

# Southampton to London Pipeline Project

## Deadline 1

Responses to Relevant Representations  
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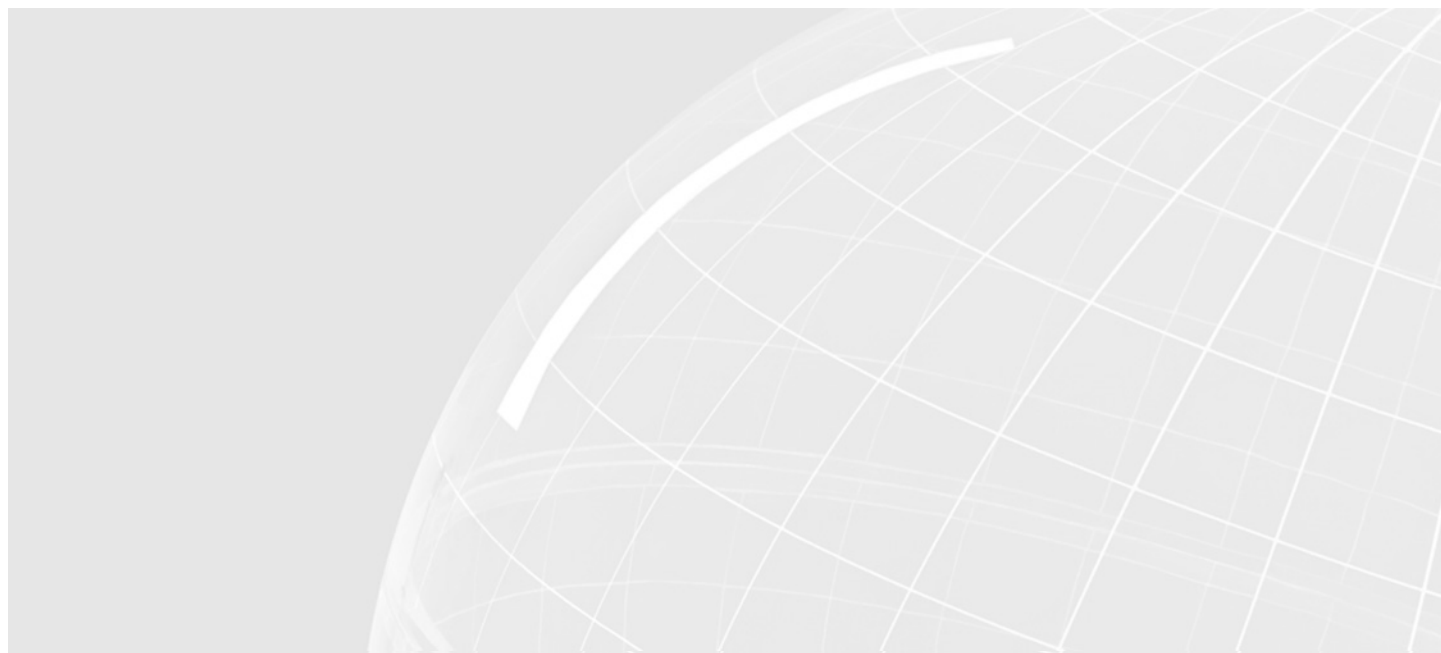


# **Southampton to London Pipeline Project**

Esso Petroleum Company, Limited

## **Responses to Relevant Representations**

Oct 2019



# Southampton to London Pipeline Project Responses to Relevant Representations



## Southampton to London Pipeline Project

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# 1 Introduction

## 1.1 Overview

1.1.1 This document provides Esso Petroleum Company, Limited's (hereafter referred to as the Applicant) response to the principal issues raised in the relevant representations submitted to the Planning Inspectorate in respect of the Southampton to London Pipeline project. We have included those submissions that were made after the deadline and accepted at the discretion of the Examining Authority.

- Nine from local authorities (Spelthorne Borough Council made two submissions);
- Nineteen from other statutory organisations;
- Four from parish councils;
- Two hundred and sixty-two from members of the public and local businesses; and
- Fourteen late relevant representations accepted by the Examining Authority.

1.1.2 While all relevant representations have been reviewed and considered, the purpose of this document is not to provide a direct response to each individual relevant representation. Instead, the document identifies the key issues on a thematic basis and provides a response to these issues, while also identifying the interested parties who have raised them. In addition, the Applicant also provides responses to a number of interested parties individually.

1.1.3 There were a number of relevant representations made that, although they refer to certain topic areas, did not make specific detailed points requiring a response. In addition, some relevant representations made reference to points that only apply to the relevant interested party which are being progressed either by landowner options agreements or through direct discussions recorded in Statements of Common Ground with the affected parties.

## 1.2 Structure of this Document

1.2.1 The relevant representations raised a wide range of issues, which the document addresses in the following sections:

- Section 2 Biodiversity and Ecology
- Section 3 Trees
- Section 4 Open Space
- Section 5 Managing Construction Impacts
- Section 6 Traffic and Access
- Section 7 Decommissioning of the existing and replacement pipelines
- Section 8 Landowner Concerns and Easement – Compulsory Acquisition
- Section 9 Turf Hill



- Section 10 Queen Elizabeth Park
- Section 11 Ashford Road
- Section 12 Celia Crescent and Fordbridge Park
- Section 13 St James' School
- Section 14 Consultation
- Section 15 Need for the project and climate change
- Section 16 Heathrow
- Section 17 Protective Provisions
- Section 18 Environment Agency
- Section 19 Forestry Commission
- Section 20 Historic England
- Section 21 Natural England
- Section 22 Runnymede Borough Council
- Section 23 Rushmoor Borough Council
- Section 24 Spelthorne Borough Council
- Section 25 Surrey County Council
- Section 26 Surrey Heath Borough Council
- Section 27 References
- Appendix 1 Matrix of Relevant Representations mapped to themes.

1.2.2 The document provides an overview of each issue and reference to the relevant application documentation, making it clear where the issue is covered in the Applicant's submission.

### **1.3 Overview of the management of impacts and proposed mitigation measures**

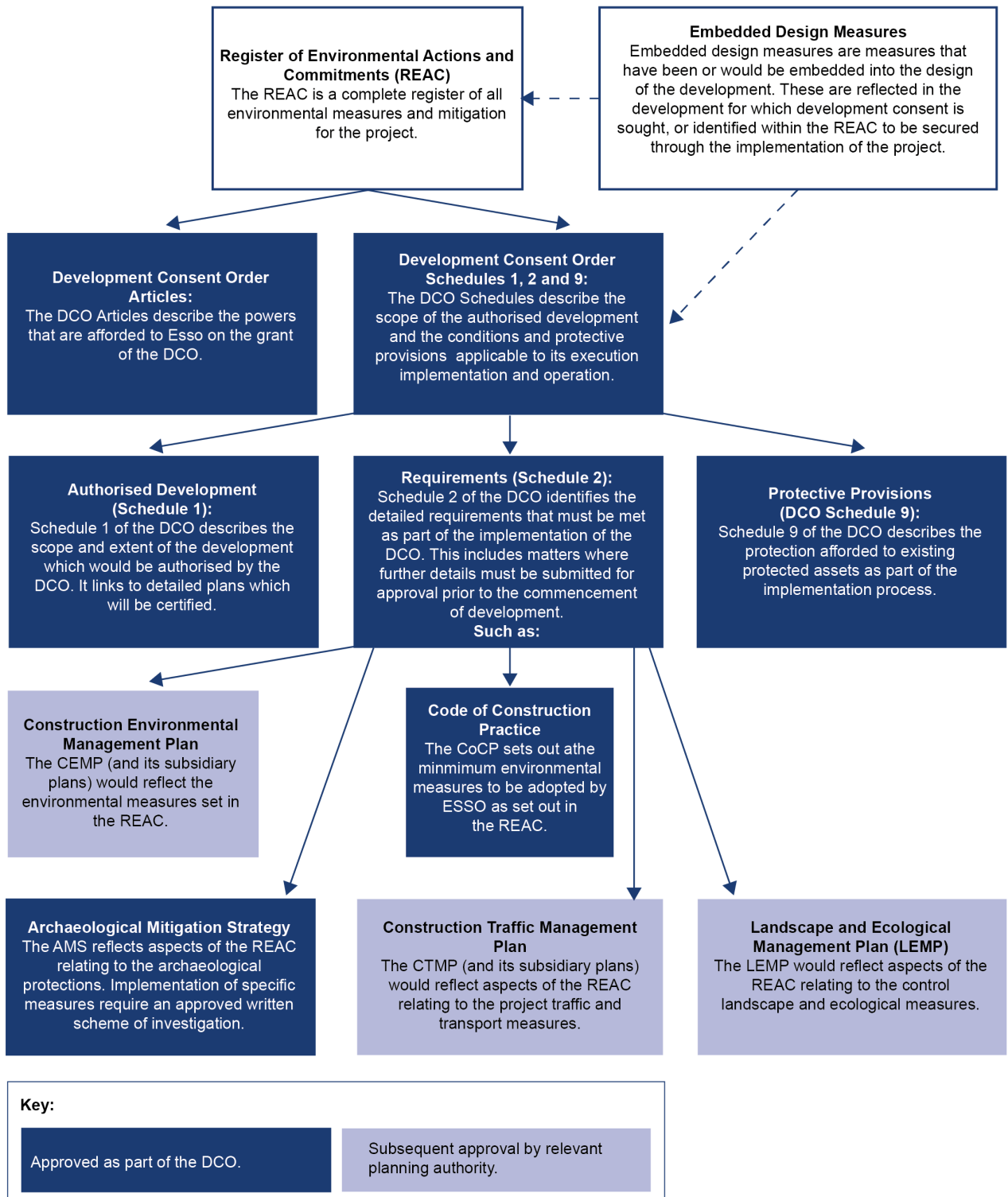
1.3.1 The project has been developed through an iterative process of consultation and engagement with consultees. By undertaking an Environmental Impact Assessment, the project sought to identify and incorporate suitable measures and mitigation for any likely significant adverse effects as a result of the project. These commitments are set out in the Register of Environmental Actions and Commitments (REAC) in Chapter 16 of the Environmental Statement (**Application Document APP-056**). The REAC also includes reference to how the commitments would be implemented (or secured) through the Development Consent Order (DCO) process.

1.3.2 Some of these commitments are 'embedded' in the design of the development for which development consent is sought, by virtue of the scope of the authorised development as set out in Schedule 1 to the DCO and the accompanying Works Plans. These include, for example, adjustment of the Order Limits to avoid sensitive features or the sizing and location of access routes and construction compounds.



- 1.3.3 Some commitments in the REAC would come into effect during the construction of the project to avoid or manage impacts. The project has adopted many 'good practice' measures that would be implemented during the construction of the replacement pipeline, which can be found in the Code of Construction Practice (CoCP) (**Application Document APP-128**).
- 1.3.4 Other mitigation measures are secured through a range of DCO requirements as follows. These commitments are also set out within the REAC in ES Chapter 16 (**Application Document APP-056**) including:
- a commitment to adopt and seek approval of a Construction Environmental Management Plan (CEMP) from the relevant planning authority (**Application Document APP-129**);
  - a commitment to adopt and seek approval of a Construction Traffic Management Plan (CTMP) from the local highway authority;
  - hedgerows and trees good practice measures;
  - surface and foul water drainage mitigation;
  - contaminated land and groundwater mitigation;
  - Archaeology Mitigation Strategy; and
  - Landscape and Ecological Management Plan (LEMP).
- 1.3.5 Construction hours are controlled through Requirement 14 of the draft DCO (**Application Document AS-059**).
- 1.3.6 DCO requirements are the main mechanism for ensuring the development of the project is suitably controlled, and the measures and mitigation that the project has committed to, are implemented. Where a DCO requirement requires the submission of more detailed plans for approval prior to the commencement of development, these further plans would need to reflect the relevant measures set out in the REAC as stipulated by the relevant requirement.
- 1.3.7 Illustration 1.1 below is found in ES Chapter 16 (**Application Document APP-056**) and sets out how each mitigation measure or commitment would be secured and managed during construction. It also highlights when additional discharge of the details would be required and how this is secured.

**Illustration 1.1: Inter-relationship between the REAC, the DCO and its Requirements.**





## 2 Biodiversity/ Ecology

### 2.1 Overview

- 2.1.1 Twenty-five interested parties raised issues concerned with biodiversity/ecology in their Relevant Representations.
- 2.1.2 Table 2.1 provides a summary of the key themes raised regarding biodiversity and ecology and the Applicant's response based on themes.

### 2.2 Application Documents

- 2.2.1 The following application documents are relevant to this response:
- Volume 6 of the application contains the Environmental Statement (ES) and Related Documents. ES Chapter 7 (**Application Document APP-047**) sets out the likely significant effects of the project on ecology and nature conservation and a description of mitigation measures.
  - Table 7.15 of ES Chapter 7 sets out the designated sites, habitats and species assessed. Appendix 7 of the ES contains species-specific survey data (**Application Documents APP-080 to APP-093**).
  - The Habitats Regulations Assessment (**Application Documents APP-130 and 131**) specifically addresses potential likely significant effects on European designated sites.
  - ES Appendix 7.17 (**Application Document APP-101**) and species-specific draft derogation licence applications (Appendices 7.13 to 7.16; **Application Documents APP-094 to APP-100**) detail the approach to legally protected and controlled species.
  - Details of consultation and engagement with the relevant environmental bodies are recorded in Section 2 of the Consultation Report (**Application Document AS-013**).
  - The ES Scoping Report details data sources and surveys that form the baseline of the Environmental Impact Assessment (**Application Document AS-019**).
  - Table 2.1 below contains references to specific commitments set out in the Register of Environment Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).



## 2.3 Key Issues

Table 2.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
<p>David Dixon (RR-015)</p> <p>Chobham Parish Council (RR-047)</p> <p>Mrs Anne Collins (RR-052)</p> <p>The National Trust (RR-091)</p> <p>Tariq Ahmed (RR-094)</p> <p>Charles March (RR-107)</p> <p>Isobel Gould (RR-116)</p> <p>Marjorie Roos (RR-125)</p> <p>P Huntley-Blecken (RR-132)</p>	<p><b>General Ecology and Biodiversity</b></p>	<p><b>A number of representations recognised the value of biodiversity and raised issues regarding whether the impacts of the project on habitats and species have been assessed.</b></p> <p>2.3.1 This response sets out a summary of the assessments which have been undertaken by the Applicant, the relevant European Protected Species (EPS) licences which would need to be obtained from Natural England and how land affected by construction of the project would be reinstated by the Applicant.</p> <p><b>General assessment of Ecology and Biodiversity</b></p> <p>2.3.2 In accordance with the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, Part 5 of the Overarching National Policy Statement (NPS) for Energy (EN-1) and paragraph 2.21.3 of the NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4), the impacts of the project on ecology and biodiversity have been comprehensively and robustly assessed within the Environmental Statement (ES), in particular, Chapter 7 Biodiversity (<b>Application Document APP-047</b>) and the Habitats Regulations Assessment (<b>Application Document APP-130 and 131</b>).</p> <p>2.3.3 Paragraph 5.3.3 of the NPS for Energy (EN-1) states that <i>‘the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity’</i>. In line with the requirements of NPS EN-1, the Applicant has, within the ES and the Habitats Regulations Assessment (HRA), (<b>Application Document APP-130 and 131</b>) described and assessed effects on designated sites of conservation importance, on</p>



Relevant Representation	Key Issue	Response to Theme
<p>Rowena Evans (RR-134)</p> <p>Sarah Dover (RR-135)</p> <p>Surrey Heath Tree Wardens (RR-139)</p> <p>Ciska Paton (RR-146)</p> <p>Paul McMahon (RR-154)</p> <p>Sheona McMahon (RR-159)</p> <p>Julie Evans (RR-168)</p> <p>Stephen Mercer (RR-173)</p> <p>Froyle Wildlife (RR-190)</p> <p>Janet Gaze (RR-195)</p>		<p>protected species (including preparation of draft EPS licences) and on habitats and other species of principal importance for the conservation of biodiversity.</p> <p>2.3.4 The Applicant has undertaken a programme of ecology surveys following the survey methodology set out within Chapter 2 of Appendix 3 of the Scoping Report (<b>Application Document AS-019</b>). The Scoping Report also sets out the relevant best practice guidance that was followed when determining the survey scope, where applicable. The scope of these surveys was informed by desk-based studies and consultation with Natural England and other key nature conservation stakeholders. The factual (baseline) ecology reports, which describe the existing ecological conditions for a range of habitats and species, are set out in <b>Application Documents APP-080 to APP-093</b>.</p> <p>2.3.5 The assessment was completed in consultation with Natural England and other key nature conservation stakeholders including the Environment Agency, Hampshire and Isle of Wight Wildlife Trust and Surrey Wildlife Trust. Section 2 of the Consultation Report details the engagement which took place with key stakeholders (<b>Application Document AS-013</b>).</p> <p><b>Legislation, Policy and EPS Licences</b></p> <p>2.3.6 The project is required to comply with relevant legislation and policy relating to ecology and biodiversity. Details of how the project has met this requirement are provided in ES Appendix 2.1 (<b>Application Document APP-073</b>).</p> <p>2.3.7 The Applicant has also submitted draft EPS licences as part of the application for development consent (see <b>Application Documents APP-094 to APP-100</b>). Natural England issued Letters of No Impediment (LONI) in respect of these draft EPS licences in April and May 2019, stating it is satisfied that the draft EPS licence applications demonstrate that the legal tests are capable of being met prior to the start of construction. The LONI can be found at the front of each of the draft EPS licences in <b>Application Documents APP-094, APP-095, APP-096 and APP-100</b>.</p>



Relevant Representation	Key Issue	Response to Theme
<p>Runnymede Borough Council (RR-212)</p> <p>Berkeley St Edward (RR-225)</p> <p>Judith Ralls (RR-266)</p> <p>Siobhan Romp (RR-276)</p> <p>Rushmoor Borough Council (RR-293)</p> <p>Michael Gove MP (AS-029)</p>		<p>2.3.8 The Applicant has adopted Commitment G43 in ES Chapter 16 (<b>Application Document APP-056</b>) which states '<i>All proposed works would be undertaken in accordance with relevant legislation and, where necessary, would be approved by Natural England via derogation licensing (e.g. European Protected Species [EPS] mitigation licence and badger sett licence). The Contractor(s) would comply with relevant protected species legislation with regards to badgers, bats, dormice, otters, water voles, sand lizards, great crested newts and Schedule 1 birds. Appropriate licences would be obtained where necessary from Natural England for all works affecting protected species as identified by the ES and through pre-construction surveys. All applicable works would be undertaken in accordance with the relevant mitigation requirements and conditions set out in those licences</i>'. See Table 16.2 of ES Chapter 16 (<b>Application Document APP-056</b>).</p> <p><b>How land affected by construction of the project would be reinstated by the Applicant</b></p> <p>2.3.9 As regards the Applicant's obligations in relation to the reinstatement of land affected by the construction of the replacement pipeline, Commitment G88 states '<i>Where possible, reinstatement of vegetation would generally be using the same or similar species to that removed (subject to restrictions for planting over and around pipeline easements)</i>'. See Table 16.2 of ES Chapter 16 (<b>Application Document APP-056</b>).</p> <p>2.3.10 In addition, Commitment HRA2 states that '<i>At heathland SSSIs, targeted scrub and secondary woodland within the Order Limits would be removed. Subject to landowner consent, these areas would be reinstated as heathland or acid grassland through natural regeneration</i>'. This would create a habitat of greater biodiversity value than at present. See Table 16.2 of ES Chapter 16 (<b>Application Document APP-056</b>).</p>



Relevant Representation	Key Issue	Response to Theme
	<p><b>Temporary Compound Area – Hartland Village</b></p>	<p><b>There was a relevant representation raising an issue about the project relying on third party data for the assessment of effects on biodiversity. This was specifically in relation to the proposed Hartland Park Village Logistics Hub.</b></p> <p>2.3.11 As set out within Chapter 2 Appendix 3 of the Scoping Report (<b>Application Document AS-019</b> paragraphs 2.2.10 to 2.2.2.12), the ecological field surveys were undertaken at sites that were identified as being of high or potentially high nature conservation value during the desk study. The desk study included a review of aerial photographs and records centre data. Where previous ecological surveys had been undertaken, the reports from these studies were also reviewed and their outputs incorporated into the assessment made by the Applicant. The St Edward’s Homes report was reviewed as part of the review of existing baseline data, along with other online sources to determine the value of the site. The site did not meet the high or potentially high nature conservation value criteria required to support a site survey during the desk study.</p>
	<p><b>Chobham Common</b></p>	<p><b>There were issues raised regarding the impacts of construction on Chobham Common and how this would be restored after construction.</b></p> <p>2.3.12 The Applicant has undertaken a detailed assessment of the potential effects of the project on Chobham Common and this is detailed in paragraphs 7.5.265 to 7.5.337 in ES Chapter 7 (<b>Application Document APP-047</b>). Paragraph 7.5.269 specifically lists the proposed methods of working to avoid or reduce impacts to soils, vegetation and notable species within the Common. Commitment HRA1, states, ‘<i>Heathland within statutory or non-statutory designated wildlife sites would be reinstated using natural regeneration, unless otherwise agreed with Natural England</i>’. See Table 16.2 of ES Chapter 16 (<b>Application Document APP-056</b>).</p> <p>2.3.13 As a component of the Thames Basin Heaths Special Protection Area and Thursley, Ash, Pirbright and Chobham Special Area of Conservation, the likely significant effects of the</p>



Relevant Representation	Key Issue	Response to Theme
		<p>project on the qualifying features of these sites are also assessed in detail (and summarised in Table 4.2) in the HRA (<b>Application Document APP-130 and 131</b>).</p>
	<p><b>Hinton Ampner – Bats</b></p>	<p><b>There was an issue regarding the bat survey information not including the trees which protrude from Joan’s Acre Wood.</b></p> <p>2.3.14 The project has surveyed potential bat roosts in the trees at Joan’s Acre Wood (south east of Hinton Ampner), where they are located adjacent to the Order Limits. The results are presented in the Bat Factual Survey in ES Appendix 7.7 (<b>Application Document APP-087 to APP-089</b>), specifically paragraphs 3.1.4 and 3.1.8. The results indicated that the treeline connecting to Joan’s Acre Wood has a high value for bats.</p> <p>2.3.15 The Applicant has adopted Commitment G174 which states that <i>‘Buildings, structures and trees within the Order Limits, confirmed to have high or moderate potential to support bats, that do not require removal, would be retained and protected with an appropriate buffer zone. Those that require removal and have high or moderate potential for bat roosts would be surveyed prior to their removal and either removed, or removed under licence from Natural England if roosts are confirmed to be present’</i>. See Table 16.2 of ES Chapter 16 (<b>Application Document APP-056</b>).</p>
	<p><b>Upper Froyle – Great Crested Newt (GCN)</b></p>	<p><b>An issue was raised regarding a GCN pond at Upper Froyle.</b></p> <p>2.3.16 The representation queried the use of the pond as a receptor site; and questioned where amphibians could be translocated from.</p> <p>2.3.17 GCN Pond 57a in Upper Froyle is located within the Order Limits and is to be used as a receptor location for translocated GCN. Newts relocated to Pond 57a would originate from sites within the Order Limits and only from within 250m of Pond 57a. Newts would not be translocated to Pond 57a from anywhere else. Pond 50, approximately 1.45km south west</p>



Relevant Representation	Key Issue	Response to Theme
		<p>of Pond 57a is also proposed as a receptor site for translocated GCN (see <b>Application Document APP-096 and 097</b>).</p> <p>2.3.18 The Applicant has adopted Commitment G43 which also confirms that <i>‘The contractor(s) would comply with relevant protected species legislation including with regards to badgers, bats, dormice, otters, water voles, sand lizards, great crested newts and Schedule 1 birds. Appropriate licences would be obtained where necessary from Natural England for all works affecting protected species as identified by the Environmental Statement and through pre-construction surveys. All applicable works would be undertaken in accordance with the relevant mitigation requirements and conditions set out in those licences’</i>.</p> <p>2.3.19 Construction works, including vegetation clearance, within 250m of ponds with GCN would be undertaken in accordance with the EPS licence method statement, agreed and issued by Natural England (see <b>Application Documents APP-096 and APP-097</b>). This could include translocation of individuals to a retained receptor site. Individual GCN would not be translocated to a receptor site further than 1km from their origin.</p> <p>2.3.20 A draft EPS licence for GCN is provided in ES Appendix 7.15 (<b>Application Documents APP-096 and APP-097</b>). Natural England issued a LONI on 30 April 2019, stating it is satisfied that the draft EPS licence demonstrates that the legal tests could be met prior to the start of construction. This can be found at the front of the draft EPS licence for GCN (<b>Application Documents APP-096</b>).</p>

## 3 Trees

### 3.1 Overview

- 3.1.1 Twenty-seven relevant representations have been received which raised issues concerned with the impact of the project on trees and existing vegetation.
- 3.1.2 Table 3.1 below provides a summary of the key issues raised and the Applicant's response to these issues.

