

East West Rail Company  
By Email

15:44:27

Dear Sir / Madam

### **East West Rail Central Section – Public Consultation**

I am writing on behalf of the local Wildlife Trust covering the central section of the East West Rail route. The Wildlife Trust manages over 100 nature reserves, co-ordinates the Local Wildlife Sites systems across Bedfordshire & Cambridgeshire, provides advice to landowners on managing land for nature, promotes the restoration and creation of coherent ecological networks, and provides evidence to assess the ecological impacts of Local Plans and other strategic land use planning or major infrastructure projects.

#### Lack of Strategic Environmental Assessment

It is The Wildlife Trust view that strategic development proposals, such as the development of East West Rail, should be brought forward within a framework which has been subject to the process of **Strategic Environmental Assessment (SEA)**.

Strategic Environmental Assessment (SEA) is the process, required to comply with European Directive 2001/42/EC, by which plans and programmes are reviewed with consideration of alternatives. Paragraph 15 of the preamble to the directive establishes a requirement for public consultation as part of the process:

“(15) In order to contribute to more transparent decision-making and with the aim of ensuring that the information supplied for the assessment is comprehensive and reliable, it is necessary to provide that authorities with relevant environmental responsibilities and the public are to be consulted during the assessment of plans and programmes, and that appropriate time frames are set, allowing sufficient time for consultations, including the expression of opinion.”

The proposals for East West Rail are being brought forward as a nationally significant infrastructure project as part of the Oxford to Cambridge Arc. It has not been subject to an SEA, and the route options are being taken forward through a non-statutory consultation process, with apparently no intention to undertake an SEA of the route option selection. While there is a commitment to undertaking an Environmental Impact Assessment to look at alternative route alignments within the chosen route option, this is too late in the process to effectively assess and avoid significant environmental impacts.

The effect of not undertaking an SEA is that there will be no full public consultation which will allow comment on the environmental impacts of the choice of the preferred route option. Although there will be a consultation relating to the subsequent detailed route alignment, clearly many alternatives will have been ruled out by this stage. There is a particular concern that, depending on which option is selected, routes that could avoid impacts on key nature conservation sites will have been ruled out. The route option selection will have a major influence on the location of

future housing, and therefore will arguably set the framework within which future development decisions are made and thus bring the proposal within the realm of being a plan that would fall under the SEA requirements.

The public element of SEA is important, not only in ensuring that proposals such as East West Rail are brought forward in a way that is clearly compliant with the spirit of the existing European environmental directives, which we are assured are to be brought within the framework of UK legislation after the UK leaves the European Union, but also in ensuring that the widest possible access to environmental information is available to the decision maker when key infrastructure proposals are being considered. A recent example of the consequences of failing to carry out an SEA for such a project can be seen in phase 1 of the High Speed 2 proposals. No SEA was carried out and key information known to the public about the presence of protected species was not available to the government when the route was chosen. The consequences have been that potential major environmental impacts were not explored when the route was fixed, which are estimated to have increased the cost of the project by millions of pounds.

A legal challenge was brought to the lack of SEA for the HS2 phase 1 proposals. That challenge failed largely because the Courts considered the decision not to have been made until the Parliamentary process was completed, a process not necessary for East West Rail. The Wildlife Trusts, together with other parties, complained to the European Council. In July 2014 the Council stated that:

“We remain of the view that large transport infrastructure developments such as this should be best addressed, in particular with regard to the question of alternatives, through the process foreseen in the SEA Directive (a matter which we will continue to raise with the UK authorities).”

The Wildlife Trust would also urge that a Habitats Regulations Assessment (HRA) is carried out to assess the potential impacts [of] route alignment development within the alternative route options.

#### Other over-arching considerations

The Wildlife Trust believes all new developments, including major infrastructure projects, must result in **measurable net gains for biodiversity** and this is the basis on which we will judge whether East West Rail is a sustainable development or not. It is therefore disappointing, that neither the consultation document nor the statement in paragraph 4.7 of the Technical Report provide a clear and unambiguous commitment to deliver measurable net gains for biodiversity.

