

16 April 2021

Our ref: NU00(AL)4/A1

Your ref:



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VIA EMAIL

Dear Sir/Madam,

Changes to an Application by Highways England for an Order Granting Development Consent for the A1 in Northumberland – Morpeth to Ellingham

Thank you for offering Natural England the opportunity to comment on the above. The comments given below relate solely to **Change 2: Stabilisation Works** (Change Request – 6.38 Environmental Statement Addendum: Stabilisation Works – Rev 1) and **Change 3: Southern Access Works** (Change Request – 6.40 Environmental Statement Addendum: Southern Access Works – Rev 1). Natural England does not have any comments to make regarding **Change 1: Earthworks Amendment**.

Background to Natural England's discussions with Highways England:

Natural England originally discussed the proposed change requests relating to the Stabilization Works and Southern Access Works in a joint meeting with Highways England (HE) and the Environment Agency (EA) on 16th December 2020. At this meeting Natural England outlined its significant concerns about the potential impact that the proposed changes to the design of the new bridge would have on the River Coquet and Coquet Valley Woodlands Site of Special Scientific Interest (SSSI). The proposed changes are not insignificant as they entail a considerable amount of in river works (both temporary and permanent) that would result in the loss of natural riverbank habitat and alterations to the geomorphology of the river at this location. At this meeting both Natural England and the EA highlighted the need for compensatory habitat to be provided offset the damage/destruction to the SSSI.

From the outset it needs to be noted that the River Coquet has been designated because it is example of a relatively unmodified fast flowing river system where the notification covers not only specific flora and fauna but also the form and function of the river type itself. When compared with other English river systems, the Coquet has relatively few anthropogenic modifications (weirs, flood banks and bank revetments) which is partly due to its highly mobile nature in the upper to mid catchment and a small number of steep sided

gorges along a number of reaches of its lower catchment. The river morphology and habitat in the reach with the proposed new bridge crossing is largely unmodified (i.e. not impacted by agricultural practices or manmade structures) for over 1km, except for the encroachment of the southern pier of the existing A1 bridge into the river and made ground under the bridge on the north bank. And although the area directly impacted by the proposed changes is relatively small, when compared to the overall length of the SSSI unit in which it site sits, the magnitude of the proposed changes need to be viewed in the context of alterations to a largely naturally functioning system in one of the few gorge sections of the SSSI.

Subsequent to the meeting outlined above, Natural England provided detailed written advice to the applicant on the first version of the ES addenda for the proposed changes on 25th February 2021 which set out our concerns and our view that the damage to SSSI interest features should be compensated for. The applicant has set out their response to our comments in the Consultation Statement for Change Request document that was submitted to the Planning Inspectorate for Deadline 4. The comments give below address the elements of the proposed Change Requests where Natural England still has outstanding concerns.

It should be noted that Natural England has been working closely with the EA to assess the impacts of the proposed changes on the riverine elements of the SSSI, holding joint meetings to discuss the relevant sections of the Environmental Statement and visiting the site of the proposed crossing. Natural England has relied on the agency's geomorphological expertise to assist with its assessment of the impacts of the proposed Change Requests on the SSSI.

Environmental Impacts:

Biodiversity

Natural England acknowledges the need for the proposed improvements to the A1 from Morpeth to Ellingham and has welcomed the early engagement with the applicant and their consultants during the development of the scheme proposals. From the outset of discussions regarding the proposed scheme in 2015/2016 Natural England had accepted, albeit reluctantly, that the scheme would result in a loss of Ancient and Semi-natural woodland from within the SSSI. Up until the week prior to the afore mentioned meeting it was Natural England's understanding that the proposed bridge design would not require any structures within the river which minimised the impacts on the riverine element of the SSSI.

From the outset the applicant has accepted that the loss of the Ancient and Semi-natural SSSI woodland would need to be compensated for and, following detailed negotiation, an appropriate compensation package has been agreed in the form of the Ancient Woodland Strategy. Natural England acknowledges the considerable time and resource that the applicant has invested in developing the Ancient Woodland Strategy.

However, it is Natural England's judgement that the revision of the bridge design, necessitated by the ground conditions on the northern bank of the river, will result in the loss of natural bankside habitat and the deterioration in the form and function of a nationally important river. These unavoidable impacts on the river would need to be mitigated as far as possible but the loss of SSSI interest features would need to be compensated for.

In the revised Change Request for Stabilisation Works and Southern Access Works the applicant has sought to mitigate the impacts on the river by a number of measures including reducing the overall length of scour protection on both banks and changing the materials used on a proportion of the scour protection. The applicant acknowledges that the proposed changes to the scheme would involve the permanent loss of bankside habitat from within the SSSI. However, the assessments of the impact on the SSSI of both the

Stabilisation Works and Southern Access Works in the operational phase are downgraded from Very Large Adverse effect to permanent Moderate Adverse effect on the grounds that the extent of the impact to natural riverbank habitat on the both banks represent only a small portion of the overall bank length of the SSSI unit (Unit 5). On the basis of these assessment the applicant has concluded that compensatory provision for the loss of riverbank habitat is not necessary.