### 3.2 Application Documents

- 3.2.1 The following application documents are relevant to this response:
- The approach to survey and assessment of trees and vegetation was set out in Appendix 3 Scoping Survey Methodology Report of the Applicant's Scoping Report (**Application Document AS-019**).
  - Within the Environmental Statement (ES) key documents that relate to trees are:
    - ES Chapter 4 Design Evolution (**Application Document APP-044**);
    - ES Chapter 7 Biodiversity (**Application Document APP-047**);
    - ES Chapter 10 Landscape and Visual (**Application Document APP-050**);
    - ES Chapter 16 Environmental Management and Mitigation (**Application Document APP-056**);
    - ES Figures Chapter 10 Landscape and Visual (**Application Document APP-064**);
    - ES Appendix 4.1 Pipeline Route Corridor Options (**Application Document APP-077**);
    - ES Appendix 7.2 Hedgerow Factual Report (**Application Document APP-082**);
    - ES Appendix 7.3 Ancient Woodland Factual Report (**Application Document APP-083**); and
    - ES Appendix 10.2 Schedule of Notable Trees (**Application Document APP-115**).
  - The Planning Statement (**Application Document APP-132**) also contains relevant information used in this response.
  - Table 3.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).



### 3.3 Key Issues

Table 3.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
<p>The National Trust (RR-091)</p> <p>Tariq Ahmed (RR-094)</p> <p>Charles March (RR-107)</p> <p>Dave Kelly (RR-109)</p> <p>Lenny Holdsworth (RR-124)</p> <p>Marjorie Roos (RR-125)</p> <p>Melanie Kelly (RR-126)</p> <p>Michael Lyons (RR-128)</p>	<p><b>The value of trees in the assessment</b></p>	<p><b>The wider value that trees play in terms of the environment, including providing habitat and visual screening and whether this has been fully considered in the application. There were also issues raised concerned with the time taken for trees to re-establish.</b></p> <p>3.3.1 Sections 5.3 and 5.9 of the NPS EN-1, and section 2.21 of the NPS EN-4, set out Government policy regarding biodiversity and landscape and visual impacts that are relevant to the construction of the Southampton to London Pipeline.</p> <p>3.3.2 The Applicant recognises the benefits of trees and the wider value trees provide to the environment in terms of providing habitat and visual screening. This is assessed within the ES Chapter 7 Biodiversity (<b>Application Document APP-047</b>) and ES Chapter 10 Landscape and Visual (<b>Application Document APP-050</b>).</p> <p>3.3.3 The Applicant sets out in ES Chapter 4 Design Evolution (<b>Application Document APP-044</b>) how the design has evolved to avoid or to reduce the loss of trees including designated ancient woodland. The Applicant has adopted Commitment O2 which states ‘<i>Design route alignment to avoid all areas of existing classified Ancient Woodland</i>’. In addition, Commitment O1 states ‘<i>Commitment to only utilise a 10m width when crossing through boundaries between fields where these include hedgerows, trees or watercourses</i>’. There are also location-specific embedded design measures to avoid trees and hedges, as set out in Tables 2 and 3 of ES Appendix 4.1 (<b>Application Document APP-077</b>).</p> <p>3.3.4 Further commitments set out within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>) that relate to trees include:</p>



Relevant Representation	Key Issue	Response to Theme
<p>P Huntley-Blecken (RR-132)</p> <p>Rowena Evans (RR-134)</p> <p>Sarah Dover (RR-135)</p> <p>Sue Wright (RR-138)</p> <p>Surrey Heath Tree Wardens (RR-139)</p> <p>David Griffiths (RR-149)</p> <p>Mark Heard (RR-151)</p> <p>Paul McMahon (RR-154)</p> <p>Sheona McMahon (RR-159)</p> <p>Julie Evans (RR-168)</p>		<ul style="list-style-type: none"> <li>• Commitment G65 states <i>‘Working widths would be reduced in specific locations where trees or hedges are present. Where notable trees would be retained within or immediately adjacent to the Order Limits, the trees and their root protection areas would be protected where they extend within the Order Limits and are at risk. This would be by means of fencing or other measures’.</i></li> <li>• Commitment G87 states <i>‘Vegetation clearance, retention, protection and replanting/reinstatement drawings would be produced prior to the construction phase. The contractor(s) would implement these plans including agreed mitigation where practicable’.</i></li> <li>• Commitment G88 states <i>‘Where possible, reinstatement of vegetation would generally be using the same or similar species to that removed (subject to restrictions for planting over and around pipeline easements)’.</i></li> <li>• Commitment G91 states <i>‘The contractor(s) would retain vegetation where practicable and in accordance with, as a minimum, the vegetation retention drawings’.</i></li> <li>• Commitment G93 states <i>‘Hedgerows, fences and walls would be reinstated to a similar style and quality to those that were removed, with landowner agreement’.</i></li> <li>• Commitment G98 states <i>‘Where woodland vegetation is lost and trees cannot be replaced due to the restrictions of pipeline easements, native shrub planting approved by the Applicant would be used as a replacement’.</i></li> </ul> <p>3.3.5 The Applicant has undertaken arboricultural surveys on site following the survey methodology set out within Appendix 3 of the Scoping Report (<b>Application Document AS-019</b>). Paragraph 4.2.1 states that the aim of the arboricultural surveys was <i>‘to capture tree data on woodlands, veteran/ancient trees and notable/mature trees that are likely to be lost or affected by the Project. The approach ensures an efficient and pragmatic approach to tree data collection, to</i></p>



Relevant Representation	Key Issue	Response to Theme
<p>Stephen Mercer (RR-173)</p> <p>Charlotte Gill (RR-185)</p> <p>Runnymede Borough Council (RR-212)</p>		<p><i>provide category and definition criteria together with information to provide adequate tree protection during the construction phases’.</i></p> <p>3.3.6 The Applicant has undertaken detailed site surveys in key areas in accordance with BS5837:2012 <i>Trees in relation to design, development and construction</i>. The results of this survey work would be used to inform the future detailed alignment routeing around root protection areas.</p>
<p>Siobhan Romp (RR-276)</p> <p>Woodland Trust (RR-287)</p> <p>Amy Murphy (RR-289)</p> <p>Forestry Commission (AS-028)</p> <p>Michael Gove MP (AS-029)</p> <p>Natural England (AS-030)</p>	<p><b>Tree Preservation Orders</b></p>	<p><b>How trees with Tree Preservation Orders (TPO) were being considered by the project, including those within private gardens outside the Order Limits, and avoiding the loss of these.</b></p> <p>3.3.7 The Order Limits were designed to avoid TPO (including woodland areas and groups of TPOs) where practicable, by routeing around existing TPO boundaries. The northern section of the Order Limits (Crandall to the West London Terminal) is more urban in nature, with a higher frequency of TPOs. It was not practicable to avoid all TPOs in these locations and ES Chapter 10 (<b>Application Documents APP 50 and APP-064</b>) assesses the impacts of the project on TPO trees.</p> <p>3.3.8 Paragraph 7.4.159 of the Planning Statement (<b>Application Document APP-132</b>) states that <i>‘the feasibility of using trenchless techniques, such as thrust boring, to avoid protected hedgerows and protected trees has been considered throughout the design development of the project. Overall, and taking into account the potential impacts and proposed measures and mitigation, it is not considered feasible to use trenchless techniques to avoid these features along the route. This is because, due to the number of protected hedgerows and trees along the route of the proposed cross-country pipeline, employing trenchless techniques would result in additional engineering, environmental, social, planning and cost/scheduling challenges and impacts’.</i></p>



Relevant Representation	Key Issue	Response to Theme
		<p>3.3.9 As outlined in ES Chapter 10 (<b>Application Document APP-064</b>), the design of the route and the application of good practice measures, including narrow width working, has reduced the impacts on TPOs and protected trees. Whilst reinstatement planting would establish lost vegetation, it would not be possible to fully mitigate the permanent loss of valued trees. There would be restrictions to planting trees over and in proximity to the pipeline. Specific commitments relating to trees are listed in 3.3.4 above.</p> <p>3.3.10 Paragraph 7.4.168 of the Planning Statement (<b>Application Document APP-132</b>) goes on to conclude that <i>'While there is a residual effect from the loss of some TPO trees that cannot be entirely mitigated, native species tree planting would help offset this'</i>. As paragraph 5.9.8 of NPS EN-1 notes, <i>'Virtually all nationally significant energy infrastructure projects will have effects on the landscape'</i>, and in the case of the project it is considered that the overriding need for the project outweighs the residual effects. Overall, the project complies with the requirements of section 5.9 of NPS EN-1.</p> <p>3.3.11 In addition to the above, the Applicant has undertaken detailed site surveys in key locations in accordance with BS5837:2012 <i>Trees in relation to design, development and construction</i>, in specific locations where there are TPOs within or close to the Order Limits. The results of these surveys would be used to inform the future detailed alignment routeing around root protection areas.</p> <p>3.3.12 The project does not intend to remove trees within residential properties outside the Order Limits. Safety is extremely important, and the Applicant would not leave any trees in an unsafe state. Furthermore, the draft DCO would oblige the Applicant to avoid causing unnecessary damage and they must pay compensation to anyone who sustains loss or damage (see Articles 41 (2) and Article 42 (2) of the Draft Development Consent Order (<b>Application Document AS-059</b>)).</p>



Relevant Representation	Key Issue	Response to Theme
	<p><b>Trees at Joan's Acre Wood</b></p>	<p><b>Removal of trees connecting to Joan's Acre Wood and notable trees likely to be affected in this area</b></p> <p>3.3.13 The Order Limits lie outside the boundary of Joan's Acre Wood. An arboricultural survey in accordance with BS5837:2012 <i>Trees in relation to design, development and construction</i>, has been undertaken in this area to inform the future detailed alignment routing around root protection areas. Commitment G65 states that '<i>Working widths would be reduced in specific locations where trees or hedges are present. Where notable trees would be retained within or immediately adjacent to the Order Limits, the trees and their root protection areas would be protected where they extend within the Order Limits and are at risk. This would be by means of fencing or other measures</i>'.</p>
	<p><b>Woodlands adjacent to the pipeline boundary would be subject to noise and dust pollution during construction</b></p>	<p><b>Negative impacts upon adjacent woodlands from noise and dust during construction</b></p> <p>3.3.14 Dust is assessed within ES Appendix 13.2 (<b>Application Document APP-120</b>). This follows the process set out in guidance produced by the Institute of Air Quality Management and assesses the effects on sensitive ecological receptors including ancient woodland. The assessment concludes that with the adoption of standard good practice measures there are not expected to be any significant effects to ecological receptors (paragraph 1.6.15). The good practice commitments are listed in Table 1.3 of ES Appendix 13.2 (<b>Application Document APP-120</b>) and include Commitment G30 which states that a dust management plan would be produced.</p> <p>3.3.15 Noise impact on ecological receptors is assessed within Chapter 7 Biodiversity (<b>Application Document APP-047</b>) with regards to species using areas of woodland, including bats (paragraphs 7.5.698 to 7.5.702) and dormice (paragraphs 7.5.737 to 7.5.739). The assessment concluded that there would be no significant effects to protected species due to noise.</p>



Relevant Representation	Key Issue	Response to Theme
	<p><b>Ancient woodland and veteran trees</b></p>	<p><b>Potential impact on ancient woodland and veteran trees</b></p> <p>3.3.16 Paragraph 5.3.14 of NPS EN-1 states: <i>‘Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or ‘veteran’ trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why.’</i></p> <p>3.3.17 The Applicant sets out in ES Chapter 4 (<b>Application Document APP-044</b>) how the designs have evolved to avoid designated areas of ancient woodland. Commitment O2 states <i>‘Design route alignment to avoid all areas of existing classified Ancient Woodland’</i>. There are no areas of designated ancient woodland within the Order Limits. The Applicant has also identified areas of potential ancient woodland (less than 2ha) within and adjacent to the Order Limits. See ES Appendix 7.3 (<b>Application Document APP-083</b>).</p> <p>3.3.18 ES Chapter 10 (<b>Application Document APP-064</b>) states that a check of the Ancient Tree Inventory was undertaken on the 12 February 2019 and this revealed no recorded ancient or veteran trees (paragraph 10.3.24). Since the publication of the ES, three veteran trees within 15m of the Order Limits have been added to the database. These are located along Ashford Road, Staines.</p> <p>3.3.19 Following the initial arboricultural walkover as set out in Appendix 3 of the Scoping Report (<b>Application Document AS-019</b>), additional arboricultural surveys have been carried out in accordance with the methodology set out in with BS5837:2012 <i>Trees in relation to design, development and construction</i>. No ancient trees were identified through the site surveys. Potential veteran trees were identified, measured and the potential root protection areas were calculated. This information would inform the future detailed alignment routing to avoid root</p>

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Responses to Relevant Representations**



Relevant Representation	Key Issue	Response to Theme
		protection areas of ancient woodland and potential ancient woodland and ancient and veteran trees where practicable. Where this is not practicable, the Applicant would identify specific measures to further mitigate these areas during construction.

## 4 Open Space

### 4.1 Overview

- 4.1.1 Fourteen relevant representations have been received which raised issues concerned with the impact of the project on public open space.
- 4.1.2 Table 4.1 provides a summary of the key issues raised and the Applicant's responses to these issues.

### 4.2 Application Documents

- 4.2.1 The following application documents are relevant to this response:
- The Consultation Report within the project's application for development consent provides details of how the Applicant consulted on the project (**Application Document AS-013**).
  - Route selection is discussed in the Environmental Statement (ES) Chapter 3 Project Description (**Application Document APP-043**) and Chapter 4 Design Evolution (**Application Document APP-044**).
  - Chapter 10 of the ES is the Landscape and Visual Impact Assessment (**Application Document APP-050**). Chapter 16 of the ES (**Application Document APP-056**) outlines the environmental management and mitigation including public open space, access and trees, detailed in the Record of Environmental Actions and Commitments (REAC) and contained within the Code of Construction Practice (**Application Document APP-128**).
  - Chapter 16 of the Planning Statement (**Application Document APP-132**) addresses the impact of the project on the use and function of public open spaces.
  - The template for the draft Statements of Common Ground can be found in **Application Document APP-133**.
  - Table 4.1 below contains references to specific commitments set out in the REAC (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the DCO.





### 4.3 Key Issues

Table 4.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
Charles March (RR-107)	<b>Consultation and Engagement</b>	<b>Relevant representations raised issues regarding the transparency of the consultation process.</b>  4.3.1 Details on the Applicant's Consultation Theme Response to Relevant Representation can be found in Section 14 Consultation in this document.
Katherine Legge (RR-121)		
Melanie Kelly (RR-126)	<b>Consideration of corridors and route selection</b>	<b>Relevant representation raised issues regarding the consideration of corridor and route selection in particular the consideration of the existing pipeline route.</b>  4.3.2 Section 4.4 of Part 4 of the NPS EN-1 sets out the approach for an applicant to follow, relating to the consideration of alternatives. In addition, Paragraphs 2.19.7 to 2.19.10 of NPS EN-4 set out the approach to be taken in route selection for Nationally Significant Infrastructure Projects (NSIPs) that are oil and gas pipelines. The Applicant has followed this approach. Route selection is discussed in detail within the ES Chapter 4 Design Evolution ( <b>Application Document APP-044</b> ).  4.3.3 The Applicant intends to replace 90km (56 miles) of its 105km (65 miles) long aviation fuel pipeline that runs from its Fawley Refinery near Southampton to its West London Terminal storage facility in Hounslow. The replacement pipeline is 97km (60 miles) long, taking into account that it cannot follow the line of the existing pipeline along its whole length due to new developments and environmental constraints (see paragraph 1.2.1 of Statement of Reasons ( <b>Application Document APP-029</b> )).  4.3.4 The pipeline needs to be constructed as a replacement pipeline, with the existing pipeline remaining operational until the replacement pipeline is completed and operational. This is to ensure secure supplies to customers, as the existing pipeline cannot be taken out of operation
Sue Wright (RR-138)		
Michelle Talbot (RR-152)		
Sheona McMahon (RR-159)		
Spelthorne Borough Council (RR-172)		
Merrick Hugh Denton-		



Relevant Representation	Key Issue	Response to Theme
Thompson (RR-199) Ministry of Defence (RR-200)		for more than short periods. As explained in Chapter 3 Project Description ( <b>Application Document APP-043</b> ), the existing pipeline would be decommissioned once the replacement pipeline is operational and does not form part of the project assessed in paragraph 4.2.2 of Chapter 4 Design Evolution of the ES ( <b>Application Document APP-044</b> ).
Runnymede Borough Council (RR-212) Defence Infrastructure Organisation (RR-233) Judith Ralls (RR-266) Siobhan Romp (RR-276) Rushmoor Borough Council (RR-293)	<b>Impact on public open space, Public Rights of Way (PRoWs), the South Downs National Park (SDNP), sports pitches, public parks and allotments</b>	<p><b>Impacts on use of designated public open spaces and Public Rights of Way (PRoWs) used for recreation</b></p> <p>4.3.5 The environmental impacts of the project, including on designated public open spaces used for recreation, are considered and assessed in accordance with the Overarching NPS for Energy NPS EN-1 Parts 4 and 5; and NPS EN-4 Section 2.19.</p> <p>4.3.6 Some Relevant Representations raised issues regarding with the impact on public open space during construction and operation. More specifically, impacts to amenity and accessibility.</p> <p>4.3.7 The Applicant has adopted the definition of public open space as <i>'land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground'</i> as set out in the Town and Country Planning Act 1990 and used in the Planning Act 2008 through Section 19 of the Acquisition of Land Act 1981. Such land is hereafter referred to as 'public open space'.</p> <p>4.3.8 The project is for a replacement underground pipeline and there would be no above ground infrastructure located on any public open spaces used for recreation along the replacement pipeline route. Therefore, the only impacts on public open spaces are temporary during construction of the pipeline. There would be no permanent loss of public open space as a result of the project. Once constructed, the public open spaces would be reinstated and continue to function as public open space with no impact from the operation of the underground pipeline. See Planning Statement Chapter 16, paragraph 16.2.6 (<b>Application Document APP-132</b>).</p> <p>4.3.9 There are no increased demands or impacts on public open spaces as a result of the operation of the underground pipeline and, therefore, the local planning policies relating to public open</p>



Relevant Representation	Key Issue	Response to Theme
		<p>space provision are not considered to impact on the project and the policies do not have an effect. However, it is acknowledged that during construction there would be a temporary impact on the availability and function of some public open spaces along the pipeline route. Therefore, an assessment of the impact on the sites has been undertaken. See Planning Statement Chapter 16, paragraph 16.2.7 (<b>Application Document APP-132</b>).</p> <p>4.3.10 The Applicant has also assessed the impact of the project on Special Category Land under sections 130-132 of the 2008 Act. This assessment is reported in Chapter 17 of the Planning Statement (<b>Application Document APP-132</b>). The assessment concludes that the impact of the project on Special Category Land would be ‘no less advantageous’ and, therefore, satisfies the tests set out in the 2008 Act.</p> <p><b>Planning assessment of priority public open spaces</b></p> <p>4.3.11 Where construction has the potential to impact on the function of a designated public open space used for recreation, the location was added to a priority list and an assessment of the impact on that space is reported in Chapter 16 of the Planning Statement (<b>Application Document APP-132</b>). Where the public open space would be able to continue in use and function without impact, it was judged that it would not be materially affected by the project, and therefore, no further assessment was required.</p> <p>4.3.12 Although the ES identified no significant effects on public open space, the Applicant has decided to undertake a more detailed assessment of localised impacts at 17 priority public open spaces in order to demonstrate accordance with NPS EN-1 paragraphs 5.10.1, 5.10.2, 5.10.6, 5.10.14, 5.10.19 and 5.10.21. These priority public open spaces, where construction of the replacement pipeline was considered to have potential impacts needing detailed assessment, are listed in Table 16.2 of the Planning Statement (<b>Application Document APP-132</b>).</p>



Relevant Representation	Key Issue	Response to Theme
		<p>4.3.13 The priority public open space sites raised in the relevant representations were Southwood Sports Pitches and Cove Cricket Club, Queen Elizabeth Park and Farnborough Gate Sports Ground. Further detail on these specific locations is detailed below.</p> <p><u>Southwood Sports Pitches and Cove Cricket Club</u></p> <p>4.3.14 The Southwood Sports Pitches and Cove Cricket Club were considered as one public open space. The football pitches marked out in the winter at Southwood are not impacted by the proposed Order Limits, nor is the cricket pitch that is marked out in the summer. The location and markings for the football pitches may alter seasonally, but there is capacity to mark the pitches and to use them safely without conflict with the construction of the proposed pipeline. The cricket square is in a fixed location and the outfield closest to the proposed pipeline would not conflict with construction. See Planning Statement Chapter 16, paragraph 16.4.13 (<b>Application Document APP 132</b>).</p> <p>4.3.15 The Applicant is aware of recent planning permission for additional cricket nets and the use of these nets may impact on the Order Limits. The Applicant is in discussion with the Cricket Club to understand and resolve this issue by agreement.</p> <p>4.3.16 On this basis there would be limited impact on the use or function of Cove Cricket Club or Southwood Sports Pitches. To ensure that there is no conflict between the construction activity and the use of these sports facilities the project has made commitments to manage the impact of construction, for example commitment G79, to retain access to community facilities and provide for the safe management of movement of vehicles. Commitment G79 states: <i>“Pedestrian access to and from residential, commercial, community and agricultural land uses would be maintained throughout the construction period. Vehicle access would be maintained where practicable. This may require signed diversions. The means of access would be communicated to affected parties at least two weeks in advance.”</i> During the operation of the</p>



