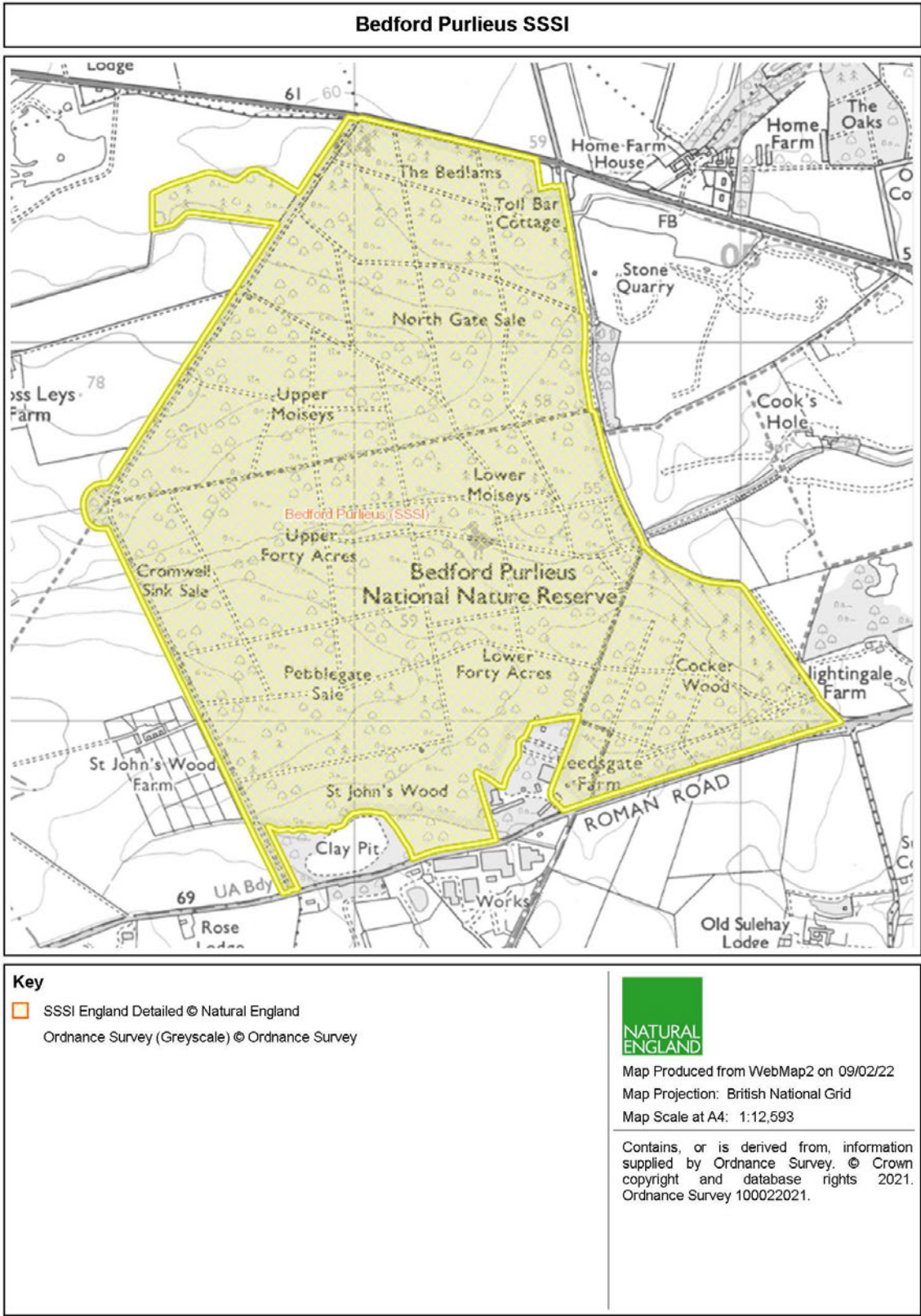
9. Southorpe Paddock SSSI



SSSI citation – [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

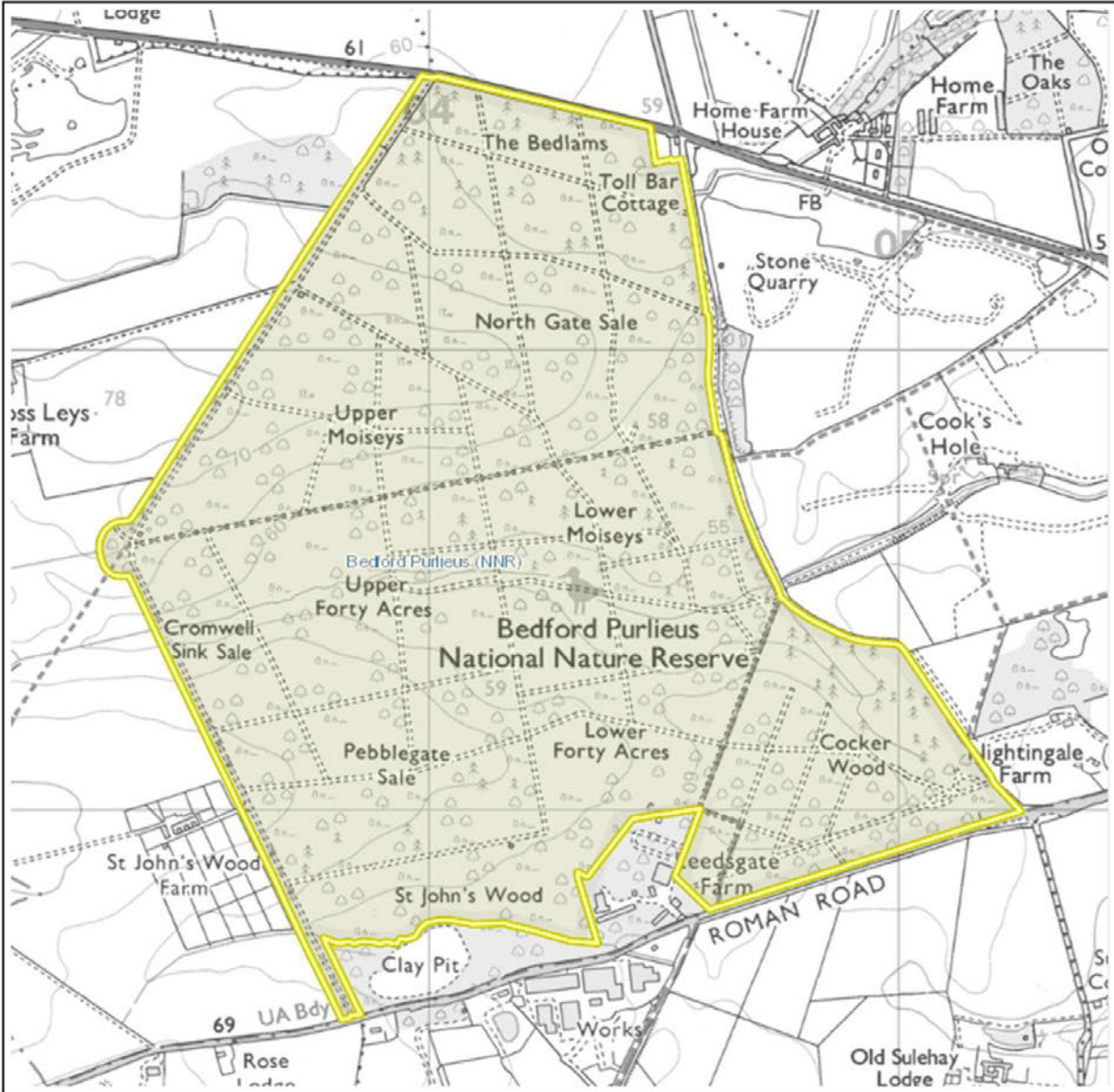
10. Bedford Purlieu SSSI and NNR





SSSI citation – [REDACTED]

List of operations likely to damage the special interest – [REDACTED]

Bedford Purlieus NNR



Key

-  National Nature Reserves © Natural England
-  Ordnance Survey (Greyscale) © Ordnance Survey



Map Produced from WebMap2 on 09/02/22

Map Projection: British National Grid

Map Scale at A4: 1:12,593

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Annex B: Natural England's responses to the Examining Authority's first written questions

Question 1.0.22

All parties

Environment Act 2021

All parties are given the opportunity to make comment in light of the passing into law of the Environment Act 2021 in relation to the consideration of the Proposed Development. Any response should make reference to those applicable parts of the Act that have come into force, those which come into force on a stated date and those parts which will come in force by Regulation.

Answer

Natural England wish to update our position, since the more recent release of the Biodiversity Metric 3, we would wish to reflect that this should be the preferred metric. The Biodiversity Metric 3 features significant updates and changes to the previous Biodiversity Metric 2.0, following consultation and the incorporation of feedback from external stakeholders, experts and partners.

The Environment Bill covers Town and Country Planning Act (TCPA) developments and following [Government's response to the Dasgupta Review](#), Nationally Significant Infrastructure Projects (NSIPs) down to the mean low water mark. The Environment Bill will also require the measurement of biodiversity gains using a biodiversity metric, which is likely to be the Biodiversity Metric 3 or most up to date subsequent version. Whilst we referenced version Biodiversity Metric 2.0 at the time of our previous response, in light of the recent publication of the Biodiversity Metric 3 we would recommend using the most recently published version where appropriate, (however we do recognise that the scheme has been designed utilising a different metric which may be best applied to 2.0 rather than Biodiversity Metric 3). The differences between biodiversity metric 2.0 and 3 are available online: [REDACTED]

Question 1.2.2.

The Applicant IPs PCC HDC NNC NE EA

Assessment criteria

Paragraph 8.4.21 of the ES [AS-015] sets out the assessment criteria for biodiversity.

