

Date: 15th December 2016
Our ref: 202911
Your ref: Outline Business Case Oxford Scheme (Env. Agency)



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BY EMAIL ONLY

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Dear Penny,

**Flood and Coastal Risk Management consultation – Option/Scheme advice to the Environment Agency: Outline Business Case Oxford Scheme (Env. Agency)
Location: Oxford**

**Oxford Meadows Special Area of Conservation (SAC)
Iffley Meadows Site of Special Scientific Interest (SSSI)
Lowland Meadow priority habitat**

Thank you for your consultation dated 24th November 2016 was received by Natural England on the same day.

Summary of Natural England's advice	Answer only yes or no
Is the proposal likely to lead to an environmentally acceptable solution?	yes
Is the proposal likely to require an Appropriate Assessment under Habitats Regulations?	yes

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Following the information received from the body/bodies above regarding this proposal, we write to confirm that it is Natural England's view that **the proposal is likely to lead to an environmentally acceptable solution.**

However, at this stage in the development of the scheme, we have seen insufficient detail to be satisfied that the scheme will not adversely impact the Oxford Meadows SAC or Iffley Meadows SSSI through changes to the hydrological regime, or that there will be adequate mitigation for loss of lowland meadow priority habitat. We consider it likely that following further assessment and development of details of the scheme these issues can be addressed sufficiently to lead to an environmentally acceptable solution.

- Whilst we understand that the aim at Iffley Meadows SSSI will be to improve the current hydrological regime, at this stage we do not have sufficient detail available to understand the full effect of the scheme on the SSSI, we understand that a second stage to the channel may be

excavated within the southern end of the SSSI and we will need to see assessment of the impacts of this work on the SSSI.

- We are aware that the scheme aims to minimise loss of NVC MG4 grassland at Hinksey Meadow Local Wildlife Site, however we understand that there will be an unavoidable loss of 1 - 2ha of this habitat. Whilst the information we have been provided through meetings and EIA scoping indicates that the scheme will attempt to compensate for this loss through habitat creation or translocation of turfs, we do not yet have sufficient detail on the location, methodology or arrangements for ongoing management to ensure that the impact will be sufficiently compensated.
- There is also a potential impact on Chilswell Valley Local Wildlife Site through land raising on adjacent land. Any effects of this on the priority habitats present within the site need to be assessed and mitigated.
- We understand that the scheme will seek to provide biodiversity enhancements, which is welcomed, however at this stage, without seeing the results of EIA and details of proposed enhancement we cannot be sure of the overall impact of the scheme on biodiversity.

Based on the information available to date, we anticipate that the proposal is likely to have a significant effect on Oxford Meadows SAC and, therefore, **is likely to require an Appropriate Assessment** under the Conservation of Habitats and Species Regulations 2010. We stress that this advice is provisional, and will need to be reviewed under the Regulations when the design details become available.

- Since the habitats and species for which the SAC has been selected (creeping marshwort and lowland hay meadow) are sensitive to changes in the hydrological regime, at this stage we consider that Appropriate Assessment may be necessary.
- We are aware that in 2009 that HRA screening concluded no likely significant effect on the SAC from the scheme, but also that the details of the scheme at its northern end have since changed.
- We understand that hydrological monitoring is being undertaken to assess whether there is likely to be any impact on the hydrological regime of the Oxford Meadows SAC, once this is available to inform screening for Appropriate Assessment we will be able to review our advice.

Since this proposal is within the vicinity of a SSSI(s), we stress that this letter does not constitute Natural England's assent or advice for the purposes of section 28H of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). When details of the proposed operation become available, and before carrying it out, the operating authority, having considered its general duty under section 28G(2) of the Wildlife and Countryside Act 1981, is required to give notice to Natural England. The operating authority is required to carry out the operation in accordance with the provisions of section 28H of the Wildlife and Countryside Act 1981 as the proposed operation is within the vicinity of Iffley Meadows SSSI and Port Meadow with Wolvercote Common and Green SSSI.

This advice is offered based on the information provided to date. It is given without prejudice to any advice that Natural England may offer in accordance with its statutory role under the Conservation of Habitats and Species Regulations 2010, or any assent that may be required under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). Formal comment on the proposal will be provided following consultation on the Environmental Statement as required under the relevant Regulations. We look forward to receiving further information as the proposal is developed.

If you have any queries relating to the advice in this letter please contact Rebecca Micklem on 020822 57686.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Yours sincerely ,

Marc Turner
Sustainable Development
Thames Team