Relevant Representation	Key Issue	Response to Theme
		<p>pipeline there is no loss of public open space for recreational use. See Planning Statement Chapter 16, paragraph 16.4.16 (<b>Application Document APP-132</b>).</p> <p><u>Queen Elizabeth Park</u></p> <p>4.3.17 Section 10 of this document contains a response to issues raised with regard to Queen Elizabeth Park.</p> <p><u>Farnborough Gate Sports Ground</u></p> <p>4.3.18 The construction utilising a trenchless crossing from Farnborough to Frimley across the North Downs railway line, the A331, the River Blackwater and the Ascot to Guildford railway line, requires additional land for the trenchless construction and associated activities. There is a construction compound located on the Farnborough Gate Sports Ground. This football pitch is not used by any established clubs and site inspections demonstrate that there is little evidence of organised football activity. There is suitable alternative provision and capacity locally on other nearby sports fields (see Planning Statement Chapter 16, paragraph 16.4.32 (<b>Application Document APP-132</b>)).</p> <p>4.3.19 In this location the whole of the football pitch is required to accommodate the construction compound and given the complexity of construction in this area, the compound would be required for a prolonged period of time. Once the work is complete, the pitch would be reinstated. Commitment G94 states <i>“Land used temporarily would be reinstated to an appropriate condition relevant to its previous use”</i>. Access to the car park, adjoining cemetery and bowls club would be retained throughout construction. Commitment G79 states: <i>“Pedestrian access to and from residential, commercial, community and agricultural land uses would be maintained throughout the construction period. Vehicle access would be maintained where practicable. This may require signed diversions. The means of access would be communicated to affected parties at least two weeks in advance”</i>. Therefore, during construction, the use of this pitch would not have an impact on the adjacent land uses. There</p>



Relevant Representation	Key Issue	Response to Theme
		<p>is no loss of designated public open space for public recreation from the operation of the pipeline once installed. See paragraph 16.4.33 of Chapter 16 Planning Statement (<b>Application Document APP-132</b>).</p> <p><u>Prospect Road Allotments</u></p> <p>4.3.20 The selection of the corridor sought to reduce the impact on Stake Lane and the allotments near Prospect Road, by utilising trenchless techniques to construct through the narrow area (see TC018, ES Chapter 16 (<b>Application Document APP-056</b>)). The impact on the allotments during construction of the pipeline would be minimal due to the selected construction technique and would be further reduced and managed through the adoption of project commitments as detailed in Table 16.6 (see Planning Statement (<b>Application Document APP-132</b>)). The operation of the pipeline would have no impact on the use or function of the allotments. See Planning Statement Chapter 16, paragraph 12.3.19 (<b>Application Document APP-132</b>).</p> <p><u>South Downs National Park (SDNP)</u></p> <p>4.3.21 The proposed development passes through approximately 25km of the SDNP. An issue was raised concerned with above ground features such as way markers and three fenced valve compounds which could detract from the character of the National Park.</p> <p>4.3.22 Chapter 10, paragraph 10.2.3 of the ES provides the Landscape and Visual Impact Assessment (<b>Application Document APP-050</b>). The assessment of operational effects considered potential landscape and visual effects of the above ground infrastructure during pipeline operation in year 1 and year 15 (<b>Application Document APP-050</b>).</p> <p>4.3.23 ES Chapter 10, paragraph 10.5.141 states '<i>Operational landscape and visual effects would be limited because the pipeline would be underground, and above ground features including the above ground infrastructure would be small in scale</i>'. (<b>Application Document APP-050</b>).</p>



Relevant Representation	Key Issue	Response to Theme
		<p>4.3.24 ES Chapter 10, paragraph 10.5.142 goes on to state '<i>Reinstatement planting as defined within good practice measures in Table 10.13 and the REAC would change localised views towards the above ground infrastructure between years 1 and 15. This is because planting would not be established in year 1 but in year 15 it would have established to help integrate the structures into the landscape. Whilst this would reduce landscape and visual effects, it is not considered that it would change the overall significance of landscape and visual effects caused by the above ground infrastructure</i>' (<b>Application Document APP-050</b>).</p> <p><b>Public Rights of Way (PRoW)</b></p> <p>4.3.25 Relevant representations have raised an issue concerned with the impact of the project on PROW. Project commitment relating to the management of the impact of the project on PROW is found in commitment G114 which states '<i>All designated Public Rights of Way would be identified, and any potential temporary closures applied for/detailed in the draft DCO. All designated Public Rights of Way crossing the working area would be managed, including National Trails, with access only closed for short periods while construction activities occur</i>' (<b>Application Document APP-056</b>).</p>
	<p><b>Mitigation measures to manage the impact of the project on public open space</b></p>	<p><b>Issues raised in relevant representation relating to proposed mitigation measures to manage the impact of the construction of the project on designated public open spaces used for recreation and amenity areas.</b></p> <p>4.3.26 The assessment of the impact of the project on designated public open spaces is guided by the policy text contained within section 5.10 of NPS EN-1. Some Relevant Representations have raised issues regarding the mitigation measures to address impacts on public open space.</p> <p>4.3.27 In developing the project through an iterative process of consultation and engagement with consultees and by undertaking an Environmental Impact Assessment, the project sought to identify and incorporate suitable measures and mitigation for any potentially significant adverse</p>



Relevant Representation	Key Issue	Response to Theme
		<p>effects. These commitments are set out in the REAC. The REAC also includes reference to how the commitments would be implemented (see paragraph 16.1.1 of <b>Application Document APP-056</b>).</p> <p>4.3.28 Some of these commitments are ‘embedded’ in the design of the replacement pipeline for which development consent is sought, by virtue of the scope of the authorised development as set out in Schedule 1 to the DCO and the accompanying Works Plans. These include, for example, adjustment of Order Limits to avoid sensitive features or the sizing and location of access routes and compounds. Other design measures would need to be incorporated in the later design of the project (see paragraph 16.1.2 of <b>Application Document APP-056</b>).</p> <p>4.3.29 Other commitments in the REAC would be employed during the detailed design and construction of the project to manage or reduce effects. Many of the good practice principles that would be adopted during construction of the replacement pipeline are captured within the project’s Code of Construction Practice (CoCP). This CoCP is submitted as part of the application. See ES, Chapter 16, paragraph 16.1.3 (<b>Application Document APP-056</b>).</p> <p><b>Register of Environmental Actions and Commitments (REAC)</b></p> <p>4.3.30 Tables 16.1 through to 16.3 from Chapter 16 of the ES (<b>Application Document APP-056</b>) present the embedded environmental measures identified and included during the design development to reduce impacts to the environment and communities including designated public open spaces. Commitments relating to public open space for example include:</p> <ul style="list-style-type: none"> <li>• Land Use G79: <i>‘Pedestrian access to and from residential, commercial, community and agricultural land uses would be maintained throughout the construction period. Vehicle access would be maintained where practicable. This may require signed diversions. The means of access would be communicated to affected parties at least two weeks in advance.’</i></li> </ul>





Relevant Representation	Key Issue	Response to Theme
		<ul style="list-style-type: none"> <li>• NW10 Peter Driver Sports Ground: <i>'Working width reduced to 15m (NW10) to reduce impacts on the football pitches at Peter Driver Sports Ground over an approximate distance of 190m. (Grid ref: SU8199551755 to SU8218751789).'</i></li> <li>• NW28 Abbey Rangers Football Club: <i>'Working width reduced to 15m (NW28) to reduce impacts on the football pitches at Abbey Rangers Football Club over an approximate distance of 500m. (Grid ref: TQ0496265815 to TQ0526166064).'</i></li> <li>• NW17 Queen Elizabeth Park: <i>'Working width reduced to 15m to reduce the impacts on Queen Elizabeth Park, an area of high amenity, visual screening and landscape value within an urban area. Two trees with bat roost potential are also present in this location. The approximate distance would be 472m.'</i></li> </ul> <p>4.3.31 Other areas of narrow working may be on open spaces but the main requirement for narrow working is for environmental reasons.</p> <p><b>Code of Construction Practice (CoCP)</b></p> <p>4.3.32 The CoCP describes a series of general measures and practices that would be implemented by the Applicant during the construction of the project. Its aim is to provide a consistent approach to the control of construction activities along the entire pipeline and mitigate potential impacts on people and the environment. Where site-specific action is required, in addition to the project-wide measures secured through the CoCP for the restoration of the site post construction, site-specific planning good practice measures are detailed in ES Appendix 16.1: Table 3.1 (<b>Application Document APP-128</b>). Good practice measures relating to public open space include:</p> <ul style="list-style-type: none"> <li>• OP02: <i>'The existing walking and cycling route to the north of the Order Limits from Cabrol Road through Queen Elizabeth Park would be signposted as an alternative to the route within Order Limits.'</i></li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<ul style="list-style-type: none"> <li>• OP04: <i>'Principal pedestrian routes within Suitable Alternative Nature Green Spaces (SANGs) crossing the working area would be managed with access only closed for short periods while construction activities occur. Additional signage for diversions on to alternative existing paths would be utilised as appropriate.'</i></li> <li>• OP05: <i>'In recognition that the existing neighbourhood equipped area for play (NEAP) at Queen Elizabeth Park would be impacted by the pipeline construction, the project would reinstate the existing NEAP as soon as practicable after construction (G94). The project would seek to provide an alternative NEAP for use while the existing NEAP is out of commission. The alternative NEAP would either be provided by the project within the Order Limit in the vicinity of existing NEAP or would be provided in collaboration with Rushmoor Borough Council in accordance with details agreed (OP06).'</i></li> </ul> <p>4.3.33 In ES Chapter 13 People and Communities it is identified that there is an agricultural show that takes place annually on Chertsey Meads. The project has adopted a commitment to manage the construction work and accommodate the show. This is detailed in commitment PC1 which states: <i>'The project would work with the Chertsey Agricultural Show to limit impacts to the Show at Chertsey Meads and along Mead Lane.'</i></p>
	<p><b>Impacts to trees, hedgerows and vegetation</b></p>	<p><b>Impacts to trees, hedgerows and vegetation</b></p> <p>4.3.34 Section 3 of this document details the Applicant's response to the relevant representation relating to the impact of the project on trees and woodland.</p>



Relevant Representation	Key Issue	Response to Theme
	<p><b>Suitable Alternative Natural Greenspace</b></p>	<p><b>Relevant representations raise issues relating to the impact of the project on the availability and function of the Suitable Alternative Natural Greenspaces (SANGs) impacted by the project.</b></p> <p>4.3.35 Some Relevant Representations have raised issues regarding the impact to SANGs. More specifically, impacts to in relation to the proposed Southwood SANG's capacity and access during construction.</p> <p>4.3.36 NPS EN-1 requires an ES to set out any effects on internationally, nationally and locally designated sites of ecological importance (paragraph 5.3.3). NPS EN-4 requires an ES to assess the biodiversity effects of a proposed route (paragraph 2.21.3). The impact on the Special Protection Area (SPA) is addressed in the Habitats Regulations Assessment (HRA) (<b>Application Documents APP-130 and APP-131</b>).</p> <p>4.3.37 Within the boroughs of Surrey Heath and Rushmoor are areas of SANG. SANG is the name given to the green spaces of a quality and type suitable for use as mitigation in the context of the SPA. Its role is to provide alternative open space to divert visitors from visiting the SPA. The SANG land provided is alternative informal recreation space for residents, thereby reducing the pressure on the SPA biodiversity areas from recreational activity. In particular, this protects the heathland habitat for ground nesting birds and reduces erosion and damage caused by overuse of these fragile environments.</p> <p>4.3.38 The project crosses through three SANGs within the administrative areas of each council, namely:</p> <ul style="list-style-type: none"> <li>• St. Catherine's Road SANG (Surrey Heath Borough Council);</li> <li>• Windlemere SANG (Surrey Heath Borough Council); and</li> <li>• Proposed Southwood Country Park SANG (Rushmoor Borough Council).</li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<p>4.3.39 The Applicant has considered, assessed and reported in the HRA the impact of construction works of the project in the SANG and the potential displacement of people into the SPA. The Conservation Objectives are defined by Natural England and the relevant SPA Conservation Objectives are described in Section 5.5 of the HRA (<b>Application Documents APP-130 and APP-131</b>).</p> <p>4.3.40 The pipeline corridor and route selection processes evaluated various options based on guiding principles for the project. One of the guiding principles was to pass through less complex or built-up areas (Chapter 7, page 12, of Consultation Report - Replacement Pipeline Corridor Consultation (<b>Application Document APP-034</b>)). The project guiding principles were considered collectively and a balanced judgement made, which resulted in the proposed pipeline route; consequently, this has meant that the pipeline would cross through the three SANGs (as listed above).</p> <p>4.3.41 The Applicant is aware of the sensitivity of the route as it crossed a variety of designated sites and has adopted good practice measures to manage the impacts of the project on these sites. For example, embedded design measure D64 states that: <i>‘to locate the alignment to use Southwood Golf Course’ to reduce the impact of the pipeline in local roads. It is noted that this golf course is to be developed into a Suitable Alternative Natural Greenspace (SANG).</i> (Table 16.1 of ES Chapter 16 Environmental Management and Mitigation (<b>Application Document APP-056</b>)).</p> <p>4.3.42 The HRA (<b>Application Document APP-130</b>) assesses the impact on the SPA. It states in Part 1 (Executive Summary) that: <i>‘The short duration and limited extent of works within affected Suitable Alternative Natural Greenspaces (SANG) is considered to reduce the risk of significant levels of recreational displacement to the SPA. Information presented in this report about each SANG impacted by the project and the presence of alternative unaffected spaces within 5km of affected sites further establishes a low risk of significant recreational displacement occurring. Any effects experienced are anticipated to be minor as the relative impact of a marginal</i></p>



Relevant Representation	Key Issue	Response to Theme
		<p><i>increase in visitor numbers to existing footpaths on the SPA would be small. As such, no impacts are predicted that could result in an adverse effect to the site's integrity. The conclusion of the study was that there would be no adverse effects on the integrity of the Thames Basin Heaths SPA as a result of the project, either alone or in combination with other plans or projects.'</i></p> <p>4.3.43 The HRA (<b>Application Document APP-130</b>) goes on to state at paragraph 5.8.15 that: <i>'Construction activity would not require the total closure of any SANG. All SANGs would still be accessible during the period of construction works, with only specific access points and footpaths being temporarily closed or diverted. There are no SANG car parks within the Order Limits and so these would remain unaffected.'</i></p> <p>4.3.44 Taking each of the three SANGs in turn, the HRA (<b>Application Document APP-130</b>) identifies the following:</p> <ul style="list-style-type: none"> <li>• <u>Southwood Golf Course</u> (to be converted to the Southwood Country Park SANG) No SANG car parks would be directly affected by the project. It is anticipated that the existing Southwood Woodland SANG (approximately 350m to the west of the Order Limits) and unaffected parts of the SANG would act as a receptor for any displaced recreational activity for the short duration of construction, with the former already a well-established area for walkers (paragraph 5.8.21 of the HRA (<b>Application Document APP-130</b>)).</li> <li>• <u>St. Catherine's Road SANG</u> Within 1km of the SANG there is open-access woodland at Frimley Fuel Allotments and Frith Hill. This extensive area of woodland would likely provide suitable alternative locations for any small amount of recreational displacement from the SANG for the short duration of construction (paragraph 5.8.22 of the HRA (<b>Application Document APP-130</b>)).</li> <li>• <u>Windlemere SANG</u> It is reasonable to assume that the unaffected area of SANG would be sufficient to absorb any displaced recreational activity. In addition, the 5.5ha West End Recreation Ground is an area of common land approximately 410m from Windlemere SANG</li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<p>that may also act as a receptor for any displaced recreational activity for the short duration of construction (paragraph 5.8.23 of the HRA (<b>Application Document APP-130</b>)).</p> <p>4.3.45 Given the above, it is anticipated that visitors would typically continue to make use of the respective SANGs during the construction period and any displacement of recreation activity to the SPA is expected to be very low (paragraph 5.8.28 of the HRA (<b>Application Document APP-130</b>)). It is, therefore, considered that the displacement of recreational activities associated with the construction phase of the project would not lead to adverse effects on the integrity of the SPA or its ecological functions as defined by the Conservation Objectives (paragraph 5.8.29 of the HRA (<b>Application Document APP-130</b>)).</p> <p>4.3.46 The competent authority for the HRA is Natural England (NE). NE in their submission to the Planning Inspectorate stated: '<i>Natural England have no serious concerns with this application and will not be objecting to it</i>' (<b>Additional Submission AS-030</b>). In addition, NE did not raise any concerns with the HRA as set out in an email of 21 March 2019. The conclusion is, therefore, that the HRA is sound and an acceptable assessment of the impact on the SPA.</p>



## 5 Managing Construction Impacts

### 5.1 Overview

- 5.1.1 This section contains the Applicant's responses to the Relevant Representations that have been made by various interested parties regarding the construction of the replacement pipeline and the practical measures proposed to manage the impacts on landowners and local residents during construction, in particular, issues concerned with the health and safety and security of the proposed works; the construction methodology and impacts; the impact on the use of residential roads and the neighbouring properties; and proposed working hours and construction timescales.
- 5.1.2 In this response the Applicant has outlined which relevant representations are associated with these themes in Table 5.1 below and identified the information that addresses each issue raised and where in the application documents the information can be found.

### 5.2 Application Documents

- 5.2.1 This response has drawn information from the application documents submitted by the Applicant.
- 5.2.2 For confirmation of the method to secure mitigation and management of impacts from the construction of the replacement pipeline set out in the:
- Record of Environmental Actions and Commitments (REAC) in ES Chapter 16 (**Application Document APP-056**),
  - the draft Development Consent Order (**Application Document AS-059**),
  - the Code of Construction Practice (**Application Document APP-128**),
  - the outline Construction Environmental Management Plan (**Application Document APP-129**) and
  - ES Chapter 3 provides the description of the proposed development (**Application Document APP-043**).



### 5.3 Key Issues

Table 5.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
<p>Stephen English (RR-011)</p> <p>David Dixon (RR-015)</p> <p>The Hood Estate (RR-023)</p> <p>Andrew McLuskey (RR-044)</p> <p>James Reed (RR-048)</p> <p>Surrey Fire and Rescue Service (RR-062)</p> <p>Mrs Julie Appleton (RR-068)</p>	<p><b>Methods of working – in both a rural context and in urban/residential areas</b></p>	<p><b>Residents and landowners have raised in Relevant Representations issues about the amount of detail available to understand the implications of the application and working methods the Applicant would use in their local area.</b></p> <p>5.3.1 The Applicant has provided all the details of the scheme available at the current time. The process outlined in Illustration 1.1 shows the process the Applicant would follow to provide the fine-grained details and methodologies for construction post consent by the relevant local authorities. This additional information would be made available to landowners and residents through the community engagement process to be approved in the Community Engagement Plan under commitment G31 which states: ‘<i>A proportionate Community Engagement Plan would be produced and implemented</i>’ (Chapter 16 of the ES (<b>Application Document APP-056</b>)).</p> <p>5.3.2 The Applicant has undertaken early engagement with suitable contractors in order to establish the criteria used to assess the impact of construction which is reported in the ES. The Applicant has stated in ES Chapter 3 Project Description (<b>Application Document APP-043</b>) that the project has assumed that 450m of pipeline would be laid in a week on average in rural areas where there are few constraints to progress, and 90m per week in urban areas where there are more constraints. Therefore, the Applicant has assumed that the construction of the pipeline would take longer in urban areas. This has informed the assessment of construction impacts as reported in the ES.</p> <p>5.3.3 The Applicant has described the proposed development in ES Section 3.2 of Chapter 3 (<b>Application Document APP-043</b>). The replacement pipeline would be buried underground. The minimum depth from the top of the pipe to the ground surface would be 1.2m in open cut</p>