While Natural England commends the applicant's efforts to mitigate as much as possible the impacts of the proposed changes, it strongly disagrees with the applicant's assessment and conclusions that the provision of compensation is not required for the loss natural riverbank habitat within the SSSI.

It is Natural England's opinion that in comparing the extend of the impacted natural riverbank to the overall SSSI unit length the assessment does not fully evaluate the context of the habitat and the rarity of the gorge setting in Unit 5 where the works are proposed. The heavily shaded nature of the river habitat at this location is confined within a steep gorge that is only approximately 1.4km in length. This particular type of river channel typology, the habitat it supports and in a similar largely unmodified condition, is very limited habitat resource within the unit and is found at only one other location (i.e. in the Guyzance area further downstream) within unit 5 of the SSSI. Thus, while the length of riverbank impacted is relatively small on a unit scale, the scarcity of this habitat has not been taken into consideration when determining the significance of the effect of the works which the applicant has deemed to be permeant Moderate Adverse. The proposed scour protection represents a permanent loss of SSSI habitat feature and permanent damage to the form and function of the river (also and SSSI interest feature) and therefore, in Natural England's opinion, the proposals represent a significant impact on the designated site at this location that cannot be mitigated for.

It is Natural England's view that the proposed loss of the river bank habitat and the permanent impacts on the morphology of the river are not in line with Highways England's general duty under section 28G of the Wildlife and Countryside Act 1981 (as amended) to '*take reasonable steps, consistent with the proper exercise of its functions, to further the conservation and enhancement of the flora, fauna geological or physiographical features by reason of which the site is of special scientific interest*'. Natural England believes that, in this instance, the provision of compensatory habitat would be consistent with the proper exercise of the applicant's general duty to further the conservation and enhancement of the special interest of the SSSI. Provision of compensatory habitat would also be consistent with applicant's general duty to conserve biodiversity under the Natural Environment and Rural Communities Act 2006.

Geomorphology

Natural England agrees with the written representations made by the Environment Agency at Deadline 4 relating to the Change Request Addenda regarding the geomorphological impacts of the proposal. We do not consider that the applicant has taken into account the long term impact of the proposals and has not fully considered that the proposed bank stabilisation works and the scour protection works will constitute a break in the connectivity between the terrestrial and riverine habitat that will have long-term implications for local sediment supply in this area.

The geomorphological assessment for operational phase for both the Stabilisation Works and Southern Access Works have determined that the proposals will have a Minor Adverse impact as it is unlikely to extend significantly beyond the locality of the works and therefore was unlikely to significantly affect the supporting features for the SSSI.

Natural England does not agree that the permanent loss of natural riverbank which will disconnect the terrestrial habitat from fluvial process constitutes a minor adverse impact. The scour protection when combined with the slope stabilisation works will permanently cut of the supply of sediment from the northern bank. The applicant's surveys show slumping due to a slip fault which would suggesting that, over a long

time period, this area has probably been an important source of sediment for the river. Periodic events, such as slope failure, add significant amounts of material to the river and drive change with the river adapting and evolving in response to the changes on the adjacent terrestrial habitat, which if left in its current state, would continue to act as a natural sediment source into the future.

Natural Fluvial process will be prevented by the scour protection and the channel would no longer be able to adjust and evolve over time. When the scour protection on the northern bank is view in combination with that proposed for the southern bank, this section of river is effectively going to be permanently canalised under the new and existing bridge structures. The proposal will impact on how the channel evolves over an area larger than the actual footprint of the proposed work and this will lead to a longer -term deterioration of the channel and its flora and fauna. The long-term consequences of this has not been assessed.

When the cumulative impact of the works on both northern and southern banks are assessed over the lifetime of the scheme it is Natural England's opinion that, the permeant loss of natural bed and bank features, the decoupling of the channel from the sediment supplied by the gorge slopes and the cessation of the natural evolution of the channel over even a limited area of the SSSI should be viewed as a significant impact on this nationally important river system.

Compensation:

The impacts of the proposal on what is a relatively unmodified reach are likely to be significant despite the fact that this reach is a relatively small proportion of the overall SSSI unit length. The impacts will be permanent and therefore constitute an irreversible loss of SSSI habitat, form and function which, in Natural England's opinion, needs to be offset by a suitable compensation scheme elsewhere on the R. Coquet system.

The likely requirement for the provision of compensatory habitat, or a suitable alternative compensation measure, was flagged to the applicant at the above meeting in December 2020 by both Natural England and the EA. At that meeting the applicant requested potential examples of potential restoration projects that might could be delivered elsewhere on within the R. Coquet catchment that might be deemed as suitable compensation for the loss of SSSI interest features resulting from the proposed changes to the scheme.

Natural England and the EA proposed a number of potential restoration options that could be deployed in the wider catchment which would be suitable to offset the impact of the proposed scheme changes on the SSSI. It is Natural England's understanding that while two of these options have been discounted, one was being actively investigated by the applicant.

Having considered the potential compensation options with our colleagues in the agency at length, both organisations would be happy do engage further with the applicant to explore potential additional options for compensation with the R. Coquet catchment.

If you have any queries regarding the above comments please do not hesitate to contact me.

Yours sincerely



Northumberland Team