

Response to Technical consultation on the biodiversity metric

Introduction

Thames Crossing Action Group is a community group which represents thousands of people who are strongly opposed to the proposed Lower Thames Crossing (LTC). The £8.2bn LTC would be hugely destructive and harmful; it would not meet the project objectives, and is not fit for purpose.

This response has been prepared and submitted on behalf of Thames Crossing Action Group by Laura Blake, Chairperson. We agree to our response being published.

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Reason for responding

The system is currently stacked in favour of developers, such as National Highways, and not as it should be, in favour of biodiversity and the people and communities that are being negatively impacted. We need laws on biodiversity that ensure a healthy and sustainable future for all.

The proposed Lower Thames Crossing would be hugely destructive and harmful on so many levels, including the natural environment. We don't want to see this level of destruction and harm, especially for a project that fails to meet scheme objectives and is not fit for purpose.

We are infuriated and seriously concerned at the level of greenwashing that National Highways are attempting in regard to LTC. We cannot sit by and keep quiet, which is why we appreciate the opportunity to take part in this, the Technical consultation on the biodiversity metric¹, and the previous biodiversity consultation.

Response

1. Do you think that the spatial risk multiplier values need reconsidering to better incentivise high value off-site delivery?

Yes

We note that it is stated, *"We are aware that Nationally Significant Infrastructure Projects (NSIPs) often cover multiple local planning authorities. We will work with Natural England to clarify how the spatial risk multiplier is applied for NSIPs."*

¹ https://consult.defra.gov.uk/defra-net-gain-consultation-team/technicalconsultation_biodiversitymetric/

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As a community action group fighting a proposed NSIP, the proposed Lower Thames Crossing, we feel it is essential that we the people should also be involved in the decision making process when it comes to such matters. It should not be purely down to Natural England and host local authorities.

We have serious concerns that inadequate and biased baseline surveys are being carried out on such projects, and not enough information is being shared prior to Development Consent Order applications being submitted. This needs to be addressed.

We are also concerned that off-site delivery can result in distancing delivery at far too much of a distance from the development/project. Biodiversity is not just about the direct impacts to wildlife and habitats, which is of course very important, but it's loss/reduction also has an impact on us and our communities, health and well-being. Spending time in nature is proven to have a positive impact on our health and well-being. It is therefore essential that such decisions are not based purely on impacts to the wildlife and habitats but also on us as communities, and that we should be part of the decision making process in this aspect, and it should not be left to just Natural England and host local authorities.

2. Do you think that providing guidance on considerations for what habitats can be typically achieved on-site would be helpful?

Yes. However, we would ask that this not be limited to developers and local authorities, but also to communities and members of the public.

There are growing concerns nationwide about the negative impacts developments are having on our natural environment and communities. Whilst groups like ours are doing our best to research and learn as much as we can, extra official guidance would be helpful.

3. Do you have any suggestions for additional case studies that we should produce?

Yes. More guidance on how we can hold developers accountable, and assist us in calling out greenwashing attempts.

We also believe that there should be studies into the loss of agricultural land and the effect that has on biodiversity, and all too often it seems developers are not only destroying and impacting agricultural land with the actual development, but then also destroying and impacting additional agricultural land for the purpose of the environmental mitigation and compensation for the development/project.

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With so many developments being proposed and progressed throughout the country we also feel that there is a need for additional case studies into how species translocation impacts the natural environment habitat that it is located into.

Developers cannot be allowed to treat Biodiversity Net Gain claims as a 'Get out of jail free' card. There will be impacts on the habitats where species are translocated to, and this needs to be studied and monitored to ensure that pushing for biodiversity net gain is not simply creating another issue moving forward.

After all we wouldn't find it acceptable or sustainable for more and more people to come and live in our homes. Or for our supermarkets to have more and more customers without any provision to increase stock levels. It should be no different when it comes to our natural environment.

Whilst we of course consider it essential for full consideration to be given to the natural environment, we need more than just a metric for developers to work to, it needs to be done in a way that ensures a healthy sustainable future for our natural environment. For without a healthy natural environment our planet will not be able to support a sustainable existence for us all.

4. Do you agree with the described measures and proposals to help with applying the metric to minerals developments?

No comment

5. Are there any improvements you would make to the following components of biodiversity metric 3.1 in the short-term, in terms of user-friendliness, simplicity or function?

- a) the metric calculation and tool (the spreadsheet, values, and calculations)
- b) user guide (including the rules and principles for using the metric)
- c) habitat condition sheets (included in the technical supplement)
- d) GIS data import tool (currently not part of the small sites metric)
- e) case studies
- f) small sites metric

Anything relating to this needs to be user-friendly and easy enough for members of the public to also be able to understand and use.