<p>Antony Vear (RR-070)</p> <p>Clive Tosdevine – R S Hill and Sons (RR-071)</p> <p>Dawn Vear (RR-072)</p> <p>James Mayhew (RR-074)</p> <p>Michael Newell (RR-076)</p> <p>Miss Jane Clancy (RR-077)</p> <p>Sheena Judd (RR-078)</p> <p>Ashwin Hill (RR-079)</p> <p>David Mayhew (RR-080)</p> <p>Dennis Vear (RR-081)</p>		<p>sections, and often deeper when a trenchless construction method is required, and within the street works sections. The pipeline would be constructed using open cut trenching methods for the majority of the route as detailed in the ES Section 3.4 of Chapter 3, paragraphs 3.4.44 to 3.4.51 (<b>Application Document APP-043</b>). All crossings of A-roads, motorways and some other heavily trafficked roads, railways, sensitive environmental areas and major watercourses such as the River Thames would use trenchless construction techniques. Crossings of minor watercourses including rivers, streams and ditches would typically be open cut. Details of construction methods for the replacement pipeline which would be used by the Applicant are set out in paragraphs 3.4.52 to 3.4.55 in Chapter 3 of the ES (<b>Application Document APP-043</b>).</p> <p><b>Construction Phase activities</b></p> <p>5.3.4 The Applicant has detailed the construction activities which would be undertaken in ES Chapter 3, Section 3.4, paragraphs 3.4.12 to 3.4.22 and 3.4.29 to 3.4.34, (<b>Application Document APP-043</b>). These activities include the setting out of the construction compounds and fencing the working area, early environmental mitigation works, condition surveys and pre-construction drainage.</p> <p>5.3.5 The construction works involve the stripping of topsoil, lay out of the pipe, welding the pipe into lengths, testing the welds, coating the joints, excavating the trench, lowering pipe into the trench and then backfill, and reinstating the surface. Further details of this can be found in ES Chapter 3, Section 3.4. paragraphs 3.4.35 to 3.4.51 (<b>Application Document APP-043</b>).</p> <p>5.3.6 The Applicant has set out in ES Chapter 3 Section 3.4 paragraphs 3.4.39 to 3.4.40 (<b>Application Document APP-043</b>) the activities involved in pipe storage and stringing of the pipes.</p> <p>5.3.7 Trench excavation and pipe construction involves open cut construction within urban and rural sections. The Applicant has provided further–detail about this construction method in ES Chapter 3, Section 3.4 paragraphs 3.4.44 to 3.4.51 and paragraphs 3.4.65 to 3.4.66 (<b>Application Document APP-043</b>).</p>
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<p>Eric John Newbury (RR-082)</p> <p>Gary F Simmonds (RR-083)</p> <p>Hilton Ramseyer (RR-084)</p> <p>Mark Dunford (RR-085)</p> <p>Peter Taplin (RR-086)</p> <p>Richard Harvey (RR-087)</p> <p>Steven Gregory (RR-088)</p> <p>Lynda Ramseyer (RR-089)</p> <p>Joyce Harvey (RR-167)</p> <p>Notcutts Limited (RR-169)</p>		<p>5.3.8 Trenchless construction techniques would be used to avoid certain obstructions or to reduce impacts on sensitive areas. The choice of technique at any location is dependent on a number of site-specific factors including ground conditions, the space available for pipe stringing either side of the obstruction, and the sensitivity of the obstruction to potential settlement. Additional information can be found in Chapter 3 of the ES Section 3.4 paragraphs 3.4.56 to 3.4.62 (<b>Application Document APP-043</b>).</p> <p>5.3.9 The Applicant has also set out in ES Chapter 3 Section 3.4 paragraphs 3.4.41 to 3.4.43 (<b>Application Document APP-043</b>) further information relating to the activities involved in welding, testing and coating of the pipe joints.</p> <p><b>Post Construction Phase Activities</b></p> <p>5.3.10 The Applicant has detailed in ES Chapter 3 Section 3.4 paragraphs 3.4.67 to 3.4.71 (<b>Application Document APP-043</b>) the post construction phase activities to manage the reinstatement and mitigation of the impacts from construction of the pipeline. This involves backfilling, reinstatement, replanting of hedgerows, trees, and sectional hydro-testing.</p> <p><b>Land Reinstatement</b></p> <p>5.3.11 The Applicant has undertaken an assessment of the impact of the project on existing land drainage and has a commitment G82 which states: '<i>Drainage surveys would be undertaken prior to construction.</i>' The Deed of Grant includes a duty on the Applicant to carry out pre-construction condition surveys and commitment G94 states: '<i>Land used temporarily would be reinstated to an appropriate condition relevant to its previous use</i>'. This commitment covers the issues raised by landowners concerning the reinstatement of the land post construction.</p> <p><b>Equipment and Materials</b></p> <p>5.3.12 Plant and equipment required for the construction of the replacement pipeline is detailed in ES Chapter 3 of the ES Section 3.4 paragraphs 3.4.73 to 3.4.76 (<b>Application Document APP-043</b>).</p> <p>5.3.13 Artificial lighting would be required in specific situations such as during trenchless construction activity and winter working. The Applicant has detailed this in ES Chapter 3 Section 3.4</p>
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<p>Anne Jeanette Collins (RR-182)</p> <p>Brett's Aggregates (RR-184)</p> <p>Christopher John Butler (RR-186)</p> <p>D.J. Squire Property and Investment Company Limited (RR-188)</p> <p>Elizabeth Ann Butler (RR-189)</p> <p>James Foot (RR-193)</p> <p>Joan Lamise Denton-Thompson (RR-196)</p> <p>Julie Anne Appleton (RR-197)</p> <p>Lady Janet Diones Glover (RR-198)</p>		<p>paragraphs 3.4.77 to 3.4.79 (<b>Application Document APP-043</b>). Commitments to cover the control of artificial lighting are found in the REAC:</p> <ul style="list-style-type: none"> <li>• Commitment G25 <i>'Any activity carried out or equipment located within a logistics hub or construction compound that may produce a noticeable nuisance from dust, noise, lighting etc. would be located away from sensitive receptors such as residential properties or ecological sites where practicable'</i>;</li> <li>• Commitment G45 <i>'Lighting would be of the lowest luminosity necessary for safe delivery of each task. It would be designed, positioned and directed to reduce the intrusion into adjacent properties and habitats'</i>; and</li> <li>• Commitment G46 <i>'Relevant guidance on mitigating the impact of artificial lighting on bats would be applied where practicable. This includes good practice measures that would:</i> <ul style="list-style-type: none"> <li>➢ limit illumination of confirmed bat roosts, or trees with moderate or high potential to support bat roosts.</li> <li>➢ limit times that the lights are on and consider factors such as height of lighting columns and use of light sources with minimal ultra violet'.</li> </ul> </li> </ul> <p>5.3.14 The Applicant has made a commitment in G77 which states:</p> <p><i>'A Site Waste Management Plan (SWMP) would be developed prior to construction. The contractor(s) would maintain and monitor the SWMP throughout the construction phase and oversee that any sub-contractor(s) adhere to the SWMP.'</i> The Applicant has detailed this in the CoCP of the ES Appendix 16.1 paragraph 1.1.62 (<b>Application Document APP-128</b>).</p> <p><b>Project Commitments to manage the impacts of construction of the replacement pipeline</b></p> <p>5.3.15 The Applicant has committed to the following actions to manage the impacts of construction of the project:</p> <ul style="list-style-type: none"> <li>• Commitment G2 <i>'The contractor(s) would provide a series of reviewed method statements. The number of construction activities subjected to this process would be decided on a risk-based approach and could include site preparation, pipe-laying, trenchless crossings and</i></li> </ul>
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<p>Ministry of Defence (RR-200)</p> <p>T Glynn (RR-205)</p> <p>Patricia Ann Coggins (RR-207)</p> <p>Paul Due Andersen (RR-208)</p> <p>Philip Collins (RR-209)</p> <p>Runnymede Borough Council (RR-212)</p> <p>Simon Barker (RR-213)</p> <p>Stephen William Coggins (RR-214)</p> <p>Susan Foot (RR-215)</p> <p>Suzanne Pamela Anderson (RR-216)</p>		<p><i>reinstatement. Each method statement would include the measures that need to be undertaken to meet the requirements outlined in the CEMP. All method statements would be reviewed and accepted by the Employer’s Representative’;</i></p> <ul style="list-style-type: none"> <li>• <i>Commitment G40 ‘Where sensitive features are to be retained within or immediately adjacent to the Order Limits, an appropriate buffer zone would be created where this extends within the Order Limits. The buffers would be established using appropriate fencing and signage. A suitable method statement would be produced to ensure that construction works are undertaken in a manner that reduces the risk of damage or disturbance to the sensitive feature’;</i></li> <li>• <i>Commitment G151 ‘A method statement would be produced for stripping, handling, storage and replacement of all soils to reduce risks associated with soil degradation. This would include:</i> <ul style="list-style-type: none"> <li>➢ <i>identification of appropriate plant to strip, reinstate and otherwise handle soils;</i></li> <li>➢ <i>methods for compaction and grading of stockpiles;</i></li> <li>➢ <i>methods for working in naturally wet soils; and</i></li> <li>➢ <i>specification of appropriate decompaction measures to be used during reinstatement’;</i></li> </ul> </li> <li>• <i>Commitment G154 ‘Where topsoil stripping is required, the normal working practice (where not otherwise specified within a method statement) would be to strip full depth of topsoil (where present) from:</i> <ul style="list-style-type: none"> <li>➢ <i>construction compounds and logistics hubs;</i></li> <li>➢ <i>access roads;</i></li> <li>➢ <i>across the working width; and</i></li> <li>➢ <i>any other areas to be trafficked.</i></li> </ul> <p><i>The topsoil would be reinstated above the subsoil’;</i></p> </li> </ul>
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<p>Affinity Water Limited (RR-219)</p> <p>Alexander McLeod Morton (RR-222)</p> <p>Antony Porter (RR-223)</p> <p>Berkeley St Edward (RR-225)</p> <p>Blanchard Properties Limited (RR-226)</p> <p>Bridget Batten (RR-228)</p> <p>Christopher Holmes (RR-229)</p> <p>Deborah Ann Bonney (RR-232)</p> <p>Defence Infrastructure Organisation (RR-233)</p> <p>Dennis Anthony Vear (RR-234)</p>		<ul style="list-style-type: none"> <li>• Commitment G155 <i>'Topsoils and subsoils intended for reinstatement would be temporarily stockpiled as close to where they were stripped from as practicable'</i>;</li> <li>• Commitment G157 <i>'Appropriate techniques would be used when necessary to provide protection for subsoils from compaction and smearing in areas subject to heavy trafficking. The specific protection measures and their required locations would be set out in the appointed contractor's method statement and agreed between the contractor(s) and overseeing Suitably Experienced Person (SEP) prior to construction commencing'</i>;</li> <li>• Commitment G158 <i>'Stripping and reinstatement of topsoils would only be carried out when topsoils are in a reasonably dry state'</i>;</li> <li>• Commitment G80 <i>'Where field to field access points would require alteration as a result of construction, alternative field access would be provided in consultation with the land owner/occupier. Recessed field access from local roads would be reinstated where agreed with the landowner'</i>;</li> <li>• Commitment G84 <i>'Existing water supplies for livestock would be identified pre-construction. Where supplies would be lost, or access compromised by construction works, temporary alternative supplies would be provided. Water supplies would be reinstated following'</i>;</li> <li>• Commitment G30 <i>'A dust management plan would be produced, including the following measures to be implemented where relevant:</i> <ul style="list-style-type: none"> <li>➢ control runoff of water or mud to reduce the spread of particulates that could subsequently be disturbed and become airborne;</li> <li>➢ return subsoil and topsoil at the earliest suitable time of year after construction has been completed;</li> <li>➢ manage earthworks and exposed areas or soil stockpiles to prevent wind borne dust. Use methods such as covering, seeding or using water suppression;</li> <li>➢ limit decompaction of the subsoil in windy conditions during reinstatement;</li> <li>➢ construct compound access points to the public highway with temporary hard surfacing;</li> </ul> </li> </ul>
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<p>Diana Vear (RR-235) Dulce Wightman (RR-236) Elizabeth Porter (RR-238) Froyle Land Limited (RR-240) Harold William Gerald Wayeth (RR-242) Ian John Neville Robertson (RR-244) Jane Clancy (RR-246) Jeanette Louise Mercer (RR-247) Jennifer Ruby Wyeth (RR-248) Jonathan Paul Wiggins (RR-250)</p>		<ul style="list-style-type: none"> <li>➤ enforce an appropriate speed limit for vehicles travelling on site to limit dust generation;</li> <li>➤ make an adequate water supply available for effective dust/ particulate matter suppression/ mitigation;</li> <li>➤ protect sand and other aggregates from drying out;</li> <li>➤ limit drop heights when loading and unloading materials from vehicles including pipes and excavated materials;</li> <li>➤ control the number of handling operations to ensure that dusty material is not moved or handled unnecessarily;</li> <li>➤ where there is a risk of dust nuisance when using cutting, grinding or sawing equipment, use in conjunction with suitable dust suppression techniques;</li> <li>➤ keep equipment readily available to clean any dry spillages;</li> <li>➤ clean up spillages as soon as reasonably practicable after the event using wet cleaning methods;</li> <li>➤ limit dry sweeping of large areas;</li> <li>➤ no bonfires or the burning of waste materials;</li> <li>➤ provide adequate wheel washing facilities at access points on to the public highway;</li> <li>➤ deploy water-assisted road cleaners on public roads when necessary to prevent excessive dust or mud deposits;</li> <li>➤ sheet vehicle loads during the transportation of loose or potentially dusty material or spoil; and</li> <li>➤ undertake inspections to monitor dust and record results in the inspection log. The frequency of inspections to be increased when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions’;</li> </ul>
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<p>Keith John Taylor (RR-253)</p> <p>Lynne Roberta Swift (RR-255)</p> <p>Mark Robert Gosney (RR-256)</p> <p>Mary Wood (RR-257)</p> <p>Matthew George Everly Morton (RR-258)</p>		<ul style="list-style-type: none"> <li>• Commitment G43 ‘The contractor(s) would comply with relevant protected species legislation including with regards to badgers, bats, dormice, otters, water voles, sand lizards, great crested newts and Schedule 1 birds. Appropriate licences would be obtained where necessary from Natural England for all works affecting protected species as identified by the Environmental Statement and through pre-construction surveys. All applicable works would be undertaken in accordance with the relevant mitigation requirements and conditions set out in those licences’; and</li> <li>• Commitment G88 ‘Where possible, reinstatement of vegetation would generally be using the same or similar species to that removed (subject to restrictions for planting over and around pipeline easements)’.</li> </ul> <p>5.3.16 Further commitments to manage the impacts of construction and operation of the replacement pipeline are set out within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>).</p>
<p>D Malins (RR-261)</p> <p>Mr E J Watts (RR-262)</p> <p>National Farmers’ Union (RR-267)</p> <p>Penn Croft Farms Ltd (RR-269)</p> <p>Portsmouth Water (RR-270)</p> <p>Richard James Bonney (RR-271)</p>	<p><b>Health and safety of neighbouring roads</b></p>	<p><b>The Relevant Representations raised an issue regarding the health and safety of this type of development and the impact of construction in a neighbouring road where the pipeline is proposed to be constructed.</b></p> <p>5.3.17 The construction of the replacement pipeline within a street would be carried out in a similar way to the construction of buried utilities such as water, electricity and gas. The operation of an aviation fuel pipeline is no less safe to operate than other public utilities including electricity and gas supply pipelines.</p> <p>5.3.18 Health and safety has been a key consideration on the project. The Applicant has assessed the potential for a major accident or disaster, resulting in a risk of significant effect on the environment in ES Chapter 14 (<b>Application Document APP-054</b>). The assessment indicates that the majority of major accident sources or natural disasters have very limited potential to affect the project. Aviation fuel is non-toxic, degrades/breaks down in the environment, is relatively difficult to ignite, and would not form an explosive atmosphere under UK ambient conditions. Additionally, historical data support the conclusion that aviation fuel does not present a risk of major accident to population and human health.</p>



<p>Eric John Newbury (RR-272)</p> <p>Richard Norman Smith (RR-273)</p>		<p><b>Health and Safety</b></p> <p>5.3.19 The Applicant has made the commitments in the REAC to manage the potential health and safety impacts of the construction of the replacement pipeline.</p> <p>5.3.20 Section 6 of this document details the measures the Applicant has proposed to manage issues relating to access to properties, businesses and community facilities.</p>
<p>Simon Porter (RR-275)</p> <p>Stephen Kerry Mercer (RR-279)</p> <p>Steven Gregory (RR-280)</p>	<p><b>Hours of project work activity</b></p>	<p><b>Issue regarding the proposed project work hours</b></p> <p>5.3.21 The Applicant has considered carefully the proposed hours of working, seeking to balance the need to complete the project as efficiently as possible to reduce the duration of potential disruption with the hours of activity in any specific location. The Applicant proposes in commitment G5 that: <i>‘Construction would take place during the normal working hours of 07:00 to 19:00 Monday to Saturday. Sunday or Bank Holiday working is not anticipated as being typical’.</i></p>
<p>Surrey County Council (RR-281)</p> <p>Susan Margaret Wiggins (RR-282)</p> <p>Victoria Katharine Gladstone (RR-286)</p>	<p><b>Locally stored project vehicles</b></p>	<p><b>Landowners and residents have raised issues about the storage of plant/ vehicles on their land or in their local area.</b></p> <p>5.3.22 The Works Plans show temporary construction compounds located along the working area for the construction of the project. The compounds are designed to allow for space to be dedicated for the storage of plant and materials as well as staff car parking off the local road network. The Applicant has set out the proposed features of the compounds in Schedule 1 of the draft DCO (<b>Application Document AS-059</b>).</p>
<p>Rushmoor Borough Council (RR-293)</p> <p>Forestry Commission (AS-028)</p>	<p><b>Security concerns during construction</b></p>	<p><b>Landowners have raised issues about the security of their land during construction.</b></p> <p>5.3.23 Under the land deeds that the Applicant has offered to affected landowners, the Applicant is required to take reasonably practicable steps to prevent trespass or the straying of animals during construction and would provide and maintain suitable and adequate barriers wherever necessary for the purpose of preventing or minimising the risk of such trespass or straying.</p>





<p>Natural England (AS-030)</p>		<p>The deeds also contain compensation and indemnity provisions for the benefit of the landowner.</p> <p>5.3.24 The Applicant is proposing that all working areas would be appropriately fenced. This is secured through commitment G85 which states</p> <p><i>‘Working areas would be appropriately fenced. The choice of fencing would be decided following a risk assessment, relevant to the work location. Specific areas such as compounds may require additional security measures such as lighting, security guards or CCTV.</i></p> <p><i>For some locations the fence used may also serve to provide acoustic and visual screening of the work sites and reduce the potential for disturbance of users in the surrounding areas.</i></p> <p><i>Provision of additional fencing on a site by site basis may be used to reduce the potential for impacts on wildlife and trees. Fencing would be regularly inspected and maintained and removed as part of the demobilisation unless otherwise specified.’</i></p>
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## 6 Traffic and Access

### 6.1 Overview

- 6.1.1 Twenty-two relevant representations have been received which raise issues regarding access afforded to private properties, along with sufficient emergency services access when the project is working within streets.
- 6.1.2 Table 6.1 below provides a summary of the key issues raised and the Applicant's response to these issues.

### 6.2 Application Documents

- 6.2.1 The following application documents are relevant to this response:
- The street works would be undertaken within controlled traffic management systems in accordance with Articles of the draft Development Consent Order (DCO) and the details set out in the Construction Traffic Management Plan and agreed with the Local Highway Authorities as set out in Requirement 7 of the draft DCO (**Application Document AS-059**).
  - Chapter 16 of the Environmental Statement (ES) outlines the Applicant's commitments with regards to environmental management and mitigation for impacts including property access and traffic (**Application Document APP-056**).
  - Table 6.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details of how the commitment would be secured through the requirements and provisions of the draft DCO.



## 6.3 Key Issues

Table 6.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
Andrew Swanson (RR-002)	<b>Vehicle congestion</b>	<b>Residents and businesses are concerned that construction works would lead to vehicle congestion.</b>
Stephen English (RR-011)		6.3.1 The Applicant is aware of the concerns of local residents and businesses and has taken account of the principles of 'Considerate Construction' ( <a href="https://www.ccscheme.org.uk/ccs-ltd/what-is-the-ccs2">https://www.ccscheme.org.uk/ccs-ltd/what-is-the-ccs2</a> ) in the CoCP. The application includes good practice measures and construction commitments to manage the impacts of construction of the replacement pipeline so as to reduce the inconvenience to local residents, particularly where the construction works would be undertaken within a highway. These are listed below and can be found in Table 16.2 of ES Chapter 16 ( <b>Application Document APP-056</b> ).
Clive Moulding (RR-017)		
We're in the Garden/ Wesson Fencing (RR-026)		6.3.2 Commitment G110 'A Construction Traffic Management Plan (CTMP) would be produced. The project would then implement measures within the CTMP.'
Jonathan Rogers (RR-049)		6.3.3 Commitment G26 'Construction traffic movements would be kept to the minimum reasonable for the effective and safe construction of the project.'
David Hayden (RR-059)		6.3.4 Commitment G111 'The CTMP would consider the traffic generated by construction vehicles and how the project would manage the diversions and closures within the highway network (provided for under the development consent). The CTMP could also:
Surrey Fire and Rescue Service (RR-062)		<ul style="list-style-type: none"> <li>• show the location of construction compound(s), access routes, site boundaries, entry/exit points;</li> <li>• develop measures to promote safe access to and from site;</li> <li>• detail each road crossing including the technique for installing the pipeline, access points and traffic management requirements;</li> </ul>
Surrey Heath Borough Council (RR-093)		



Relevant Representation	Key Issue	Response to Theme
<p>Jennifer Li (RR-118)</p> <p>David Griffiths (RR-149)</p> <p>William Butler (RR-163)</p> <p>Stephen Mercer (RR-173)</p> <p>Spelthorne Borough Council (RR-180)</p> <p>D.J. Squire Property and Investment Company Limited (RR-188)</p>		<ul style="list-style-type: none"> <li>• <i>define routes that would be taken by Heavy Goods Vehicles (HGVs), light vehicles (including Light Goods Vehicles with a gross weight less than 3.5 tonnes) and other site traffic;</i></li> <li>• <i>make drivers aware of designated access routes;</i></li> <li>• <i>provide appropriate temporary signage directing HGV drivers to relevant construction compounds;</i></li> <li>• <i>show the location of temporary road closures including temporary diversion routes agreed with the relevant highway authority;</i></li> <li>• <i>manage Abnormal Indivisible Loads;</i></li> <li>• <i>provide proof of concept for the proposed measures, for example large vehicle swept path analysis at pinch points on the public highway;</i></li> <li>• <i>provide a Travel Plan for transport of the construction workforce; and</i></li> <li>• <i>provide measures for the monitoring of the CTMP and details of appropriate actions in the event of a non-compliance.'</i></li> </ul>
<p>C Butler (RR-201)</p> <p>D Jennings (RR-203)</p> <p>Royal Mail Group Limited (RR-211)</p>	<p><b>Access to both the highway and individual properties during this time</b></p>	<p><b>Issue raised with regards to maintaining access (vehicle and pedestrian) to the highway for businesses and individual properties</b></p> <p>6.3.5 The Applicant would develop a detailed schedule of proposed works within the highway and agree this through the CTMP with the relevant local highway authority. Within the Application, as submitted, the Applicant has made specific commitments regarding access to residential, commercial, community and agricultural land uses. These are listed below and set out in Table 16.2 of ES Chapter 16 (<b>Application Document APP-056</b>).</p> <p>6.3.6 Commitment G79 <i>'Pedestrian access to and from residential, commercial, community and agricultural land uses would be maintained throughout the construction period. Vehicle access</i></p>



Relevant Representation	Key Issue	Response to Theme
<p>Runnymede Borough Council (RR-212)</p> <p>Aldi Stores Limited (RR-220)</p> <p>MHA Fleet Limited (RR-259)</p>		<p><i>would be maintained where practicable. This may require signed temporary diversions. The means of access would be communicated to affected parties at least two weeks in advance.'</i></p> <p>6.3.7 Commitment G110 'A Construction Traffic Management Plan (CTMP) would be produced.'</p> <p>6.3.8 The project would then implement measures within the CTMP. This document would provide the details of the procedure and methodology the Applicant would use to manage the impacts of the works within the highway.</p>
<p>D Malins (RR-261)</p> <p>Surrey County Council (RR-281)</p>	<p><b>Local bus would be rerouted</b></p>	<p><b>Residents in their Relevant Representations have raised issues regarding the impact of the works on local buses.</b></p> <p>6.3.9 The project does not anticipate any bus service diversions. The Application proposes only one temporary road closure along the 97km route of the replacement pipeline. This is at St Catherine's Road. There are no bus routes using this road.</p>
	<p><b>Emergency vehicles access</b></p>	<p><b>Residents in their Relevant Representations have raised issues regarding emergency vehicles, refuse vehicles and deliveries and their ability to gain access.</b></p> <p>6.3.10 The Applicant would discuss the proposed traffic management methodology and measures with the relevant local highway authority. These measures would be detailed in the CTMP. The Applicant would comply with statutory obligations which make it an offence to obstruct or hinder certain emergency workers who are responding to emergency circumstances. Emergency workers are defined as firefighters, ambulance workers and those transporting blood, organs or equipment on behalf of the NHS, coastguards and lifeboat crews. By default, allowing enough access room to accommodate the emergency services listed, would enable refuse and delivery vehicles to access the highway adjacent to proposed works.</p>



Relevant Representation	Key Issue	Response to Theme
	<p><b>Impact on St Catherines Road</b></p>	<p>6.3.11 In addition, the Applicant would adopt a Community Engagement Plan (See commitment G31 in the Code of Construction Practice (<b>Application Document APP-128</b>) which would manage the process to inform local residents of the proposed works and impacts locally.</p> <p><b>Issues regarding the proposals for engineering/ construction of the replacement pipeline along St Catherines Road, and the impact in the same vicinity.</b></p> <p>6.3.12 The draft DCO seeks powers for only one temporary road closure along the 97km route of the replacement pipeline. This is at St Catherines Road because the highway is too narrow for works in the verge. The road would need to close temporarily for the construction period from Rhododendron Road to Lake Road. There are no bus stops along St Catherines Road, and it is not used as a bus route.</p> <p>6.3.13 The Transport Assessment (<b>Application Document APP-134</b>) includes an assessment of the traffic impacts on this road and concludes in paragraph 10.1.3 that <i>‘the impacts associated with diverting traffic away from St Catherines Road would not be greater than those associated with the diversion that would be in place for Balmoral Drive and would therefore also be negligible’</i>.</p> <p>6.3.14 The CTMP would include details about this temporary road closure and measures to manage any resulting impacts on the local road network, such as providing advance warning signs prior to the closure. A diversion route would be discussed with the local highway authority in accordance with the provisions of the draft DCO. The proposed temporary diversion of St Catherines Road is assumed to follow Lake Road, B3015 Deepcut Bridge Road, Old Bisley Road, Alphington Avenue and Regent Way.</p>



## 7 Decommissioning of existing and replacement pipeline

### 7.1 Overview

- 7.1.1 The decommissioning of the existing pipeline would be carried out in accordance with the requirements of the Pipeline Safety Regulations, in accordance with good industry practice and, where relevant, under the terms of the existing deeds. Because of the way the replacement pipeline ties in part way along the existing pipeline route, it is impossible to operate both pipelines concurrently and once the replacement pipeline is commissioned, the existing pipeline cannot be operated and would be decommissioned. No additional development consents or land rights are required to undertake this work and it is not included in the scope of the SLP Project. The need for other consents such as environmental permits or species protection licences would be fully assessed and sought as necessary. This is not anticipated to be problematic and it is the basis on which the Applicant has operated and maintained its pipelines for the last 60 years.
- 7.1.2 As regards to the replacement pipeline, it is noted by the Inspectorate in the Scoping Opinion that “*decommissioning of the Proposed Development is unlikely to occur in the foreseeable future*” and as such it is not possible to assess or determine the nature of decommissioning at this time. As with the existing pipeline, the replacement pipeline would be decommissioned in line with the relevant regulatory requirements in effect at the time in accordance with good industry practice. Under the draft DCO, no additional development consents would be required, and the proposed deeds and compulsory acquisition powers contain the necessary land rights. The need for other consents such as environmental permits or species protection licences would be fully assessed taking account of the legislation in force at the relevant time and sought as necessary.
- 7.1.3 Sixty-six relevant representations raised issues regarding the decommissioning of the existing and replacement pipeline.
- 7.1.4 Table 7.1 below provides a summary of the key issues raised and the Applicant’s response to these issues.