In order to achieve a measurable net gain in biodiversity, it will be essential that the environmental and ecological impacts are assessed earlier in the design process than the Environmental Impact Assessment Stage, so that **avoidance** is used effectively as the first stage of the mitigation hierarchy. Once route options have been selected, damaging ecological impacts that might otherwise have been avoided usually become inevitable, and the EIA process becomes one of mitigation and compensation. The standard approach to planning transport infrastructure, that East West Rail (EWR) is following, fails to integrate properly ecological considerations into route option selection or adequately implement the avoidance stage of the mitigation hierarchy.

Table 5 in Annex D of the Technical Report lists the environmental features used in the assessment. The route options appraisal has failed to use information on County Wildlife Sites, other organisations nature reserves beyond RSPB and National Trust, or ecological network maps where these are available. This is inexcusable, as the information would have been readily available through the Local Records Centres. Together with SSSIs, County Wildlife Sites support the vast majority of priority habitats within Bedfordshire and Cambridgeshire, and form the essential building blocks from which coherent ecological networks must be re-built. This omission is a major failure in EWR approach to environmental analysis. We have listed in **Appendix A and B to this letter** all the sites we believe fall within your route corridor options for Cambridgeshire and Bedfordshire respectively. These should have been included in Table 4 of the Technical

Report. There are also other errors in the environmental information, including the omission of Croxton Park, which is a registered parkland. This does not give us confidence that the approach of EWR will be one that delivers a sustainable solution for the natural environment.

A more detailed analysis of the natural environmental constraints and opportunities must be undertaken for all route options prior to a decision being made. All of the route options selected have the potential to disrupt and fragment local ecological networks, or compromise their re-building. Some of the route options are worse and all of the route options into Cambridge South are far worse than the route option to Cambridge North, which has been excluded from the consultation.

For East West Rail to be able to demonstrate measurable net biodiversity gain, we recommend that EWR commits to using a recognised biodiversity impact assessment calculator based on the Defra Biodiversity Metric. This must be used at the start of the route alignment selection process and in an iterative way to demonstrate how avoidance of impacts to natural sites and habitats has been incorporated into design. Further, this approach will allow EWR to accurately quantify biodiversity compensation and offsetting requirements and help to ensure that the full costs of this are factored into decisions, and ultimately delivered.

### Bedfordshire aspects

We have undertaken an analysis of the potential ecological impacts of each of the 5 route options A to E. The detail is presented in **Appendix B to this letter**. In summary route options A, C, D & E through Bedfordshire would be likely to result in direct damage to nature conservation sites supporting priority habitats, including ancient woodlands, which are irreplaceable. These routes will also result in fragmentation of local ecological networks. **As such the Wildlife Trust objects to all of options A, C, D & E.** Route B is the least damaging, but still has potential to damage one or more County Wildlife Sites and fragment the ecological network at the eastern end of the Greensand Ridge. While the Wildlife Trust would not object to this overall route through Bedfordshire, we may object to damage or loss of individual sites, and / or where East West Rail fail to demonstrate a measurable net gain in biodiversity.

### Cambridgeshire aspects

The Wildlife Trust is very concerned at the approach taken by EWR in only considering options into Cambridge South and not presenting a similar level of information for route options into Cambridge North.

The northern options (B & E) including St Neots and Cambourne are far better aligned with current and potential future growth and will ensure there is just one major East-West transport corridor in which both East West Rail and the Oxford to Cambridge Expressway sit. This will cause less damage to local ecological networks than two corridors, not least from having one concentrated corridor for future housing growth rather than two separate corridors.

However, by not considering coming into Cambridge North on an equal footing to Cambridge South, the consultations propose route options from Cambourne into Cambridge South, which are potentially extremely damaging for the natural environment. They will cut through the West Cambridgeshire Hundreds ecological network, potentially affect more County Wildlife Sites (see appendix A to this letter), and almost inevitably pass through the Trumpington Meadows country park and nature reserve. This latter site is part of the Cambridge southern fringe sustainable urban extension, providing a strategic natural greenspace and significant area of newly created lowland meadow, priority habitat. Natural features put in place to ensure the sustainable growth of Cambridge must not be partially destroyed or damaged by EWR.

The routes from the south A, C & D actively promote growth of Cambridge to the south and development at Bassingbourn Barracks, a County Wildlife Site. Major development in these

locations will fragment local ecological networks on the chalk ridges south of Cambridge and along the river Cam and its tributaries, as well as destroy one of the largest County Wildlife Sites in South Cambridgeshire, and are the worst location to promote additional major housing growth around Cambridge.