- a) Given the location of the application site close to the boundary with Cambridgeshire and Northamptonshire, the latter being in a different English Region, could the Applicant explain why the relative biodiversity resource importance were not considered in relation to the East Midlands Region, and Cambridgeshire and Northamptonshire.
- b) Do IPs agree with the Applicant's approach, or do they consider other geographic areas should be considered?
- c) If IPs consider other geographic areas should be considered, then could they please explain what that area should be and why they hold that view.
- d) Could the Applicant please undertake a sensitivity analysis on the assessment based on comparisons with the East Midlands Region, and Cambridgeshire and Northamptonshire.

Answer

- b) Natural England is satisfied with the approach taken for considering the relative biodiversity resource importance as set out the assessment criteria for biodiversity in paragraph 8.4.21 of the ES.

Question 1.2.4.

The Applicant NE

Surveys

Appendix A - Table of consents and agreements of the Consents and Agreements Position Statement [APP-018] indicates that further surveys for great crested newts, bats, badgers and water voles will be undertaken.

Similarly, paragraph 8.5.3 of Chapter 8 of the ES [AS-015] indicates the Applicant intended to undertake eDNA surveys of the ponds that could not be accessed in 2020.

- a) Could the Applicant please set out whether these have now been done, and if so, report the results with an assessment of any implications.
- b) If not, could details of when all the surveys will be undertaken be provided and when the results will be delivered?

c) If not, how can the SoS be satisfied that species and habitats are protected from the adverse effects of the Proposed Development (see paragraph 5.35 of the NPSNN)?

Answer

Natural England feels these questions are best responded to by the applicant.

Question 1.2.5.

PCC NE CCC HDC NNC

Biodiversity Zones of Influence

- a) Do IPs consider the Zones of Influence set out in Table 8-2 of Chapter 8 of the ES [AS-015] for biodiversity resources are appropriate?
- b) If not, could you please explain which ones you consider to be unsuitable giving a full explanation for your views.

Answer

a) Natural England is satisfied with the Zones of Influence for each biodiversity resource set out in Table 8-2 of Chapter 8 of the ES.

Question 1.2.18.

The Applicant NE EA Anglian Water

Habitats Regulations Assessment – Rutland Water SPA and Ramsar site

Paragraph 13.7.13 of Chapter 13 of the ES [AS-017] states that there is an Anglian Water pumping station located on the River Nene south of the Proposed Scheme and that water from the River Nene is transferred to Rutland Water, which is located 21km north-west of the Proposed Development. It is also clear that that there would be outfalls from the drainage systems for the Proposed Development which would feed into the River Nene above this intake (see also question ExQ1.12.20).

- a) Given this quote does the Applicant, NE, the EA or Anglian Water consider that the Rutland Water should be considered to be hydrologically connected?
- b) If the Applicant considers this to be the case, could the Applicant please explain why it considers (top of page 2 of Appendix H of the NSER) that this Proposed Development does not have a potential hydrological or hydrogeological linkage to a NSN site containing a groundwater dependent terrestrial ecosystem which triggers the assessment of NSN sites in accordance with LA 113?
- c) If, on reflection, the Applicant considers that there is a hydrological connection, could the Applicant undertake a screening analysis of potential effects, and if necessary further analysis.
- d) Does NE, the EA or Anglian Water have any comments on the above?

Answer

a) Given this quote, Natural England considers that Rutland Water has potential hydrological or hydrogeological linkage to the scheme.

d) Natural England reviewed the Report to Inform Habitats Regulations Assessment and were not satisfied that all relevant European sites were scoped into the assessment with reference to potential pathways for impact on the qualifying features and conservation objectives of these sites. We asked for further clarification on the justification for screening out Rutland Water Special Protection Area (SPA) and Ramsar.

We were informed that as Rutland Water SPA did not meet any of the five criteria outlined in the methodology and the birds present on site were unlikely to constitute part of the population in which the SPA is cited, it was concluded that birds from the SPA did not rely on habitat within the proposed scheme and therefore, Rutland Water SPA and its features were scoped out from further assessment.

Having identified a hydrological pathway, we advise that the HRA should consider whether or not there will be a likely significant effect. Given the distances involved we are not raising any specific concerns at this time.

Question 1.2.27.

PCC CCC HDC NND NE EA Anglian Water

Habitats Regulations Assessment

Can the parties please comment on the NSER and whether they consider it to be satisfactory.

Answer

Natural England has reviewed the Report to Inform Habitats Regulations Assessment, and is generally satisfied with the findings of the HRA screening for European sites. However, given that Rutland Water has potential hydrological or hydrogeological linkage, the scheme should adopt the precautionary principle and undertake a screening for likely significant effects on Rutland Water SPA.

Question 1.6.40.

PCC NE EA HMBCE

Schedule 2 – General

Could PCC, NE, EA and HMBCE please check Schedule 2 and confirm whether they are content as regarding consultations prior to discharge of Requirements?

Answer

Natural England is satisfied with Schedule 2 regarding consultations prior to discharge of Requirements.

Question 1.7.3.

Natural England PCC CCC NNC HDC

Agricultural Land Assessment

a) Given that the Peterborough City Council area is relatively small, should the assessment be considered against other geographic area(s)?

b) If so, could IPs please set out the area which should be considered, explaining why?

Answer

a) Natural England is satisfied with the assessment of agricultural land within the the Peterborough City Council area.