### 7.2 Application Documents

- 7.2.1 The following application documents are relevant to this response:
- Draft Development Consent Order (**Application Document AS-059**);
  - ES Chapter 3, Project Description (**Application Document APP-043**);
  - Book of Reference (**Application Document AS-011**); and
  - Scoping Opinion (**Application Document AS-018**).



## 7.3 Key Issues

Table 7.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
<p>Sherbourne Developments Ltd (RR-043)</p> <p>James Reed (RR-048)</p> <p>Mrs Julie Appleton (RR-068)</p> <p>Antony Vear (RR-070)</p> <p>Clive Tosdevine – R S Hill &amp; Sons (RR-071)</p> <p>Dawn Vear (RR-072)</p> <p>James Mayhew (RR-074)</p>	<p><b>Decommissioning of the existing pipeline</b></p>	<p><b>Decommissioning of the existing pipeline</b></p> <p>7.3.1 The decommissioning of the existing pipeline would be carried out in accordance with the requirements of the Pipeline Safety Regulations. No additional planning consents or land rights are considered necessary to undertake this work and it is not included in the scope of the SLP Project. Some individual deeds for the existing pipeline may have a specific decommissioning methodology stipulated for a particular Grantor and the Applicant would consult with the Grantor as necessary under the terms of the deed.</p> <p>7.3.2 The original pipeline was laid under the Pipe-Lines Act 1962 (the '<b>1962 Act</b>') under a pipeline authorisation dated 6 December 1968 (the '<b>Existing Authorisation</b>'). It should be noted that a consent under the 1962 Act was required to construct the existing pipeline. A consent is not required to operate or maintain the pipeline. The Existing Authorisation was granted to the Applicant under s1(1) of the 1962 Act.</p> <p><b>Legislative requirements on decommissioning</b></p> <p>7.3.3 When a pipeline is abandoned it is decommissioned. There is no requirement in the Existing Authorisation or the 1962 Act regarding the manner or timing of decommissioning.</p> <p>7.3.4 The relevant legislation is the Pipeline Safety Regulations 1996 that provide at Regulation 14: <i>'Decommissioning</i></p> <p><i>14.— (1) The operator shall ensure that a pipeline which has ceased to be used for the conveyance of any fluid is left in a safe condition.</i></p>





<p>Michael Newell (RR-076)</p> <p>Miss Jane Clancy (RR-077)</p> <p>Sheena Judd (RR-078)</p> <p>Ashwin Hill (RR-079)</p> <p>David Mayhew (RR-080)</p> <p>Dennis Vear (RR-081)</p> <p>Eric John Newbury (RR-082)</p> <p>Gary F Simmonds (RR-083)</p> <p>Hilton Ramseyer (RR-084)</p> <p>Mark Dunford (RR-085)</p> <p>Peter Taplin (RR-086)</p>		<p><i>(2) The operator of a pipeline shall ensure that work done in discharge of the duty contained in paragraph (1) is performed safely. ‘</i></p> <p>7.3.5 The relevant HSE guidance (A guide to the Pipelines Safety Regulations 1996) also provides as follows:</p> <p><i>64 ‘Pipelines should be decommissioned in a manner so as not to become a source of danger. Once a pipeline has come to the end of its useful life, it should be either dismantled and removed or left in a safe condition. Consideration should be given to the physical separation and isolation of the pipeline. It may be necessary to purge or clean the pipeline; due consideration should be given to the hazardous properties of any fluid conveyed in the pipeline or introduced during the decommissioning.</i></p> <p><i>65 Depending on the physical dimensions of an onshore pipeline and its location, under the general provisions of the HSW Act, it may be necessary to consider the risk of the pipeline corroding and causing subsidence or acting as a channel for water or gases.</i></p> <p>...</p> <p><i>67 Work done in carrying out the final decommissioning of a pipeline should be done in a safe and controlled manner.’</i></p> <p><b>Decommissioning in practice</b></p> <p>7.3.6 Accepted practice for onshore oil industry pipelines is that abandoned pipelines are typically isolated, purged and cleaned of their former hydrocarbon contents and are then usually filled with an inert cement grout. The pipeline is, therefore, left <i>in situ</i> in a safe condition and the presence of the grout means that even if the outer steel case corrodes over time, no void space is left that could become a channel for water or gasses or cause surface subsidence (in compliance with the regulations and guidance cited above). This is the same process that was followed when the initial 10km of the existing pipeline was replaced in the early 2000s.</p> <p>7.3.7 Once the replacement pipeline is fully commissioned, the Applicant would decommission the existing pipeline in accordance with the requirements of the Pipeline Safety Regulations and in accordance with good industry practice. The existing line would be purged and cleaned of</p>
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<p>Richard Harvey (RR-087)</p> <p>Steven Gregory (RR-088)</p> <p>Lynda Ramseyer (RR-089)</p> <p>Joyce Harvey (RR-167)</p> <p>Spelthorne Borough Council (RR-172)</p> <p>Anne Jeanette Collins (RR-182)</p> <p>Christopher John Butler (RR-186)</p> <p>D.J. Squire Property and Investment Company Limited (RR-188)</p> <p>Elizabeth Ann Butler (RR-189)</p>		<p>its former contents into tankage at West London Terminal (WLT) for safe disposal. This process is typically achieved by displacing the product in the pipeline with nitrogen to leave the pipeline in an inert and safe condition.</p> <p>7.3.8 Once inert and safe, the existing pipeline would be isolated by disconnecting it from the existing pipeline infrastructure at Boorley Green and WLT. A strategy would then be developed to fill the decommissioned pipeline with grout. As the pipeline is already in a safe and inert condition, subsequent grouting can take place over an extended period of time and can be executed in several phases. There is no requirement that grouting is undertaken as a single stage or immediately. Any excavation works associated with grouting would be assessed in line with all relevant regulatory requirements, as is currently the case for all maintenance works in respect of the Applicant's pipelines. The access points at which grout would be injected into the pipeline would be similar in scale to standard pipeline maintenance excavation and their location would be dependent upon topography, site sensitivity and the selected technology. Grouting is preferable to removing the pipeline completely, which would entail extensive and unnecessary construction activity and would introduce avoidable risk in working near existing services and the gas main laid alongside the existing pipeline. Any related above ground infrastructure that is not being used in connection with the replacement pipeline would be removed and the land restored.</p> <p><b>Necessary consents: Land rights</b></p> <p>7.3.9 In order to carry out decommissioning, the Applicant needs appropriate land rights to break open the land for grout injection. The Applicant's existing pipeline deeds are expressed to contain the right to enter land to '<i>lay, construct, use, maintain, repair, alter, renew, inspect, remove or replace</i>' the existing pipeline. The deeds also contain compensation and indemnity provisions for damage caused in exercising these rights. The deeds also contain a schedule of requirements that govern how work is to be carried out on the Grantor's land. As such, the Applicant does not require any additional land rights to carry out decommissioning of the existing pipeline which would be carried out under the terms of the existing deeds.</p> <p>7.3.10 Upon decommissioning, the Grantors can then request to have the relevant pipeline deed terminated (or amended) and to have the existing pipeline rights removed from their title to the</p>
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<p>James Foot (RR-193)</p> <p>Joan Lamise Denton-Thompson (RR-196)</p> <p>Julie Anne Appleton (RR-197)</p> <p>Lady Janet Diones Glover (RR-198)</p> <p>T Glynn (RR-205)</p> <p>Patricia Ann Coggins (RR-207)</p> <p>Paul Due Andersen (RR-208)</p> <p>Philip Collins (RR-209)</p> <p>Simon Barker (RR-213)</p>		<p>land. It is important to note that other active pipelines may also be covered by the same deed so it may not be possible to extinguish the deed in its entirety. Alternatively, Grantors may prefer to keep the deed in place for as long as the pipeline remains <i>in situ</i>. Both approaches would be accommodated by the Applicant at the request of the Grantor and were adopted after the replacement of the first 10km in the early 2000s.</p> <p><b>Necessary consents: Development control</b></p> <p>7.3.11 The 1962 Act deals with three matters: authorisation, planning permission and the power of compulsorily acquisition for land rights. As noted, the Existing Authorisation allows for the construction of the existing pipeline and no additional land rights are required. In relation to planning permission, the 1962 Act contains provision that deemed planning permission may be directed under the Pipelines Act 1962. Section 5(1) provides:</p> <p><i>‘Upon granting a pipe-line construction authorisation ... the Minister may direct that, in so far as the execution of the works whose execution is authorised by, or by virtue of, the authorisation, or any change in the use of land which is involved in the execution of those works, constitutes development within the meaning of the Town and Country Planning Act 1971 ... permission for that development shall be deemed to be granted under Part III of that Act, subject to such (if any) conditions as may be specified in the directions, being conditions of a kind that could have been imposed by the Secretary of State had the permission been granted by him on an application referred to him under section fifteen of that Act.’</i></p> <p>7.3.12 Such deemed planning permission was so directed under the Existing Authorisation.</p> <p>7.3.13 Section 5(2) of the 1962 Act also excludes certain subsequent works from the definition of development:</p> <p><i>‘For the purposes of the said Act of 1971, the execution of works for the purpose of inspecting, maintaining, adjusting, repairing, altering or renewing a pipe-line (including the breaking open of any street or other land for that purpose) shall be deemed not to involve the development of land.’</i></p> <p>7.3.14 Consequently, such works do not require further planning permission.</p>
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<p>Stephen William Coggins (RR-214)</p> <p>Susan Foot (RR-215)</p> <p>Suzanne Pamela Anderson (RR-216)</p> <p>Alexander McLeod Morton (RR-222)</p> <p>Blanchard Properties Limited (RR-226)</p> <p>Deborah Ann Bonney (RR-232)</p> <p>Dennis Anthony Vear (RR-234)</p> <p>Diana Vear (RR-235)</p> <p>Dulce Wightman (RR-236)</p>		<p>7.3.15 It follows that the original construction of the pipeline could (and did) have deemed planning permission under section 5(1). Any later works would need planning permission unless excluded by section 5(2). The Applicant considers that to the extent decommissioning is development that requires planning permission, this work falls under section 5(2) of the 1962 Act and it is deemed not to be development for planning purposes. This is the approach that was adopted and accepted by the local planning authorities during the replacement of the first 10km of the existing pipeline and the subsequent decommissioning of the existing line in the early 2000s. This is also the approach that has been adopted by the Applicant in relation to its wider pipeline network.</p> <p><b>Necessary consents: Other regimes</b></p> <p>7.3.16 The Applicant is not aware, at this stage, of any other specific authorisations or consents necessary to decommission the existing line. The Applicant would take site sensitivity into account when developing its decommissioning strategy. Just as is the case for current repair and maintenance activities, the Applicant would fully assess the scope of its decommissioning work and where any additional consents are required, such as where excavation work is being undertaken in a protected area, it would consult with the relevant regulators such as the Environment Agency and Natural England. It would obtain all necessary consents for the carrying out of its work. The Existing Authorisation does not contain any exclusions or exemptions from the need to obtain such additional consents. The type of activity associated with a grout injection point is similar in scale standard pipeline maintenance work and this is the basis under which the Applicant has been operating and maintaining its pipelines around the country for the last 60 years.</p> <p><b>Interaction with SLP project</b></p> <p>7.3.17 The existing pipeline is not specifically included within the Order Limits or the scope of the SLP DCO application. Whilst the existing pipeline may incidentally fall within part of the Order Limits for the SLP project, this is not always the case and frequently the replacement pipeline diverts away from the path of the existing pipeline. No specific or additional powers are sought to enable decommissioning under the draft DCO and are not required. As set out above, all necessary powers are contained within the 1962 Act and the existing pipeline deeds, and no</p>
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<p>Froyle Land Limited (RR-240)</p>		<p>additional planning permissions or land rights are required. The need for any additional consents, such as under environmental regulations, would be fully assessed when the decommissioning strategy is developed.</p>
<p>Harold William Gerald Wayeth (RR-242)</p> <p>Jane Clancy (RR-246)</p> <p>Jeanette Louise Mercer (RR-247)</p> <p>Jennifer Ruby Wyeth (RR-248)</p> <p>Jonathan Paul Wiggins (RR-250)</p> <p>Keith John Taylor (RR-253)</p> <p>Lynne Roberta Swift (RR-255)</p> <p>Mark Robert Gosney (RR-256)</p> <p>Mary Wood (RR-257)</p> <p>Matthew George Everly Morton (RR-258)</p>	<p><b>Decommissioning of the replacement pipeline</b></p>	<p><b>Decommissioning of the replacement pipeline</b></p> <p>7.3.18 The replacement pipeline has a design life of 60 years, however, a well maintained, cathodically protected, steel pipeline should last substantially in excess of this period. There is, therefore, no predetermined date at which point the pipeline would no longer be used and it is not possible to say for certain at this stage at what point the replacement pipeline would be decommissioned and the reasons for ceasing operation.</p> <p><b>Legislative requirements on decommissioning</b></p> <p>7.3.19 Decommissioning would be carried out as per the regulatory requirements in effect at the time (the requirements of the existing requirements under the Pipeline Safety Regulations 1996 are outlined above).</p> <p><b>Decommissioning in practice</b></p> <p>7.3.20 Once a commercial decision has been taken to permanently cease operating the replacement pipeline, the Applicant would decommission the pipeline as per the requirements of the Pipeline Safety Regulations 1996 (or their successor legislation) and in accordance with standard industry practice at that time.</p> <p><b>Necessary consents: Land rights</b></p> <p>7.3.21 In order to carry out decommissioning, the Applicant would need appropriate land rights to undertake any associated works. The deeds that the Applicant is seeking for the replacement pipeline contain the necessary rights for decommissioning. The deeds also contain compensation and indemnity provisions for damage caused in exercising these rights. The deeds additionally contain a schedule of requirements that govern how work is to be carried out on the Grantor's land. As such, the Applicant would not require any additional land rights to carry out decommissioning. If the Applicant is unable to secure voluntary rights under the proposed deed it may be required to exercise compulsory acquisition powers under the draft</p>



<p>Mr M J Mary (RR-265)</p> <p>National Farmers' Union (RR-267)</p> <p>Richard James Bonney (RR-271)</p> <p>Eric John Newbury (RR-272)</p> <p>Richard Norman Smith (RR-273)</p> <p>Stephen Kerry Mercer (RR-279)</p> <p>Steven Gregory (RR-280)</p> <p>Susan Margaret Wiggins (RR-282)</p> <p>Victoria Katharine Gladstone (RR-286)</p>		<p>DCO (<b>Application Document AS-059</b>). Sufficient powers for decommissioning are contained in the rights which are outlined within the Book of Reference (<b>Application Document AS-011</b>) at paragraph 8(b)(B) and which would be specified at vesting. This paragraph provides that the permanent rights sought include:</p> <p><i>'rights to install the Pipeline within the land at a depth of not less than 1200mm below the present surface of the land and afterwards to retain, inspect, maintain, repair, alter, renew, divert, replace and remove or render unusable the Pipeline or any part thereof in, on or under the Order Land'</i></p> <p>7.3.22 Upon decommissioning, the Grantors can request to have the relevant pipeline deed terminated and to have the pipeline rights removed from their title. Alternatively, Grantors may prefer to keep the deed in place for as long as the pipeline remains <i>in situ</i>. Both approaches would be accommodate by the Applicant at the request of the Grantor.</p> <p><b>Necessary consents: Development control</b></p> <p>7.3.23 The right to maintain the authorised development is contained in Article 4 and is defined in the draft DCO (<b>Application Document AS-059</b>):</p> <p><i>'maintain" in relation to the authorised development includes to inspect, assess, repair, test, cleanse, adjust, alter, divert, renew, re-lay, improve, landscape, preserve, make safe, dismantle, remove, clear, reconstruct, refurbish, replace, demolish, abandon or decommission any part of the authorised development, provided such works do not give rise to any materially new or materially different environmental effects to those identified in the environmental statement, and any derivative of "maintain" is to be construed accordingly.'</i></p> <p>7.3.24 Article 4 of the draft DCO (<b>Application Document AS-059</b>), therefore, extends to decommissioning activity assuming that no new or materially different environmental effects are identified at the time of decommissioning. If such environmental effects are anticipated at the time of decommissioning, then the necessary development consents would be sought as appropriate.</p>
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<p>Rushmoor Borough Council (RR-293)</p>		<p><b>Necessary consents: Other regimes</b></p> <p>7.3.25 As is its current practice, the Applicant would assess the scope of its decommissioning work at the appropriate time (which is not for the foreseeable future). The Applicant would take site sensitivity into account when developing its decommissioning strategy. Where additional consents are required, such as where excavation work is being undertaken in a protected area, it would consult with the relevant regulators such as the Environment Agency and Natural England and would obtain all necessary consents for the conduct of its work. The draft DCO (<b>Application Document AS-059</b>) does not contain any exclusions or exemptions from the need to obtain such additional consents.</p> <p><b>EIA</b></p> <p>7.3.26 It is stated in NPS EN-1 (at paragraph 4.2.3) that the ES should cover the decommissioning of the project. As noted in ES Chapter 3, Section 3.6 (<b>Application Document APP-043</b>), when the operator of the replacement pipeline determines that it would permanently cease pipeline operations, it would consider and implement an appropriate decommissioning strategy taking account of good industry practice, its obligations to land owners under the relevant pipeline deeds and all relevant statutory requirements. Because at the time that decommissioning would take place, the regulatory framework, good working practices and the future baseline could have altered, it is not possible to assess the probable future effects at the present time. The scope of decommissioning of the new pipeline was, therefore, scoped out of the Environmental Impact Assessment (EIA). The Inspectorate, at paragraph 2.3.5 of its Scoping Opinion (<b>Application Document AS-018</b>), agreed with this approach:</p> <p><i>'The Scoping Report proposes to scope out decommissioning of the Proposed Development. The justification given is that decommissioning would take place far into the future and there is uncertainty regarding the decommissioning process and the likely regulatory framework at that point. The Inspectorate agrees that decommissioning can be scoped out of the assessment on the basis that decommissioning of the Proposed Development is unlikely to occur in the foreseeable future.'</i></p>
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## 8 Landowner Concerns/ Easement – Compulsory Acquisition

### 8.1 Overview

8.1.1 Landowner and compulsory acquisition issues about the project proposals were raised by 122 interested parties.

8.1.2 Table 8.1 below provides a summary of the key themes raised and the Applicant's responses to these themes.

### 8.2 Application Documents

8.2.1 The following application documents are relevant to this response:

- The Land Plans detail the land shown in numbered plots subject to powers of compulsory purchase and other rights (**Application Document APP-008 to APP-011**);
- The Statement of Reasons in Volume 4 (**Application Document APP-029**), confirms how and why the Applicant is seeking compulsory acquisition of land or rights in land included in the draft Development Consent Order (DCO) (see **Application Documents AS-059 and APP-029**). The Statement of Reasons provides an overview of the reasons for requesting that the Secretary of State grant powers of compulsory acquisition pursuant to Section 122 of the 2008 Act;
- Appendix 16.1 of the Environmental Statement outlines the Code of Construction Practice (**Application Document APP-128**);
- Appendix 16.2 of the Environmental Statement contains the Outline Construction Environmental Management Plan (**Application Document APP-129**); and
- The Planning Statement (**Application Document APP-132**) explains the need for the project.

8.2.2 Table 8.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**), please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the DCO.





