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Public Bill Committee  
Planning & Infrastructure Bill Part 3  
By email: [scrutiny@parliament.uk](mailto:scrutiny@parliament.uk)

18<sup>th</sup> May 2025

Dear Committee members,

**PLANNING & INFRASTRUCTURE BILL PART 3. SUBMISSION OF EVIDENCE: A REAL WORLD CASE STUDY TO ILLUSTRATE WHY, AS PROPOSED, NATURE PROTECTION WILL BE ERODED AND NATURE RECOVERY UNDERMINED.**

**1. Summary:**

- This document is a submission by Helen Booth, a Principal Ecologist and Director of MHE Consulting, to the Public Bill Committee regarding Part 3 of the Planning & Infrastructure Bill.
- The letter raises concerns about the potential ecological harm likely to result from the Bill as currently proposed, particularly its impact on nature protection and recovery.
- Using a real-world case study of a managed realignment project in East Suffolk, the importance of site-specific surveys, impact assessments, and the application of the mitigation hierarchy in protecting declining species like the water vole is illustrated. The case study highlights how timely surveys and targeted mitigation measures ensured the conservation of water vole populations in an area which is a stronghold under threat from climate change and coastal processes, demonstrating the effectiveness of the current legislative and regulatory system in protecting species and habitats without causing delays to development.
- The letter raises concerns that in some circumstances such as presented in the case study, the strategic approach proposed in the Bill, which relies on centralised funding and offsite compensation, would likely result in significant losses of a protected species, undermining conservation efforts and causing harm before restoration measures are implemented.
- A request is made for government to consult with experienced organisations and amend the Bill to address concerns, including the erosion of legal protections, the loss of site-specific surveys and therefore knowledge, and the negative ecological and social impacts of the proposed approach.
- Emphasis is placed on the importance of maintaining the mitigation hierarchy and avoiding upfront harm to species and habitats ahead of mitigation or compensation.

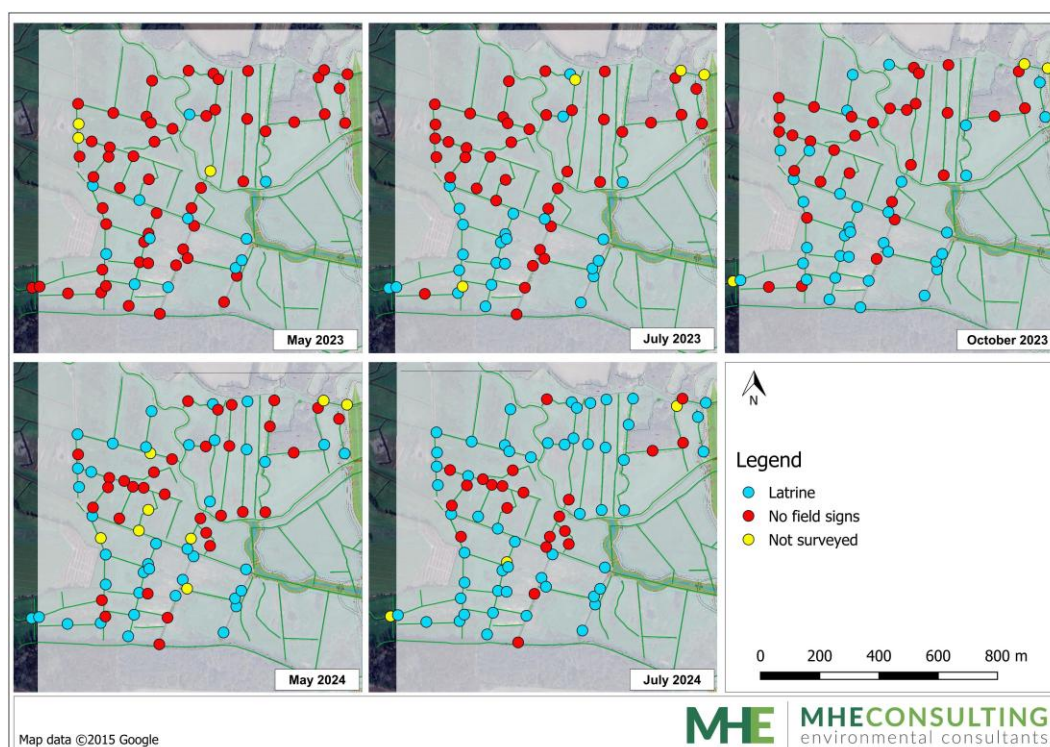
2. My name is Helen Booth. I am a Principal Ecologist and Director of a small ecology consultancy employing five permanent staff members in East Anglia. I have extensive experience of working in freshwater habitats facilitating and delivering development, including numerous major civil engineering projects. I am a regional specialist in delivering surveys, impact assessments and mitigation for water vole (*Arvicola amphibius*), a species which has undergone one of the most serious declines of any wild mammal in Britain during the 20th century. East Anglia, with its extensive fens, marshes and open wetlands, provides some of the last key strongholds for the species; but climate change processes and pressures on our coastal defences are putting some of these important populations at risk of further declines.