**The Wildlife Trust therefore objects to all route options A-E through Cambridgeshire.**

However, if East West Rail included routes via St Neots and Cambourne (B & E) coming into Cambridge North, it is likely that the Wildlife Trust would not object to the overall route through Cambridgeshire, though we may object to damage or loss of individual sites, and / or where East West Rail fail to demonstrate a measurable net gain in biodiversity.

The Wildlife Trust believes that East West Rail should have assessed routes via St Neots, Cambourne, and Northstowe, coming into Cambridge North, on an equal footing with routes coming into Cambridge South. This would have provided a meaningful choice for consultees in the consultation.

We are concerned that the justifications for not taking this approach are at best flimsy and predicated on ill thought out assumptions about development potential at Bassingbourn Barracks and around Cambridge South station. Coming into Cambridge South to facilitate large-scale growth of Cambridge to the south and south-west is highly undesirable from a natural environment perspective.

- ! Areas to the south of Cambridge include the ecological networks and biodiversity opportunity areas of the Gog Magogs Hills and River Cam and its tributaries. They have also been identified locally as areas of best landscape.
- ! Bassingbourn Barracks County Wildlife Site covers most of the army training centre grounds and is therefore not a suitable location for a station and new settlement.
- ! These natural environment constraints are likely to limit the scope for significant further expansion of housing around a Cambridge South station, undermining the assumed economic benefits presented in the Technical Report. There will also be far greater local opposition, further constraining those anticipated benefits and increasing development costs.

Other factors may also be leading EWR to make a flawed decision that fails to take into account local realities. For example:

- ! The assessment methodology appears to give undue weight to journey times. Would there really be so much difference in benefits from a 85 minute journey time from Oxford to Cambridge via the north versus 76-80 minutes via the south. Elsewhere the consultation document makes it clear that the route will be of most benefit to local commuting, not long-distance travel from one end to the other. Therefore, is the analysis methodology appropriate?
- ! Table 2 (page 39) of the Technical Report estimates impacts on wider economic growth (column 4). However, this analysis also appears flawed in that option A, which shows the least potential additional housing has the joint highest economic benefits from growth – how can this be correct?
- ! Table 3 (page 40) appears to include the supposed economic benefits of a station at Bassingbourn Barracks but excludes the costs – how is this a balanced analysis?
- ! Promoting housing development around Cambridge South station will provide housing for commuters to London rather than the biomedical campuses that it is purported to serve therefore may not have benefits on housing that this sector is demanding. Further, this sector wants homes for their employees close to the work places in a high quality environment. They do not want their employees having to commute from Bassingbourn, Sandy, Bedford, St Neots or Cambourne. They may not benefit from large-scale development of housing on the back of a railway and station at Cambridge

South, and it may even undermine their desire to locate in Cambridge, as the quality of the environment deteriorates further.

- ! Coming into Cambridge North could provide equivalent economic benefits to Cambridge South, but in a part of the City that is less affluent, potentially providing wider social benefits as well as economic benefits. These do not appear to have been taken into account?

Overall, the consultation appears designed to get support for option A, or possibly C or D and is therefore fundamentally flawed by not considering the least environmentally damaging option of coming into Cambridge North, via St Neots and Cambourne (and Northstowe), to provide a single strategic East West transport corridor. **The Wildlife Trust current view is that a modified route option B, coming from Cambourne into Cambridge North, will cause the least impacts for the natural environment through Bedfordshire and Cambridgeshire.**

We trust that these comments will be taken into account and hope that a revised consultation that properly and fairly considers the merits of coming into Cambridge North as well as Cambridge South is undertaken. The revised consultation should also include all relevant information including impacts on County Wildlife Sites and local ecological networks in their revised analysis. A full SEA should also be undertaken before determining the favoured route option. We would be pleased to work with EWR consultants to ensure the correct environmental information is used in a revised analysis and is properly taken into account in the decision making process.

We also expect East West Rail to commit in writing to deliver measurable net biodiversity gain, in whichever option they take forward.

Yours sincerely

Martin Baker  
Conservation Manager