### 8.3 Key Issues

Table 8.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
Dr. John Upham (RR-005)	<b>Compulsory Acquisition</b>	<p><b>Relevant Representations raised issues regarding the powers sought within the Application and the extent of land over which either temporary or permanent access rights are sought.</b></p> <p>8.3.1 The need for the scheme is established in the Planning Statement Chapter 2: Need Statement (<b>Application Document APP-132</b>) and the justification for the extent of the Compulsory Acquisition Powers sought is set out in the Statement of Reasons (<b>Application Document APP-029</b>).</p> <p>8.3.2 There has been ongoing engagement directly with all affected persons with an interest in land (PILs) and landowners and occupiers since the launch of the project and all have had opportunities to provide feedback on the routeing and siting of the scheme as it affects them (see paragraph 7.3.3 of the Statement of Reasons <b>Application Document APP-029</b>).</p> <p>8.3.3 Although authorisation is sought for rights of compulsory acquisition, it is the Applicant's preference to seek to negotiate acquisition of land and rights in land through voluntary agreements in the first instance, so that if the DCO is confirmed, the Applicant can rely on either the powers of compulsory acquisition or voluntary agreements (see paragraph 7.3.4 of the Statement of Reasons (<b>Application Document APP-029</b>)). The Applicant would not exercise compulsory acquisition where it can proceed under voluntary agreement. This approach is in accordance with paragraph 25 of the guidance related to procedures for compulsory acquisition of land produced by the Department for Communities and Local Government as updated September 2013, which recognises that for long linear schemes it is not practicable to acquire each plot of land by agreement and it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset.</p>
Yusef Mamoojee (RR-012)		
We're in the Garden/ Wesson Fencing (RR-026)		
Derek Hammond (RR-039)		
Katrina Baker (RR-042)		
Sherbourne Developments Ltd (RR-043)		
James Reed (RR-048)		



Relevant Representation	Key Issue	Response to Theme
<p>Jonathan Rogers (RR-049)</p> <p>Mr Philip Collins (RR-050)</p> <p>Mr Yair Ziv (RR-051)</p> <p>Mrs J Shutt (RR-056)</p> <p>Charley Howell (RR-065)</p> <p>Mrs Julie Appleton (RR-068)</p> <p>Antony Vear (RR-070)</p> <p>Clive Tosdevine – R S Hill &amp; Sons (RR-071)</p> <p>Dawn Vear (RR-072)</p>		<p>8.3.4 The Applicant only requires limited permanent compulsory acquisition rights (the easement strip protecting the pipe as laid and some access rights) and construction can be conducted under temporary possession powers without the need for compulsory acquisition. In addition, freehold/ leasehold acquisition powers are only needed for 14 discreet above ground valve compounds.</p> <p>8.3.5 Order Limits have been adopted to enable the Applicant to ensure that the correct areas of land are identified for the construction works. In defining the areas for permanent acquisition within the Order Land, varying Limits of Deviation have been applied to the Works Plans (<b>Application Document APP-012 to APP-014</b>). The need for an easement strip extending three meters either side of the as-laid pipeline is to provide sufficient space for safe working access and maintenance during operation of the pipeline. This is standard industry practice and reflects regulatory requirements for pipeline safety.</p> <p>8.3.6 As per the <i>Planning Act 2008: procedures for the compulsory acquisition of land</i>, the Applicant seeks compulsory powers to acquire rights in land under the DCO from all relevant landowners, notwithstanding that voluntary agreements for purchase of land and/or the grant of rights may have been entered into, for the following reasons:</p> <ul style="list-style-type: none"> <li>• An option agreement may be obtained prior to the application for development consent, rather than the Deed of Easement itself. The compulsory powers, therefore, provide a fallback should the voluntary agreements fail and cover instances where the person with an interest in land is unwilling to grant the relevant land interest or right once the option has been exercised;</li> <li>• Including all interests in the DCO allows all required land or rights to be obtained in the same way and through one process, potentially by a General Vesting Declaration (GVD). This is an effective way of compulsorily acquiring land and/or rights from multiple owners;</li> </ul>



Relevant Representation	Key Issue	Response to Theme
<p>James Mayhew (RR-074)</p> <p>Marcus Cranstone (RR-075)</p> <p>Michael Newell (RR-076)</p> <p>Miss Jane Clancy (RR-077)</p> <p>Sheena Judd (RR-078)</p> <p>Ashwin Hill (RR-079)</p> <p>David Mayhew (RR-080)</p> <p>Dennis Vear (RR-081)</p> <p>Eric John Newbury (RR-082)</p>		<ul style="list-style-type: none"> <li>• Compulsory acquisition by GVD is effective against all interests in the land, so avoiding the risk of a failure to disclose a relevant interest; the GVD is effective even against unknown interests; and</li> <li>• Compulsory powers are more readily enforceable, so reducing risk, cost and delay (see paragraph 7.3.8 of the Statement of Reasons (<b>Application Document APP-029</b>)).</li> </ul> <p><b>Voluntary Agreement</b></p> <p>8.3.7 The Applicant sent out offers for easement options to all relevant landowners and occupiers in three tranches between 19 January 2019 and 22 March 2019; active negotiations are ongoing. Concurrent to this, the Applicant has also been negotiating with the owners of the land for the acquisition of the land identified for the Pigging Station, Valve and Pressure Transducer sites. The Applicant is also negotiating with those owners of the land identified for Logistics Hubs for short-term leases at those sites. This follows contact meetings with landowners and/or their agents across the route for various purposes over the last two years.</p> <p>8.3.8 Negotiations to acquire interests by agreement with affected landowners are continuing in parallel with the DCO process. Seeking compulsory acquisition powers whilst, in parallel, negotiations to acquire interests continue, is in accordance with both general practice and paragraph 39 of the guidance related to procedures for compulsory acquisition of land produced by the Department for Communities and Local Government as updated September 2013. Where an agreement is reached with the owner of any part of the land required for the development, that land, save where expressly stated otherwise, would be retained as part of the Order Land. This would enable the Applicant to override, suspend or extinguish any third-party interests that may subsist in the land which might otherwise delay, impede or prevent the implementation or operation of the development. This is the approach recommended by the Department for Communities and Local Government in paragraph 26 of its guidance.</p>



Relevant Representation	Key Issue	Response to Theme
<p>Gary F Simmonds (RR-083)</p> <p>Hilton Ramseyer (RR-084)</p> <p>Mark Dunford (RR-085)</p> <p>Peter Taplin (RR-086)</p> <p>Richard Harvey (RR-087)</p> <p>Steven Gregory (RR-088)</p> <p>Lynda Ramseyer (RR-089)</p> <p>Rosemary Mostakhdemin (RR-090)</p> <p>The National Trust (RR-091)</p> <p>F J Roote (RR-092)</p>		<p>8.3.9 Where agreement has been reached with an interested party and that agreement can be relied upon at the time the Applicant requires entry on to the Order Land, then the Applicant would not exercise any powers of compulsory acquisition against that party (see paragraph 8.1.3 of the Statement of Reasons (<b>Application Document APP-029</b>)).</p> <p>8.3.10 The Applicant would use its reasonable endeavours to continue to negotiate with landowners right up to the date on which the DCO is determined. As is usual and advisable for linear schemes, the Applicant's DCO application includes a request for Compulsory Purchase Powers to acquire any rights required to construct and maintain the pipeline which have not been obtained voluntarily.</p> <p><b>Extent of the rights</b></p> <p>8.3.11 The compulsory acquisition of land and rights in land is necessary to deliver this pipeline development. The rationale for the extent of the required rights is described above with the Order Limits drawn with regard to avoiding any unnecessary interference with or extinguishment of third-party rights. The Applicant has, therefore, taken a proportionate approach to the proposed acquisition mindful of the impact on affected landowners (see paragraph 7.4.2 of the Statement of Reasons (<b>Application Document APP-029</b>)).</p> <p>8.3.12 The Applicant seeks to acquire the minimum rights necessary to ensure long-term fuel supply security. Permanent land rights are proportionate with the expected design life of the scheme but for short-term activities, such as those during construction, temporary powers have been identified (see paragraph 7.4.3 of the Statement of Reasons (<b>Application Document APP-029</b>)).</p> <p>8.3.13 Permanent easements for the pipeline are sufficient for the pipeline once laid as opposed to acquiring land outright. However, for the Pigging Station, Valves and Pressure Transducer, compulsory acquisition is necessary to secure the land for the purpose of constructing and maintaining above ground facilities (see paragraph 7.4.4 of the Statement of Reasons (<b>Application Document APP-029</b>)). Permanent easements or long-term leases are</p>



Relevant Representation	Key Issue	Response to Theme
The Independent Educational Association Limited (IEAL) (RR-095)		appropriate for oil pipelines given the expected life of the pipeline and the scale of investment required. These rights are necessary as they are enforceable against subsequent owners of the land.
Jen Rook (RR-099) John Potter (RR-101) William Butler (RR-163) Joyce Harvey (RR-167) Notcutts Limited (RR-169) Spelthorne Borough Council (RR-172)	<b>Blight</b>	<p><b>Relevant Representations raised issues regarding the possible effect on existing and future property values caused by the presence of the replacement pipeline through land adjacent to their homes.</b></p> <p>8.3.14 Based on the Applicant’s experience of owning and operating pipelines it does not believe the construction and operation of the replacement pipeline would impact the sale of a property. In the event that there was an adverse impact, then statutory ‘blight’ could engage; however, the Applicant does not accept that this scenario would arise. Landowners would still be able to enjoy and use their gardens or land. The Applicant’s experience with existing landowners demonstrates that there is very little to no impact on people’s use of their properties as a result of having a pipeline in or near their land.</p> <p>8.3.15 The Applicant also does not anticipate concerns from insurance providers about the safety of the pipeline. Along the existing pipeline route, housing developments have been built around the pipeline with no concerns raised from insurance providers that have been brought to our attention.</p>
Stephen Mercer (RR-173)	<b>Disturbance during construction, reinstatement of soils and financial compensation</b>	<p><b>Relevant Representations raised issues regarding disruption to farming activities during construction, access to adjacent property, reinstatement of topsoils and compensation for disturbance.</b></p> <p>8.3.16 The proposed voluntary deeds contain a schedule of conditions that govern how work is to be undertaken on the Grantor’s land. In addition, general measures and practices that would be implemented during construction activities are set out in the Code of Construction Practice</p>



Relevant Representation	Key Issue	Response to Theme
<p>The Telling Family (RR-174)</p> <p>Ark Data Centre Ltd (RR-175)</p> <p>Mrs J Fletcher (RR-178)</p> <p>Anne Jeanette Collins (RR-182)</p> <p>Brett Aggregates (RR-184)</p> <p>Christopher John Butler (RR-186)</p> <p>D.J. Squire Property and Investment Company Limited (RR-188)</p> <p>Elizabeth Ann Butler (RR-189)</p> <p>Froyle Wildlife (RR-190)</p>		<p>(CoCP) (<b>Application Document APP-128</b>) with further details contained in the Construction Environmental Management Plan (<b>Application Document APP-129</b>).</p> <p>8.3.17 A series of Construction Commitments set out in Table 3.6 of the CoCP (<b>Application Document APP-128</b>) would be implemented and further land use good practice measures would also be implemented such as commitment G84. Commitment G84 – <i>‘Existing water supplies for livestock, would be identified pre-construction. Where supplies would be lost, or access compromised by construction works, temporary alternative supplies would be provided. Water supplies would be reinstated following construction.’</i></p> <p>8.3.18 Paragraph 1.1.44 of the CoCP (<b>Application Document APP-128</b>) sets out general reinstatement principles where temporary areas of land would be reinstated once no longer required for the works, and to a condition appropriate to its previous use.</p> <p>8.3.19 Commitments regarding the treatment and handling of soils are set out at Annexe E of the Construction Environmental Management Plan (<b>Application Document APP-129</b>) and as follows:</p> <p>G150 <i>‘The contractor(s) would produce a Soil Management Plan. In developing the plan, the contractor would take note of the principles within the guidance "Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Department for Environment, Food and Rural Affairs, 2009)", and "Good Practice Guide for Handling Soils (Ministry of Agriculture, Fisheries and Food, 2000)". The Soil Management Plan would include, but not be limited to:</i></p> <ul style="list-style-type: none"> <li>• <i>specification of maximum storage periods, angles and heights of soil stockpiles;</i></li> <li>• <i>reference to published soil types;</i></li> <li>• <i>specification for where a soils watching brief may be required;</i></li> <li>• <i>controls on use of construction machinery in areas where soils have not been stripped; and</i></li> <li>• <i>specification of the role of the Suitably Experienced Person (SEP).</i></li> </ul>



Relevant Representation	Key Issue	Response to Theme
<p>James Foot (RR-193)</p> <p>Janet Gaze (RR-195)</p> <p>Joan Lamise Denton-Thompson (RR-196)</p> <p>Julie Anne Applet on (RR-197)</p> <p>Lady Janet Diones Glover (RR-198)</p> <p>Merrick Hugh Denton-Thompson (RR-199)</p>		<p><i>Where identified in the Soil Management Plan, a SEP would be employed to oversee the management of soil during stripping, handling, storage and reinstatement (Table 3.1 Commitment 148).'</i></p> <p><b>Compensation for disturbance</b></p> <p>8.3.20 Where the exercise of the powers results in loss or damage, the Applicant would be obliged to compensate all owners and occupiers of land taken for temporary possession to carry out the authorised development in relation to the land and the obligation is secured under the proposals set out at Article 29 (5) of the draft DCO (<b>Application Document AS-059</b>).</p> <p>8.3.21 Where landowners enter into the proposed voluntary deeds, the Applicant agrees to make good or pay reasonable compensation for all damage done in the exercise of the rights. In addition, the Applicant provides an indemnity for losses suffered as a result of damage to property.</p> <p>8.3.22 Where an owner or occupier suffers a loss or damage through temporary possession of land, relevant claims for compensation once submitted would be fully and properly considered by the Applicant and its retained agents.</p>
<p>Ministry of Defence (RR-200)</p> <p>C Butler (RR-201)</p> <p>M D Barnard (RR-204)</p>	<p><b>Terms of voluntary agreements</b></p>	<p><b>Relevant Representations raised issues about the terms of Draft Options and Deeds of Grant issued by the Applicant as part of the offer of terms for voluntary agreements.</b></p> <p>8.3.23 The Applicant has offered terms for voluntary agreements to around 250 landowners based upon a modernised and updated version of the Applicant's existing Deed of Grant. The Deed of Grant includes wide-ranging compensation and indemnity provisions for the protection of landowners' interests, lift and shift provisions at the Applicant's expense in the event of future development, and specific undertakings around methods of working. The Applicant believes that its Deed of Grant offers a significantly better outcome than would otherwise be available</p>



Relevant Representation	Key Issue	Response to Theme
T Glynn (RR-205) L Swift (RR-206)		to landowners under the Compensation Code. Numerous landowners have already accepted the terms of this Deed of Grant and negotiations are ongoing with the remainder.
Patricia Ann Coggins (RR-207) Paul Due Andersen (RR-208) Philip Collins (RR-209) Simon Barker (RR-213) Stephen William Coggins (RR-214) Susan Foot (RR-215) Suzanne Pamela Anderson (RR-216) The Money Family (RR-217)	<b>Decommissioning of the existing Pipeline</b>	<b>Decommissioning of the existing pipeline.</b> 8.3.24 Please refer to Section 7 of this document for information regarding the decommissioning of the existing pipeline and replacement pipeline.



**Southampton to London Pipeline project  
Responses to Relevant Representations**



Relevant Representation	Key Issue	Response to Theme
Aldi Stores Limited (RR-220)		
Alexander Fraser Holdings Limited (RR-221)		
Alexander McLeod Morton (RR-222)		
Antony Porter (RR-223)		
Archaylen Property Limited (RR-224)		
Berkeley St Edward (RR-225)		
Blanchard Properties Limited (RR-226)		
Bloor Homes Limited (RR-227)		
Bridget Batten (RR-228)		

**Southampton to London Pipeline project  
Responses to Relevant Representations**



Relevant Representation	Key Issue	Response to Theme
Christopher Holmes (RR-229)		
Deborah Ann Bonney (RR-232)		
Defence Infrastructure Organisation (RR-233)		
Dennis Anthony Vear (RR-234)		
Diana Vear (RR-235)		
Dulce Wightman (RR-236)		
Elizabeth Porter (RR-238)		
Froyle Land Limited (RR-240)		
Giles Porter (RR-241)		

**Southampton to London Pipeline project  
Responses to Relevant Representations**



Relevant Representation	Key Issue	Response to Theme
Harold William Gerald Wyeth (RR-242)		
Ian John Neville Robertson (RR- 244)		
Jane Clancy (RR- 246)		
Jeanette Louise Mercer (RR-247)		
Jennifer Ruby Wyeth (RR-248)		
Joanne Baines (RR-249)		
Jonathan Paul Wiggins (RR-250)		
Keith John Taylor (RR-253)		
Lynne Roberta Swift (RR-255)		

**Southampton to London Pipeline project  
Responses to Relevant Representations**



Relevant Representation	Key Issue	Response to Theme
Mark Robert Gosney (RR-256)		
Mary Wood (RR-257)		
Matthew George Everly Morton (RR-258)		
MHA Fleet Limited (RR-259)		
Mr E J Watts (RR-262)		
Mr M Fisher (RR-264)		
Mr M J Mary (RR-265)		
Judith Ralls (RR-266)		
National Farmers' Union (RR-267)		
Penn Croft Farms Ltd (RR-269)		

**Southampton to London Pipeline project  
Responses to Relevant Representations**



Relevant Representation	Key Issue	Response to Theme
Richard James Bonney (RR-271)		
Eric John Newbury (RR-272)		
Richard Norman Smith (RR-273)		
Simon Porter (RR-275)		
Stephen Kerry Mercer (RR-279)		
Steven Gregory (RR-280)		
Surrey County Council (RR-281)		
Susan Margaret Wiggins (RR-282)		
The Foreman Family (RR-284)		
The Goggin Family (RR-285)		

**Southampton to London Pipeline project  
Responses to Relevant Representations**



Relevant Representation	Key Issue	Response to Theme
Katharine Gladstone (RR-286)		
Steve Heath (RR-294)		
Southern Electric Power Distribution PLC (AS-032)		
Southern Gas Networks PLC (AS-033)		
UK Power Networks (AS-034)		
St Edward Homes Ltd (AS-039)		
Ministry of Defence (AS-040)		

## 9 Turf Hill

### 9.1 Overview

9.1.1 This document contains the Applicant's responses to the Relevant Representations that have been made by seventy-four parties as a result of the proposed works at Turf Hill, Lightwater, Surrey. We have outlined which representations are associated with this location in Table 9.1 below.

### 9.2 Application Documents

9.2.1 The following application documents are relevant to this response:

- Draft Development Consent Order (DCO) (**Application Document AS-059**);
- Statement of Community Consultation (**Application Document APP-035**);
- Appendix 6.2 of the Consultation Report (Design Refinement) (**Application Document APP-37**);
- Appendix 6.2 of the Consultation Report (Route Release) (**Application Document APP-038**);
- Chapter 4 of the ES: Design Evolution (**Application Document APP-044**);
- Chapter 16 of the ES: Environmental Management and Mitigation (**Application Document APP-056**);
- Appendix 7.8 Bird Factual Report of the ES (**Application Document APP-090**);
- Appendix 7.11 - Reptile Factual Report of the Environmental Statement (ES) (**Application Document APP-092**);
- Habitats Regulations Assessment (**Application Documents APP-130 and APP-131**);
- Chapter 4 of the Planning Statement: Project Description (**Application Document APP-132**);
- Surrey Heath – Adequacy of consultation response (**Application Document AoC-020**);
- Preferred Route Consultation Brochure (**Application Document AS-012**);
- Consultation Report (**Application Document AS-013**); and
- Natural England submission to the Examining Authority dated 26 July 2019 (**Application Document AS-030**).

9.2.2 Table 9.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).

### 9.3 Key Issues

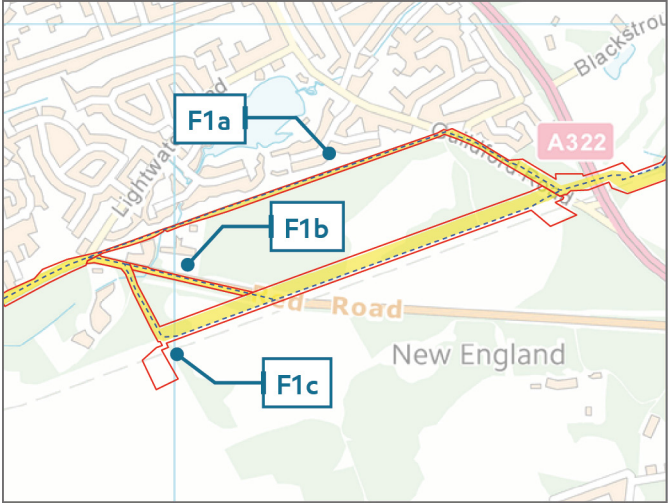
Table 9.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
Mr Andy Grieves (RR-007) Mr Kaye R Squires (RR-008) Clive Hepworth Thompson (RR-013) Alan Blackham (RR-019) Richard Worthington (RR-022) Timothy Rix (RR-024) Maura Clark (RR-027) Michael Warner (RR-029)	<b>Consultation and Engagement</b>	<p><b>Relevant Representations raise issues regarding adequate consultation on the final route within Turf Hill and that local councillors were not engaged. That the route has been significantly amended close to property without adequate consultation with residents.</b></p> <p>9.3.1 At the Pipeline Corridor Consultation (non-statutory consultation) stage there were three 'Corridors' in Surrey that were the subject of consultation. Corridor J was approximately 200m wide and broadly followed the line of the existing pipeline. The consultation took place between 19 March and 30 April 2018. Details of the consultation are contained in Section 3 of the Consultation Report (<b>Application Document AS-013</b>). There was strong support for Corridor J and it was selected by the project. Corridor J passes through the Thames Basin Heaths Special Protection Area but was favoured over the other two corridors for various reasons; these included that it avoided passing through the historic town of Farnham, it had less impact on commercial activity and would not lead to significant disruption to residential communities. Additionally, Corridor J would have less interaction with the floodplain and unlike Corridor Q would not re-enter the South Downs National Park and the Surrey Hills Area of Outstanding Natural Beauty. Also, it broadly followed the route of the existing pipeline. This decision was announced to elected members on 25 May 2018 and to the wider public on 30 May 2018.</p> <p>9.3.2 The Applicant's Preferred Route Consultation (First Statutory Consultation) took place between 6 September and 19 October 2018. Section 42 (specified parties), Section 47 (local community) and Section 48 (notices) of the Planning Act 2008 ('the 2008 Act') set out the duty to consult in relation to Nationally Significant Infrastructure Projects (NSIPs). The Applicant has complied with the requirements of the 2008 Act (see the Applicant's Consultation Report <b>Application Document AS-013</b>).</p>





