

The Planning Inspectorate  
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**Our ref:** NA/2020/115279/02-L01  
**Your ref:** A1 in Morpeth  
**Date:** 12 January 2021

Dear Sir/Madam

**A1 IN NORTHUMBERLAND: MORPETH TO ELLINGHAM: DEADLINE 1 12  
JANUARY 2020: EXAMINERS WRITTEN QUESTIONS ExQ1 MORPETH TO  
ELLINGHAM**

We have prepared responses to the Examining Authority's First set of Written Questions issued on 19 November 2020 in respect of the above Development Consent Order application. These responses are outlined below.

**ExQ1 Bio.1.7:**

Paragraph 9.4.52 of the ES [APP-048] describes how a biodiversity no net loss calculation has been carried out. How does this relate to the principle of biodiversity net gain? Explain how the principle of biodiversity net gain applies to the Scheme. In responding the Applicant should have regard to Policies QOP1 and ENV2 of the Castle Morpeth District Local Plan in Table 9.3 which seek to achieve net gains for biodiversity rather than no net loss. This should be addressed for the entire Scheme. What is the response of IPs to this approach?

**Environment Agency Response:**

Using BREEAM definitions for No Net Loss in a non BREEAM scheme does not seem suitable for a Nationally Significant Infrastructure Project and is not common practice, as such we do not recognise the definition that no net loss has a range of 95-104%. Without a suitable definition for No Net Loss that is in line with current best practice, we have to make the assumption that anything that results in a habitat loss, is a loss. The use of definitions and methodology of the more recognised and used Defra biodiversity metric would be welcome. Therefore, mitigation measures are required to mitigate and/or compensate for any loss.

Paragraphs 170, 171, 174 & 175 of National Planning Policy Framework (NPPF) sets out biodiversity net gain policies for developing local planning policies and



decision making. These policies have a particular focus on enhancing the natural environment beyond simply protecting it. Furthermore, NPPF policy 102 also states that the environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.

The 25 Year Environment Plan (25YEP) makes the commitment to embed a principle of Environmental Net Gain (ENG) in the planning system. The first step in working towards wider ENG is establishing a requirement for biodiversity net gain.

**ExQ1 Bio.1.9:**

Are IPs content with the search / study areas identified in paragraph 9.6.2 of the ES [APP-048]?

**Environment Agency Response:**

Otters are highly mobile species with large home ranges. Therefore, there is potential for otters to use crossing points / watercourses as commuting routes within the Development Consent Order (DCO) boundary. Therefore, consideration should be given to widening the search/study area for the DCO to ensure that the impacts of the development on otters is adequately assessed and mitigated for. Records of otter in the wider area should be factored into the assessment due to their potential to move along suitable commuting routes within the DCO, this should then inform the requirement for any mitigation to reduce the potential for road collision mortalities during the operational phase.

**ExQ1 DCO.1.77:**

Sch. 10 – Protective Provisions. Provide an update as to the acceptability of the Protective Provisions contained in Schedule 9 of the draft DCO

**Environment Agency Response:**

We require further discussion with the Applicant before we can comment on the acceptability of the Protective Provisions. The proposed changes submitted on 10 December 2020 and if accepted, may have implications on the Protective Provisions required for the DCO.

Please do not hesitate to contact me if you have any questions.

Yours faithfully

creating a better place



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