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We have serious concerns that all too often not only is the system stacked in favour of the developer, they also have the resources and funds, whereas those of us trying to protect our communities and natural environment have limited resources and funds. We need the system to be more balanced, and to enable us to better be able to understand and take part in the process.

We would therefore welcome any and all provisions that can assist us in being able to understand the process and to hold developers to account during the decision making process and during and after construction if projects go ahead.

6. Do you think there are other biodiversity metrics that should be considered alongside biodiversity metric 3.1 for measuring mandatory biodiversity net gain?

We would only emphasize that we strongly believe that National Highways (and likely other developers) are not working with and presenting adequate and unbiased ecology surveys by which to measure the biodiversity metrics.

We would therefore suggest that more needs to be put in place to ensure unbiased independent baseline surveys have to be used to calculate biodiversity against.

7. Do you have any practical suggestions on how we could use species or other ecological data to improve:

a) the measuring of losses and gains in the metric?

b) designing habitat enhancements?

As already touched upon above, there needs to be provision that baseline surveys are carried out adequately and in a non-biased manner.

Public perception is that developers, especially large companies such as National Highways, will use regular ecologists who are likely to present the info that the developer would like to see.

We hear of things like ecologists taking dogs out to carry out surveys, which would bias the results by the fact that a dog running around would likely ensure many species hide away. Or surveys being carried out from vehicles, or out of season.

In our experience local communities often have a better insight into our local natural environment and what species are about than the developers.

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We also question how one developer in an area can share details of their Environmental and Ecology Surveys and how they can vary to another developer who is supposed to be surveying the same area when projects are adjacent or overlapping.

For example, in regard to the proposed Lower Thames Crossing we have seen a local planning application for another proposal that details American Mink as an Invasive species in what appears to be within the vicinity of the area that National Highways are proposing for a Water Vole habitat site for the translocation of water voles from areas impacted by the proposed Lower Thames Crossing.

There needs to be a more central system that can also be used by anyone who needs to report and check on species, so that this kind of thing can be cross referenced.

We cannot have so called mitigations and measure being put in place that could lead to further harm and loss of species.

Whilst we acknowledge that it adds to the complexity of the matter, when certain species are under threat there will be less likelihood of them being identified during ecology surveys, so some kind of provision is needed to ensure these scarce species are not overlooked.

This risk is then of course heightened as with low numbers, and species attempting to hold on in limited and often under threat habitats we cannot afford to allow further loss.

It is also important that consideration is given to ensure balanced natural environment ecosystems are not thrown out of balance, and remain in good ecological health.

We cannot allow developers to simply move species to different locations, sometimes miles away, and not expect it to have some kind of impact. More importance needs to be given to the fact that ecosystems can only sustain a certain amount of species.

Also, species foraging and migration routes to sustain that species need to be considered. Some species are territorial, and the more species that get translocated to different locations the less territories we end up with, thus again putting more pressure on our natural environment.

We need provisions put in place to ensure that developers have to prove they have carried out adequate research and surveys.

As a local community we believe we have gathered more evidence of a certain woodland being ancient long-established woodland than National Highways will acknowledge or admit.

It should not be the case that large developers can just steam roller local knowledge.

Nor should it be the case that large developers can hold back information until the Development Consent Order stage of the process. We need and deserve to be privy to a certain amount of information during consultation stage.

With the proposed Lower Thames Crossing there will be huge amounts of documentation that will be made available when the DCO application is accepted (if it is accepted), and much of the contents will be info that neither the public nor NGOs and local authorities have been provided with.

We would welcome you putting provisions in place that ensure developers have to share their ecology findings and methodology etc with all stakeholders, including members of the public, instead of them being able to hold back to DCO stage in an attempt to overwhelm us with new information in a relatively short time frame, with limited resources.

It is essential that it should not be purely about developers managing to hit the right metric, but also that they have to provide evidence of their surveys, methodology in a timely manner and adequate detail to all. There should be provision for reporting concerns about developers in this regard, so they can be held accountable.

8. Do you think that metric users should be required to attend a verified training course or be accredited before completing the calculation? Explain why and what these should cover

Yes, we agree that professional metric users should be required to prove competency as this can be a complex, but very important matter. It is essential that those making these calculations have received adequate training and be considered knowledgeable and trustworthy enough to carry out such important calculations.

However, we also add that this need should in no way mean that members of the community should in any way miss out on being able to engage also.

The process needs to be user friendly and accessible for all, and have complete transparency to ensure a healthy sustainable future for our natural environment.