Relevant Representation	Key Issue	Response to Theme
<p>Andrew James Hemphill (RR-032)</p> <p>Mrs Jill Crickmay (RR-033)</p> <p>David Barnard (RR-035)</p> <p>John Hudson (RR-036)</p> <p>John Towell (RR-037)</p> <p>Paul Flannery (RR-038)</p> <p>Edward Paul Elmer (RR-040)</p> <p>Bryan Frost on behalf of Herons Court and Colville Gardens (RR-041)</p> <p>Steve Lamb (RR-046)</p>		<p>9.3.3 Prior to undertaking statutory consultation in accordance with the 2008 Act, the Applicant also consulted with local authorities on the detail of the local community consultation process through the Statement of Community Consultation (SoCC) (Appendix 4.8 of the Consultation Report; <b>Application Document APP-035</b>). The SoCC stated in Chapter 12 that <i>“following the statutory consultation, there may be changes to our proposals. If we judge these are significant, or if new statutory consultees are affected, we will undertake further targeted consultation...”</i></p> <p>9.3.4 The application has been accepted for examination following confirmation by the Planning Inspectorate that the consultation complied with the requirements of the 2008 Act and was adequate. Surrey Heath Borough Council responded to the Planning Inspectorate’s request for an adequacy of consultation representation see <b>Application Document AoC-020</b>. They said <i>“We have reviewed the Esso Petroleum Company Limited’s Consultation Report and it is our view that the application for an Order Granting Development Consent complies with the duty to consult (section 42 of the Planning Act 2008), the duty to consult the local community (Section 47 of the Planning Act 2008) and the duty to publicise (Section 48 of the Planning Act 2008)”</i> and set out their reasons for reaching this conclusion.</p> <p>9.3.5 Consultation was undertaken to give affected parties an opportunity to influence the proposals. The Applicant’s pre-application consultation enabled those affected by the proposed development to comment upon and influence the proposals which would ultimately form part of the application. This included the route of the proposed pipeline at Turf Hill.</p> <p>9.3.6 At the first statutory consultation, the Applicant consulted on three sub-options in the Turf Hill area, which reflected the complexity of the conflicting constraints. These were:</p> <ul style="list-style-type: none"> <li>• the F1a sub-option crossed Red Road (B311) at the junction with Lightwater Road and followed an existing track to Guildford Road;</li> <li>• the F1b sub-option followed Red Road and re-joined the existing pipeline route and followed it to Guildford Road; and</li> </ul>

Relevant Representation	Key Issue	Response to Theme
<p>Rob Whitney (RR-054)</p> <p>Colville Court Residents Association Ltd (RR-055)</p> <p>Alfonzo Noto (RR-058)</p> <p>Wendy Jane Brooks (RR-063)</p> <p>David Mansfield (RR-064)</p> <p>Ann Stephenson (RR-103)</p> <p>Anne Reynolds (RR-104)</p> <p>Bundini Gadhoke (RR-106)</p> <p>Clare Catt (RR-108)</p>		<ul style="list-style-type: none"> <li>the F1c sub-option followed the existing MOD track to re-join the existing pipeline route and followed it to Guildford Road.</li> </ul> <p>9.3.7 Illustration 9.1 below is an extract from the Preferred Route Consultation brochure - page 44 - published in September 2018 (Appendix 5.1 of the Consultation Report (<b>Application Document AS-012</b>)). No primacy was given to any of the sub-options over any other. Thus, despite more closely following the existing pipeline, sub-options F1b or F1c were not presented as being preferred or favoured over F1a. In other areas the Applicant stated a preference, for example, at Chobham Common, for sub-option F2a over F2b – see page 45 of the consultation brochure.</p> <p><b>Illustration 9.1 Extract from Statutory Consultation Brochure</b></p> 




Relevant Representation	Key Issue	Response to Theme
<p>David Richardson (RR-110)</p> <p>David Taylor (RR-111)</p> <p>Elise Seurre (RR-112)</p> <p>Georgina Mayne (RR-113)</p> <p>Gillian Higgins (R R-114)</p> <p>Helen Gill (RR-115)</p> <p>Jane Sherrard-Smith (RR-117)</p> <p>Jose Oliveira (RR-119)</p> <p>Judy Meekings (R R-120)</p>		<p>9.3.8 The consultation respondents from the Preferred Route Consultation in September/October 2018 raised the following themes:</p> <ul style="list-style-type: none"> <li>• F1a would lead to the removal of trees;</li> <li>• F1a followed a well-used footpath that, at the westerly end near Red Road, is very narrow;</li> <li>• F1b used Red Road, which is very busy and would likely have significant traffic impacts;</li> <li>• F1c would affect sensitive wet heathland habitats and protected species including reptiles and amphibians;</li> <li>• F1c would route through a Biodiversity Opportunity Area where habitats can be created;</li> <li>• F1c would have less visual impact on local residents and from Red Road; and</li> <li>• All options would impact Public Rights of Way in Turf Hill.</li> </ul> <p>9.3.9 Issues raised by consultees in relation to the proposed sub-options at Turf Hill are set out in The Consultation Report, Chapter 5 paragraph 5.20.2 pages 178-182 (<b>Application Document AS-013</b>).</p> <p>9.3.10 The Relevant Representations express concern regarding the consultation undertaken relating primarily to a 500m section of the route that runs along an existing path on the northern edge of the park behind Colville Gardens and Heronscourt. This 500m section was part of sub-option F1a which the Applicant consulted on as part of the Statutory Consultation.</p> <p>9.3.11 The Applicant continued its environmental research in the period leading up to and during the statutory consultation period and received information from the Surrey Amphibian Research Group (SARG) that there is primary habitat for sand lizards along the F1b and F1c sub-options. This is reported in the Environmental Statement (ES) in Appendix 7.11 (<b>Application</b></p>



Relevant Representation	Key Issue	Response to Theme
<p>Kim Bradley-Cole (RR-122)</p> <p>Laird G Davison (RR-123)</p> <p>Michelle Shackleton (RR-129)</p> <p>Mrs C Stephenson (RR-130)</p> <p>Mrs Gene Clements (RR-131)</p> <p>Steve Fox (RR-137)</p> <p>Sharon Galliford (RR-136)</p> <p>Terry Turner (RR-140)</p> <p>Todd Bradley-Cole (RR-141)</p> <p>Amy Holt (RR-142)</p>		<p><b>Document APP-092</b>). This was new information and contributed to the route selection in this area.</p> <p>9.3.12 The Applicant applied a set of guiding principles throughout each stage of the project and has continued to apply them when refining the route. These principles were clearly set out in the consultation information, on the project website <a href="http://www.slpproject.co.uk">www.slpproject.co.uk</a> and repeated in the ES Chapter 4 paragraph 4.4.10 (<b>Application Document APP-044</b>). These principles are expressed as follows:</p> <p>9.3.13 Any route was considered as having an advantage over other feasible alternatives if it:</p> <ul style="list-style-type: none"> <li>• would benefit from existing equipment (infrastructure) and relationships with landowners;</li> <li>• would be likely to have better environmental outcomes versus the other options considered, especially relating to internationally and nationally important features along the final route;</li> <li>• would provide social and economic outcomes of greater benefit compared to the other corridors;</li> <li>• would pass through less complex or built-up areas (where possible);</li> <li>• would achieve compliance with relevant National Policy Statements; and</li> <li>• could be installed in a timely and realistic manner at reasonable cost.</li> </ul> <p>9.3.14 Following the outcome of the statutory consultation, the Applicant considered carefully the issues identified and raised at consultation. Through a multi-disciplinary process, an assessment was made of the various options. As part of the consideration of the options concern was raised about the western part of route F1a given the narrowness of the track and other constraints in that area and it was determined that the route should start along F1b, which had also been the subject of consultation, joining back onto F1a by utilising an existing track. Building within a road is considered to be complex and the project was keen to minimise work</p>



Relevant Representation	Key Issue	Response to Theme
Chris Hannis (RR-144)		in Red Road as traffic impacts were raised in consultation feedback. The alteration was judged to be non-material as no new impacts arose and there was no new landowner.
Chris Hartshorn (RR-145)		9.3.15 While each option generated impacts, the Applicant selected a route option which merged a short section of route F1b with F1a, linked by a short (130 metres) section between Red Road and Turf Hill. This option avoided the impact on the primary habitat for protected species and reduced the impact on Red Road. However, it was recognised that the new section of route would result in the loss of additional trees. On balance, the Applicant resolved that the merged option F1b and F1a would have impacts that were either equal to or less impactful when compared to the options previously considered. This minor modification lies completely within Turf Hill Park (no new landowners are impacted) and follows an existing pathway and definitive Public Right of Way (bridleway) (and hence, having regard to the test set out in the published SoCC has no different potential impacts to the community or the environment than the proposals the Applicant had previously consulted upon). For these reasons, this minor modification was considered a non-material change to the consultation proposals and so the project did not have an obligation to re-consult.
Clare Davies (RR-147)		
Claudia Gordon (RR-148)		
Emma- Jane La Roche (RR-150)		
Nikki Brook (RR-153)		
Penelope Doherty (RR-155)		9.3.16 The Design Refinement Consultation (second statutory consultation) took place from 21 January to 19 February 2019. This consultation related to the locations where material changes to the scheme that were previously the subject of consultation. Logistics hubs were also introduced now the route of the replacement pipeline was clearer. The brochure that was published at the time of this consultation did make clear what decision the project had taken in respect of the options in section F (see page 8 of Appendix 6.2 to the Consultation Report ( <b>Application Document APP-037</b> )). It is important to note that the application Order Limits fall wholly within the corridor identified for the Turf Hill area in the non-statutory consultation.
Rachel Blake (RR-156)		
Robert Shelton (RR-157)		
Sarah Ellis (RR-158)		9.3.17 In March 2019, following the conclusion of the Applicant's consultations, the Applicant announced the final route for the 97km long replacement pipeline. The section through the Turf Hill area is shown in Illustration 9.2 below.

Relevant Representation	Key Issue	Response to Theme
<p>Susan Eaver (RR-160)</p> <p>Tim Brooks (RR-161)</p> <p>Vince Roan (RR-162)</p> <p>Claire Funnell (RR-164)</p> <p>Debbie Jackson (RR-165)</p> <p>Geraint Thomas (RR-166)</p> <p>Paul Beard (RR-170)</p> <p>Councillor Jarmila Halovsky-Yu (RR-177)</p> <p>Jan Houlberg (RR-194)</p>		<p>9.3.18 As part of the Applicant’s approach to ongoing engagement an information sheet was produced for the Red Road and Turf Hill area. This document is Appendix 7.10 of the Consultation Report (<b>Application Document APP-038</b>). Furthermore, the Applicant agreed to a request for a public meeting and held this on 15 July 2019.</p> <p><b>Illustration 9.2 Selected Route with Application Order Limits</b></p>  <p>9.3.19 In addition to the formal consultation activities, the Consultation Report (<b>Application Document AS-013</b>) details the ongoing engagement the Applicant has undertaken with Prescribed Bodies:</p> <p>9.3.20 Since launching the project in 2017, the Applicant has met with representatives from:</p> <ul style="list-style-type: none"> <li>• Surrey County Council including Surrey Highways on 15 occasions (Consultation Report Section 2.6 and 2.8, Section 4.3, Section 7.3 and 7.5 (<b>Application Document AS-013</b>));</li> <li>• Surrey Heath District Council on 13 occasions (Consultation Report Section 2.6 and 2.8, Section 4.3, Section 7.3 and 7.5 (<b>Application Document AS-013</b>));</li> </ul>



Relevant Representation	Key Issue	Response to Theme
<p>Roy Pearson (RR-210)</p> <p>Windlesham Parish Council (R R-218)</p> <p>James Harris (RR-245)</p> <p>Katharine Bonathan (RR-251)</p> <p>Katia Malcaus Cooper (RR-252)</p> <p>Laura Kate Brooks (RR-254)</p> <p>Mr Julian Pestell (RR-263)</p> <p>Charles Clark (RR-290)</p> <p>Mrs Jane Warner (RR-292)</p>		<ul style="list-style-type: none"> <li>• Natural England on 12 occasions (Consultation Report Section 2.7, Section 4.3, Section 5.6, Section 7.3 (<b>Application Document AS-013</b>));</li> <li>• Local Member of Parliament on two occasions; and</li> <li>• Parish Councillors on request (Consultation Report Section 2.10, Section 4.4, Section 6.4 Section 7.3 (<b>Application Document AS-013</b>)).</li> </ul> <p>9.3.21 The Applicant has produced a series of letters and briefing notes for councillors and local community representatives detailing the progress of the project:</p> <ul style="list-style-type: none"> <li>• Project launch letter (sent to elected members and local authorities affected by the existing pipeline) 04-01-2017;</li> <li>• Non-statutory (corridor) consultation launch letter and consultation brochure - 19-03-2018;</li> <li>• Preferred corridor announcement letter and brochure - 30-05-2018;</li> <li>• Initial working route release letter - 27-06-2018;</li> <li>• First statutory (preferred route) consultation launch letter - 06-09-2018;</li> <li>• Final route announcement briefing note (ahead of announcement) - 25-03-2019;</li> <li>• Final route announcement letter - 27-03-2019; and</li> <li>• Acceptance of application letter and briefing note (ahead of the acceptance of the application announcement) - 13-06-2019.</li> </ul> <p>9.3.22 The Applicant has listened to the feedback from this engagement and the public consultations. These meetings and feedback from the consultations helped the Applicant understand the local area and informed the final route selection.</p>



Relevant Representation	Key Issue	Response to Theme
<p>Michael Gove MP (AS-029)</p> <p>Kaye Squires (AS-035)</p>		<p>9.3.23 The Applicant has maintained a project website and e-newsletter to provide regular updates to interested parties and published the sub-option selection on the website in January 2019 (as well as in the Design Refinements Consultation brochure as mentioned above). The Applicant manages an email inbox where any questions are promptly responded to and has a phone line that is manned during office hours. The Applicant has always aimed to respond to any questions promptly and in this area, has responded to a number of key stakeholders and residents at all stages.</p> <p>9.3.24 The Applicant has gone significantly beyond its statutory consultation duties. This is particularly the case in respect of engagement with local Councillors where there is no obligation to make any contact, but there have been frequent communications. A reading of the relevant representations relating to the Turf Hill area (listed to the left) shows that the concerns relate to the selection of option F1a as it runs close to residential properties. This was fully consulted on. As the above maps show, only a short length of the application route was not the subject of consultation, and this is an existing path.</p>
	<p><b>The weight given to environmental consideration in route selection</b></p>	<p><b>Relevant Representations expressed dissatisfaction with the final route selection and that undue weight was given to environmental considerations.</b></p> <p>9.3.25 Paragraphs 2.19.7-2.19.10 of NPS EN-4 set out the approach to be taken in route selection for NSIPs that are oil and gas pipelines. The Applicant has followed this approach. Specific mention is made of the importance of consultation regarding relevant environmentally sensitive areas with the relevant conservation body. Route selection is discussed in detail within the ES Chapter 4 (Design Evolution) (<b>Application Document APP-044</b>).</p> <p>9.3.26 Turf Hill is a unit within the nationally designated Colony Bog and Bagshot Heath Site of Special Scientific Interest (SSSI), which in turn forms part of the internationally designated Thames Basin Heaths Special Protection Area (SPA). (Figure 9.15 in Habitats Regulations Assessment Report, Qualifying Habitats (<b>Application Document APP-130 and APP-131</b>)). It provides</p>





Relevant Representation	Key Issue	Response to Theme
		<p>habitat for a number of protected species, notably the European protected sand lizards and ground nesting birds.</p> <p>9.3.27 The project has met with specialists from Natural England, the Surrey Heath Greenspace Officer and SARG regarding the sand lizards and ground nesting birds. Meetings and the discussion points are detailed below:</p> <ul style="list-style-type: none"> <li>• meeting with Natural England relating to reptiles held on 20 September 2018 <ul style="list-style-type: none"> <li>➢ discussion points – Project introduction, possible construction impacts on sand lizards, possible mitigation measures, great crested newt survey strategy;</li> </ul> </li> <li>• meeting with Surrey Heath Greenspace Officer held on 26 September 2018 <ul style="list-style-type: none"> <li>➢ discussion points – site visit walk over proposed routes and sub-options, impacts on heath land habitats, reptiles and trees, reinstatement and potential for enhancement; and</li> </ul> </li> <li>• meeting with Natural England relating to reptiles: Colony Bog and Bagshot Heath SSSI, and Bourley and Long Valley SSSIs, held on 18 and 19 October 2018 <ul style="list-style-type: none"> <li>➢ discussion points – site visit with reptile specialist – reptile ecology within SSSIs and possible mitigation measures.</li> </ul> </li> </ul> <p>9.3.28 The environmental constraints in this area of the replacement pipeline route are complex. The selected route reduces the impact of the project on the defining features of the SSSI, SPA and SAC (Special Area of Conservation) in line with the NPS EN-1 Part 5 Section 3 and the nature conservation objectives in the Surrey Heath adopted Management Plan for Turf Hill which states: <i>“To protect, create and maintain a diverse community structure of all the natural habitat types, but taking particular account of the heathland habitat for which the site was designated an S.S.S.I.”</i> In addition, the Management Plan for Turf Hill identifies <i>‘In compartment 7 retain mature trees whilst removing 75% of the saplings and scrub in order to encourage the</i></p>



Relevant Representation	Key Issue	Response to Theme
		<p><i>development of a heathy understorey</i>'. The trees in this area are coniferous (pine) plantation woodland.</p> <p>9.3.29 The Applicant has confirmed that the open heathland area along the existing pipeline (F1b and F1c) is a primary habitat for the protected species including ground nesting birds and sand lizards (one of the rarest UK reptiles), while the wooded edge of Turf Hill (F1a) is sub-optimal habitat. This is evidenced at ES Appendix 7.8 - Bird Factual Report, Table 3.1: Statutory and Non-Statutory Designated Sites within 1km of the Order Limits which have Notable Bird Species as a qualifying feature of notified interest (<b>Application Document APP-090</b>). The habitat within Turf Hill with high reptile potential is shown within the ES Appendix 7.11 - Reptile Factual Report, Figure A7.11.2 Sheet 2 of 3 (<b>Application Document APP-092</b>). This plan also shows the location of the SARG records.</p> <p>9.3.30 The proposed route reduces the potential for damage to habitat used by protected species, i.e. adders, sand lizards and SPA birds, although some trees along the bridleway to the rear of Colville Gardens and Heronscourt which may have bat potential would need to be removed. The alternative option F1c is within optimal sand lizard habitat and this is considered to be of greater ecological importance. The proposed route does not impact on European Dry Heath and Northern Atlantic Wet Heath. The wet heath is particularly difficult to reinstate post construction.</p> <p>9.3.31 The proposed route avoids disturbing nesting SPA birds. In open heath, the established mitigation option is to construct outside the nesting season in the first summer within the construction window, and to work between October and January in the second winter. However, the sand lizard hibernation period is August to March and any disruption to their hibernation results in a high risk of mortality.</p> <p>9.3.32 The Applicant has had to balance the impact on the very sensitive designated sites and protected species on the one hand, with the impact of removing some trees with potential for bat habitat and the impact of construction on local residents. The constructability and the</p>



Relevant Representation	Key Issue	Response to Theme
		<p>ecological impacts have been carefully balanced, and this has guided the routing of the proposed replacement pipeline and lead to the selection of the F1a route.</p> <p>9.3.33 Consultation responses mentioned the route of option F1a was particularly narrow at its western end. For similar reasons the Applicant was also concerned about the constructability of the pipeline in this area. The tightness of the route combined with the presence of utility services in the ground was a concern. Therefore, the Applicant refined the route to follow Red Road to the access to ‘Woodlands’ before turning north along the path to the rear of the properties in Coleville Gardens and Heronscourt.</p> <p>9.3.34 In balancing all the issues to determine the final selected route, significant weight was attached to the second guiding principle as option F1a would be likely to have better environmental outcomes versus the other options considered, especially relating to internationally and nationally important features along the final route. This was specifically in regard to the seasonal constraints around the ground nesting birds and the location of the primary habitat of the sand lizards. Other environmental issues such as construction noise and tree loss were considered, but these did not outweigh the weight given to the internationally protected species and their primary habitat. In weighing environmental matters, the view was taken that the highest form of environmental mitigation is avoidance. As there is an alternative viable route that avoids the protected species and their primary habitat, it is appropriate to select the alternative route when all other criteria are balanced.</p> <p>9.3.35 The final route selected and proposed in the application has been accepted by Natural England as confirmed by their Formal Response to the application. They are also in agreement that this application should be able to continue without harm to any key designations or species. See Natural England’s submission dated 26 July 2019 (<b>Application Document AS-030</b>). Whilst significant weight has been given to the presence of these protected species, this is proportionate and in accordance with relevant policy.</p>



Relevant Representation	Key Issue	Response to Theme
	<p><b>Consideration of Alternatives</b></p>	<p><b>Consideration of alternative routing options</b></p> <p>9.3.36 Section 4.4 of NPS EN-1 sets out the approach for an applicant to follow relating to the consideration of alternatives. The issue of route selection is discussed in detail within the ES Chapter 4 (<b>Application Document APP-044</b>).</p> <p>9.3.37 As set out above there are a number of constraints in the Turf Hill area. The Applicant has set out above that alternative corridors and routes were considered, along with different construction techniques, and the reasons why they were not selected. It is not correct to say that alternative options were not thoroughly considered before the proposed route was selected and the application submitted.</p>
	<p><b>Environmental Impacts and Construction issues</b></p>	<p><b>Environmental impacts particularly tree loss, ecology, flood risk, disruption during construction, location of the proposed pipeline in relation to private properties, impact of construction on traffic of Red Road and construction noise.</b></p> <p><b>Environmental concerns</b></p> <p>9.3.38 The environmental impacts are considered and assessed in accordance with NPS EN-1 Parts 4 and 5; and NPS EN-4 Section 2.19.</p> <p>9.3.39 The Colony Bog &amp; Bagshot Heath SSSI is designated for its habitat type of Dwarf Shrub Heath – Lowland.</p> <p>9.3.40 Turf Hill is a parcel of land protected under three nature conservation designations:</p> <ul style="list-style-type: none"> <li>• Turf Hill is a ‘Unit’ within the Colony Bog &amp; Bagshot Heath SSSI. This SSSI has 19 units, Turf Hill is Unit Number 5;</li> <li>• the Colony Bog and Bagshot Heath SSSI is itself a constituent part of (and legally underpins) the Thursley, Ash, Pirbright &amp; Chobham SAC; and</li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<ul style="list-style-type: none"> <li>• the Colony Bog and Bagshot Heath SSSI is also a constituent part of the Thames Basin Heaths SPA.</li> </ul> <p>9.3.41 The Turf Hill Unit supports areas of heath, grassland and woodland. Management of the site is aimed at maintaining and increasing the extent of heath habitat by control of invasive pine trees, gorse and Gaultheria shallon.</p> <p>9.3.42 The area of woodland to the north of the Turf Hill Unit, which would be impacted by the project, is not designated as ancient woodland or protected by Tree Preservation Orders (TPOs). There are two TPOs covering the housing to the north of the proposed replacement pipeline route: TPO reference 8/76 relating to Lightwater Manor, Lightwater Road, Lightwater which includes properties in Colville Gardens; and TPO reference 1/75 relating to Heronscourt, Lightwater. While these are outside the Applicant's Order Limits, there may be roots and branches within the DCO Order Limits. There are no trees listed on the Ancient Tree Inventory nor have any been assessed as being ancient or veteran trees by our surveyors.</p> <p>9.3.43 The Applicant recognises the wider value that trees provide to the environment in terms of habitat and visual screening and this is why the Applicant has narrowed the working area here to a maximum of 15 metres (from the standard 30 metres). This commitment is in the REAC Chapter 16 of the ES (<b>Application Document APP-056</b>) and the Code of Construction Practice (ref NW22). It is designed to reduce impacts to woodland at Turf Hill. The draft DCO includes requirements to carry out the proposed development, including the removal of all hedgerows and trees, in accordance with the CoCP.</p> <p>9.3.44 The Applicant cannot yet confirm the exact number of trees that may need to be removed. This is because the detailed construction planning necessary to determine the precise location of the replacement pipeline is not required to support the application and is normally undertaken once the contractor is known prior to construction. However, due to the residents' concerns,</p>