3. I write to provide evidence of why elements of the proposed Bill, without amendment, have the potential to cause significant ecological harm. I will use a specific project that I have been involved with for the last three years to provide the evidence.

Specifically, I want to highlight the benefit of site-specific surveys and impact assessments, and the importance of applying the mitigation hierarchy at a local geographical scale, to benefit a protected and declining species at a regional to national scale.

4. The scheme I refer to is a managed realignment of coastal flood defences located in east Suffolk, which will see 82 hectares of grazing land transformed into saltmarsh, along with construction of clay embankments and two new pumping stations; the current pumping station is at significant and impending risk of being overwhelmed by the sea. The new habitat will absorb the energy of the sea during storms and ensure the local major A12 highway, homes, businesses, farmland, freshwater resources and wildlife are protected against a 1 in 200 year storm event.

5. Baseline mammal surveys were commissioned in 2022 and indicated that most of the water vole population present was located within the footprint of proposed works, or within the future intertidal habitat area. Habitats within the landward area to be protected had become far less favourable overtime due to a lack of management, and water vole were largely absent. Without measures (avoidance of impacts where practicable through amendments to designs, with mitigation and compensation where impacts are unavoidable), the project would result in a loss of the water vole population at a lower valley level; such losses would be very significant for the conservation status of the species in the area. As a result, the scheme designers ensured impacts that could be avoided were. For residual habitat losses the landowner was agreeable to entering the retained landward habitats into a twenty-year management plan, written with the input of the local Wildlife Trust, which was used to inform the farm's Higher Level Stewardship agreement. The management measures prescribed are straightforward and inexpensive. Since the Management Plan works commenced, water vole have rapidly colonised the ditches in the Management Plan area (see plan below). By undertaking site specific surveys in a timely manner, and targeting mitigation and compensation to the local environment, the scheme will ensure the ditches in the retained grazing marsh will support water vole for decades to come, without causing delays or excessive costs to project delivery. The very effective approach taken follows existing Best Practise and works to existing legislation without issue.



The blue dots indicate the presence of water vole within the landward, retained habitats expanding over time, subsequent to implementation of the Management Plan following baseline surveys. The project will result in extensive losses of c. 82ha of grazing marsh with ditch habitat to the east (right of picture), where the core population was located before the project. Under a strategic system, without baseline surveys, very significant harm would have instead resulted to the water vole population in the lower valley, itself part of an important stronghold for the declining species.

6. An important element of proposals under Part 3 of the proposed Planning and Infrastructure Bill is the use of a strategic and centrally funded approach to nature conservation. As a Species Conservation Strategy (SCS) is currently being piloted in East Anglia, the geographical area in question has been identified as 'amber' risk area i.e. a strategic approach to mitigation could be considered. Under a strategic system we know that a) site specific baseline surveys would not be required b) measures to protect directly impacted individuals might be recommended, but would likely not be mandatory and c) compensation would be achieved through a centralised funding pot, offsite and beyond the locality of impacts and achieved some time after impacts have occurred. Fundamentally, a strategic based approach would likely result in the loss of the water vole population at a lower valley scale, eroding a valuable stronghold for the protected and declining species. Instead, the existing system has cost effectively maintained an important local population without any project delays, and maintained the stronghold important at the county to regional if not national level.

7. I am therefore writing to ask our government to consult fully with the relevant and highly experienced organisations, including the Chartered Institute of Ecology and Environmental Management, as part of the development of this Bill. And for the Committee to please ensure amendments are included in the Bill to address the following concerns, which the above example illustrates to be relevant:

- As currently proposed, Part 3 of the Bill erodes existing legal protections of, and will cause real and significant upfront harm to some species and habitats. Local losses of protected and notable species and habitats will occur. And because of the inherent delay between payment into the levy and spending of those funds, it will result in harm (i.e. loss) ahead of restoration. The occurrence of significant harm before any restoration measures is not nature recovery. 'Favourable Conservation Status', the essential basis that nature protection in England currently aims to achieve, will be a victim of that approach.
- The proposals, where baseline surveys are not required because an Environmental Delivery Plans (EDP) and/or SCS is in place, will erode the mitigation hierarchy (which means: avoid impacts where possible, minimise them otherwise and apply mitigation, and only as a last resort compensate). Avoidance is in my considerable experience consistently much more cost effective than mitigation in terms of nature protection and programme delivery. Informed decisions and impact assessments cannot be made without site specific knowledge.
- Not taking a site-specific approach will inevitably result in losses of habitats and local colonies and populations of notable and rare species, at times significant at a scale much greater than a local level. This will be ecologically and socially significant. Communities and landowners care about their local wildlife; local habitats provide their places of play, recreation, employment, flood reliance and more.

8. Thank you for your time in reading this letter.

Yours sincerely



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