Relevant Representation	Key Issue	Response to Theme
		<p>the Applicant has accelerated arboriculture surveys in Turf Hill and shared these surveys with residents of Colville Gardens and Heronscourt in early October 2019.</p> <p>9.3.45 The project does not intend to remove trees within residential properties outside the Order Limits. Safety is extremely important, and the Applicant would not leave any trees in an unsafe state. Furthermore, the draft DCO would oblige the Applicant to avoid causing unnecessary damage and they must pay compensation to anyone who sustains loss or damage (see Articles 41 (2) and Article 42 (2) of the draft DCO <b>Application Document AS-059</b>).</p> <p>9.3.46 Furthermore, commitment G65 states: <i>“Working widths would be reduced in specific locations where trees or hedges are present. Where trees would be retained within or immediately adjacent to the Order Limits, the trees and their root protection areas would be protected where they extend within the Order Limits and are at risk. This would be by means of fencing or other measures”</i>, as detailed in ES Chapter 16 Table 16.2 Good Practice Measures (<b>Application Document APP-056</b>).</p> <p>9.3.47 The Applicant’s Order Limits are outside the two areas of protected trees in the area. Two TPOs cover the housing to the north of the proposed replacement pipeline route. TPO reference 8/76 relates to Lightwater Manor, Lightwater Road, Lightwater which includes properties in Colville Gardens; and TPO reference 1/75 relates to Heronscourt, Lightwater. These are shown on the General Arrangement Plans sheet 40 (<b>Application Document APP-024</b>) with the orders listed in schedule 8 of the draft DCO (<b>Application Document AS-059</b>).</p> <p>Article 42 within the draft DCO seeks powers to <i>“fell, lop or prune any part of (any) tree which is within, over or under land within the Order Limits if the Applicant believes it to be necessary in order to prevent the tree (a) from obstructing or interfering with the construction, maintenance or operation of the authorised development or any apparatus used in connection with the authorised development; or (b) from constituting a danger to persons using the authorised development”</i>. (<b>Application Document AS-059</b>).</p>



Relevant Representation	Key Issue	Response to Theme
		<p>9.3.48 Interested Parties have raised issues concerned with flooding due to the removal of trees in Turf Hill. The Applicant's assessment concludes that there is no significant impact from the proposal for either surface or groundwater flooding. This assessment is based on the worst-case scenario of removing all trees and shrubs within the 15-metre working area, which is not the Applicant's intention. The area that the trees cover is a relatively small proportion of the contributing catchment and would not be replaced with an impermeable ground surface. Trees can physically slow the flow of water over the ground. However, it is more thick brush and shrubs that slow the flow of water. Over time trees can also soak up water but this is a much slower process. If there was an extreme weather event, the trees would not stop the flow of water and the project is working across rather than down the hill. The project is not removing all the trees; there would still be a significant number in this area.</p> <p>9.3.49 There is no evidence that there would be any impact on insurance premiums.</p> <p>9.3.50 Interested Parties also raised issues concerned with the tree planting targets in the context of recent press coverage about the forthcoming Environment Bill. However, the Government's response to the consultation on proposals for a mandatory biodiversity net gain policy for development in England (July 2019) makes clear that nationally significant infrastructure would remain out of the scope of the mandatory requirements in the Environment Bill. See Department for Environment Food and Rural Affairs <i>Net Gain: Summary of responses and government response</i> July 2019 (page 5).</p> <p><b>Disruption during construction</b></p> <p>9.3.51 The NPS EN-1 Part 4 Section 4.2 sets out the need for the application to consider construction and operational impacts both in the immediate construction period and in the longer term, post completion and during operation.</p> <p>9.3.52 The land included within the Order Limits is wholly within Turf Hill and the Applicant does not need to enter any privately-owned land. Turf Hill is owned by Surrey Heath Borough Council.</p>



Relevant Representation	Key Issue	Response to Theme
		<p>9.3.53 The installed pipeline would have a nominal internal diameter of 30cm (12 inches) and a nominal wall thickness of 11.9mm. (Planning Statement Chapter 4 paragraph 4.1.5 (<b>Application Document APP-132</b>)).</p> <p>9.3.54 The replacement pipeline would be buried underground for its entire length. The minimum depth from the top of the pipe to the ground surface would be 1.2m in open cut sections. (Planning Statement Chapter 4 paragraph 4.1.13 (<b>Application Document APP-132</b>)).</p> <p>9.3.55 Based on the Order Limits and the Limits of Deviation, the closest the pipeline could be installed to a property boundary in this area is three metres due to the requirement for the easement for the pipeline to be wholly located within Land Parcel 7830. The final location of the pipeline is dependent on factors such as ground conditions, archaeology and the tree root protection areas for retained trees.</p> <p>9.3.56 The Applicant's current estimate is that construction in the Red Road and Turf Hill area may take approximately six months. However, the 500m section to the rear of the residential properties in Heronscourt and Colville Gardens is estimated to take around three months. Prior to construction, the Applicant would provide residents and users of Turf Hill with more details of the timings of works, through the Community Engagement Plan in commitment G31 in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>). There is a commitment to deliver this plan through the Code of Construction Practice and through the Construction Environmental Management Plan.</p> <p>9.3.57 The Applicant cannot be more precise until the commencement of detailed design work that would only be carried out once the contractor is appointed.</p> <p>9.3.58 The Applicant safely operates more than 700km (435 miles) of pipelines in the UK. All the existing pipelines are constantly monitored. The Applicant also inspects its existing pipelines frequently using internal pipeline inspection gauges, known as 'PIGs'. The ground above each of their existing pipelines is also regularly inspected on foot and from the air. The replacement pipeline would be operated under these standards as detailed in commitment O10 as detailed</p>





Relevant Representation	Key Issue	Response to Theme
		<p>in ES Chapter 16 Table 16.1: Embedded Design Measures (<b>Application Document APP-056</b>) and Esso Petroleum Company Limited's Standard Operating Procedure.</p> <p><b>Traffic</b></p> <p>9.3.59 Compared with housing developments the scheme would generate relatively low level of traffic movements. Nevertheless, the Applicant would prepare a traffic management plan to share with Surrey County Council. See commitment G110 as detailed in ES Chapter 16 Table 16.2: Good Practice Measures.</p> <p><b>Noise</b></p> <p>9.3.60 The Applicant is aware that construction activity can be noisy, commitment G99 in the REAC (See ES Chapter 16 <b>Application document APP-056</b>) states that '<i>The contractor would be required to produce a Noise and Vibration Management Plan for the approval of the relevant planning authority. The Noise and Vibration Management Plan would, having regard to the approved operational hours, set out, where applicable, the best practicable means that would be used to reduce noise and vibration during construction</i>'.</p> <p>9.3.61 G100 states '<i>The Noise and Vibration Management Plan would include the following details in relation to the project within the relevant local authority area:</i></p> <ul style="list-style-type: none"> <li>• <i>description of works pursuant to DCO;</i></li> <li>• <i>scheme of work;</i></li> <li>• <i>programme;</i></li> <li>• <i>working hours;</i></li> <li>• <i>plant noise and vibration data;</i></li> <li>• <i>receptors at risk of &gt;1.0mm/s peak particle velocity and a protocol for providing prior warning and explanation;</i></li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<ul style="list-style-type: none"> <li>• <i>best practicable means (BPM) measures where applicable (as defined in Section 72 of CoPA 1974 for the control of noise and vibration);</i></li> <li>• <i>predicted noise and vibration levels; and</i></li> <li>• <i>BPM justification for short-term higher noise/vibration levels or out of hours working and community communication details.'</i></li> </ul> <p>9.3.62 Commitment G107 states '<i>If necessary, temporary acoustic barriers or enclosures would be installed to reduce noise levels at sensitive receptors, especially in locations where noisy plant would be used for a prolonged period of time</i>'.</p> <p>9.3.63 It is not possible to provide more information at this time as only the contractor will be aware of the noise output of the equipment to be used and the contractor has not been appointed yet.</p> <p>9.3.64 In summary, the impacts about which concerns have been expressed have been taken into account and mitigation measures proposed to manage and reduce the potential adverse effects from construction activity. In some cases, such as noise, it is proposed that the local authority be given the power to approve the plan.</p>
	<p><b>Property</b></p>	<p><b>Relevant Representations raise issues regarding blight both during and post construction and impacts on insurance premiums.</b></p> <p>9.3.65 Based on the Applicant's experience of owning and operating pipelines it does not believe the construction and operation of the replacement pipeline would impact the sale of a property. In the event that there was an adverse impact, then statutory 'blight' could engage; however, the Applicant does not accept that this scenario would arise. Landowners would still be able to enjoy and use their gardens or land. The Applicant's experience with existing landowners demonstrates that there is very little to no impact on people's use of their properties as a result of having a pipeline in or near their land.</p>

**Southampton to London Pipeline project  
Responses to Relevant Representations**



Relevant Representation	Key Issue	Response to Theme
		9.3.66 The Applicant also does not anticipate concerns from insurance providers about the safety of the pipeline. Along the existing pipeline route housing developments have been built around the pipeline with no concerns raised from insurance providers that have been brought to our attention.



## 10 Queen Elizabeth Park

### 10.1 Overview

- 10.1.1 Eight relevant representations have been made which raise issues concerned with the potential impact of the project on Queen Elizabeth Park in Farnborough.
- 10.1.2 Table 10.1 below provides a summary of the key themes raised and the Applicant's response to these themes.

### 10.2 Application Documents

- 10.2.1 The following application documents are relevant to this response:
- Chapter 16 of the Environmental Statement (**Application Document APP-056**) sets out the Applicant's proposed environmental management and mitigation measures with regard to open space, access and trees.
  - Chapter 16 of the Planning Statement (**Application Document APP-132**) addresses the impact of the project on the use and function of open spaces.
  - Appendix 16.1 of the Environmental Statement is the Code of Construction Practice (**Application Document APP-128**).
- 10.2.2 Table 10.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).



### 10.3 Key Issues

Table 10.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
<p>Duncan Manuel (RR-098)</p> <p>Nick Jarman on behalf of The residents of 16 Queen Victoria Court (RR-102)</p> <p>Paige Norton-Edwards (RR-133)</p> <p>Charlotte Gill (RR-185)</p> <p>Silvia Plascencia Posada (RR-274)</p> <p>Alan James Styles (RR-288)</p> <p>Dr Craig E Stiles (RR-291)</p>	<p><b>Impact on recreational use of the park</b></p>	<p><b>Some Relevant Representations have raised issues concerned with the impact on recreational use of Queen Elizabeth Park by residents and visitors during construction.</b></p> <p>10.3.1 The potential environmental impacts on open spaces have been considered and assessed in accordance with Parts 4 and 5 of NPS EN-1; and Sections 2.19 to 2.23 of NPS EN-4 in Planning Statement Chapter 16 and Planning Statement Appendix 16.1 (<b>Application Document APP-132</b>).</p> <p>10.3.2 The project is a replacement underground pipeline and the only impacts on the use of open spaces would be temporary during construction of the replacement pipeline. There would be no permanent loss of public open space as a result of the project and, once installed, the open spaces would be restored and continue to function as open space with no impact from the operation of the underground pipeline. For more information, please see Planning Statement Chapter 16, paragraph 16.2.6 (<b>Application Document APP-132</b>). It is acknowledged that during construction there would be a temporary impact on the availability and function of some key open spaces along the pipeline route, including Queen Elizabeth Park. Therefore, an assessment of the impact on key sites has been undertaken. More information regarding this assessment can be found in Planning Statement Chapter 16, paragraph 16.2.7 and Planning Statement Appendix 16.1 (<b>Application Document APP-132</b>).</p> <p>10.3.3 A short list of 17 priority open spaces, where construction of the replacement pipeline was considered to generate potential impacts requiring detailed assessment, is set out in Table 16.2 of the Planning Statement (<b>Application Document APP-132</b>). This included an assessment of impacts on Queen Elizabeth Park.</p>



Relevant Representation	Key Issue	Response to Theme
Rushmoor Borough Council (RR-293)		<p>10.3.4 There is a commitment (NW17 in Table 16.1 of <b>Application Document APP-056</b>) for narrow working across this park. The Applicant's aim is to install the replacement pipeline near to the existing pipeline and along the existing path in the park to reduce the impact on the mature trees located within the park and to align with the route through Farnborough Hill School grounds to the east. However, this area of the park would be fenced and closed to the public during construction, including the existing car park accessed from Cabrol Road. See Planning Statement paragraph 16.4.21 (<b>Application Document APP-132</b>).</p> <p>10.3.5 The construction of the replacement pipeline would involve the temporary removal and subsequent replacement of the existing equipped play area within Queen Elizabeth Park. The CoCP includes commitment OP05, which confirms that <i>'In recognition that the existing neighbourhood equipped area for play (NEAP) at Queen Elizabeth Park would be impacted by the pipeline construction, the project would reinstate the existing NEAP as soon as practicable after construction. The project would seek to provide an alternative NEAP for use while the existing NEAP is out of commission'</i>. (See <b>Application Document APP-128</b>). Commitment OP06 is that <i>'The alternative NEAP would either be provided by the project within the Order Limits in the vicinity of the existing NEAP or would be provided in collaboration with Rushmoor Borough Council in accordance with the details agreed'</i>.</p> <p>10.3.6 Once the replacement pipeline has been constructed and the land reinstated, there <i>would</i> be no impact on the use and function of Queen Elizabeth Park. There is no loss of open space from the operation of the pipeline once installed. See Planning Statement Chapter 16, paragraph 16.4.31 (<b>Application Document APP-132</b>).</p> <p>10.3.7 The CoCP (<b>Application Document APP-128</b>) includes additional good practice measures to reduce potential impacts on Queen Elizabeth Park. This includes commitment OP02, which provides that: <i>'The existing walking and cycling route to the north of the Order Limits from Cabrol Road through Queen Elizabeth Park would be signposted as an alternative to the route within Order Limits.'</i> (See Table 3.1 of <b>Application Document APP-128</b>). The details of this</p>



Relevant Representation	Key Issue	Response to Theme
	<p>Impacts from loss of mature woodland within the park</p>	<p>route would be discussed in advance with the Borough Council as the landowner and relevant planning authority.</p> <p><b>Some Relevant Representations have raised issues concerned with the removal of mature trees within Queen Elizabeth Park and associated impacts.</b></p> <p>10.3.8 In developing the project through an iterative process of consultation and engagement with consultees and by undertaking an Environmental Impact Assessment, the project sought to identify and incorporate suitable measures and mitigation for any potentially significant adverse effects. These commitments are set out in the REAC in Chapter 16 of the ES (<b>Application Document APP-056</b>).</p> <p>10.3.9 Some of these commitments are ‘embedded’ in the design of the project development for which development consent is sought by virtue of the scope of the authorised development as set out in Schedule 1 to the draft DCO and the accompanying Works Plans. These include, for example, adjustment of Order Limits to avoid sensitive features or the sizing and location of access routes and compounds. This has been adopted in Queen Elizabeth Park where there is a commitment to 15m-wide narrow working (NW17) through the Park, to reduce the impact on mature trees located in the Park.</p> <p>10.3.10 Further commitments set out within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>) that relate to Queen Elizabeth Park, include:</p> <ul style="list-style-type: none"> <li>• G65: <i>‘Working widths would be reduced in specific locations where trees or hedges are present. Where notable trees would be retained within or immediately adjacent to the Order Limits, the trees and their root protection areas would be protected where they extend within the Order Limits and are at risk. This would be by means of fencing or other measures’</i>; and</li> <li>• G87: <i>‘Vegetation clearance, retention, protection and replanting/reinstatement drawings would be produced prior to the construction phase. The contractor(s) would implement these plans including agreed mitigation where practicable’</i>.</li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<p>10.3.11 The Applicant would seek to reduce potential tree loss within Queen Elizabeth Park arising from the construction of the proposed replacement pipeline. This would be achieved through the commitment to narrow working, and through using tree survey results to estimate root protection areas to inform the detailed alignment of the pipeline. Where tree removal is unavoidable, native trees would be planted to replace those removed, except for within the six-metre-wide protective easement over the pipeline, where smaller native shrubs would be planted. In addition, the Applicant is in discussion with Rushmoor Borough Council about a proposal to create an attractive woodland trail to replace the current path (see 10.3.16 below). The draft DCO Requirement 8 (<b>Application Document AS-059</b>) requires that the details of trees to be removed and replacement tree or shrub planting, would be identified within the Landscape and Ecological Management Plan (LEMP). The Construction Environmental Management Plan and LEMP must be submitted to the relevant planning authority (Rushmoor Borough Council) for approval prior to the commencement of this stage of the development.</p> <p>10.3.12 It is also relevant to note that the drafting of article 41 of the draft DCO ensures that the Applicant's power to undertake works to trees in connection with the construction, maintenance and operation of the project is not unfettered. First, any works to trees must either be necessary to prevent the tree from obstructing or interfering with the construction, maintenance or operation of the project or from constituting a danger to persons using the authorised development (per article 41(1) of the draft DCO). In addition, the Applicant must not cause unnecessary damage to any trees in exercising its powers under article 41 (per article 41(2) of the draft DCO). These are important limitations on the exercise of the Applicant's powers in relation to trees.</p>





Relevant Representation	Key Issue	Response to Theme
	<p><b>Environmental improvements</b></p>	<p><b>Environmental Investment Programme (EIP)</b></p> <p>10.3.13 There is no statutory requirement for Nationally Significant Infrastructure Projects to deliver net gain, or biodiversity enhancement. Furthermore, the Department for Environment, Food and Rural Affairs published its response to the consultation on net gain in July 2019. This document states on page 5 that '<i>nationally significant infrastructure and net gain for marine development will remain out of scope of the mandatory requirement in the Environment Bill</i>'. In any event, the Environment Bill is not yet law and its legislative timetable remains unclear.</p> <p>10.3.14 Environmental impacts are identified in the Environmental Statement and appropriate mitigation is set out in Chapter 16 of the Environmental Statement and the REAC (<b>Application Document APP-056</b>). However, the Applicant recognises that construction of the replacement pipeline would still be outside of '<i>everyday activities or use</i>' of the environmentally and social valued areas that the route travels through. As a good neighbour and responsible operator, the Applicant is developing the EIP, in order to contribute to the communities who may be affected by the replacement pipeline.</p> <p>10.3.15 The EIP comprises a range of activities along the replacement pipeline route to carry out localised environmental improvements and enhance local biodiversity, within environmentally designated sites and/or areas of social/community importance over and above what is required by planning policy.</p> <p>10.3.16 The Applicant is working with Rushmoor Borough Council to agree on a number of voluntary EIP activities, over and above the reinstatement already committed to. The Applicant has discussed with the Council a proposal to improve the woodland trail within the park by planting wildflowers along the six-metre-wide protected easement strip.</p>



## 11 Ashford Road

### 11.1 Overview

- 11.1.1 Five interested parties raised issues concerned with the impact of the project on Ashford Road in Ashford, Surrey.
- 11.1.2 Table 11.1 below provides a summary of the key themes raised and the Applicant's response to these themes.

### 11.2 Application Documents

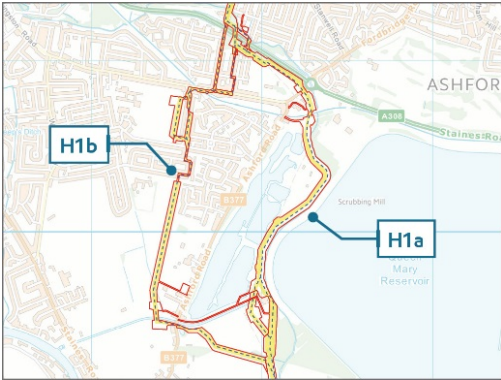
- 11.2.1 The following application documents are relevant to this response:
- The Consultation Report (**Application Document AS-013**);
  - Appendix 4 of the Consultation Report (**Application Document APP-035**);
  - Appendix 5 of the Consultation Report (**Application Document AS-012**);
  - Appendix 6 of the Consultation Report (**Application Document APP-037**);
  - Appendix 7 of the Consultation Report (**Application Document APP-038**);
  - Planning Statement (**Application Document APP-132**);
  - General Arrangement Plans (1 of 3) (**Application Document APP-022**); and
  - Spelthorne Borough Council's Adequacy of Consultation Representation (**Application Document AoC-018**).
- 11.2.2 ES Chapter 16 outlines the Applicant's commitments with regards to property access, traffic, air quality, noise, and trees. Table 11.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**), please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).



### 11.3 Key Issues

Table 11.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
<p>Ashford Road (TW 18) Residents Group (RR-105)</p> <p>Savills on behalf of Spelthorne Borough Council (RR-180)</p> <p>Claire Watters (RR-230)</p> <p>Michelle Redman (RR-260)</p> <p>Colin Redman (RR-231)</p> <p>Kwasi Kwarteng (MP) (AS-037)</p>	<p><b>Consultation and route selection</b></p>	<p><b>Consultation</b></p> <p>11.3.1 The Applicant's Preferred Route Consultation (first statutory consultation) took place between 6 September and 19 October 2018. Section 42 (specified parties), Section 47 (local community) and Section 48 (notices) of the 2008 Act set out the duty to consult in relation to Nationally Significant Infrastructure Projects (NSIPs). The Applicant has complied with the requirements of the 2008 Act (see the Applicant's Consultation Report <b>Application Document AS-013</b>).</p> <p>11.3.2 Prior to undertaking statutory consultation in accordance with the 2008 Act, the Applicant also consulted with local authorities on the detail of the local community consultation process through the Statement of Community Consultation (SoCC) (Appendix 4.8 of the Consultation Report; <b>Application Document APP-035</b>). The SoCC stated in Chapter 12 that '<i>following the statutory consultation, there may be changes to our proposals. If we judge these are significant, or if new statutory consultees are affected, we would undertake further targeted consultation...</i>'</p> <p>11.3.3 The application has been accepted for examination following confirmation by the Planning Inspectorate that the consultation complied with the requirements of the 2008 Act and was adequate. Spelthorne Borough Council responded to the Planning Inspectorate's request for an adequacy of consultation representation in their <b>Application Document AoC-018</b>. The council said '<i>I can confirm we were invited to comment on the draft Statement of Community Consultation in July 2018 and were consulted on the scheme itself throughout the pre-application stage, from the initial route corridors to the design refinements and final route. Spelthorne is satisfied that the Consultation Report is an accurate account of the extensive</i></p>

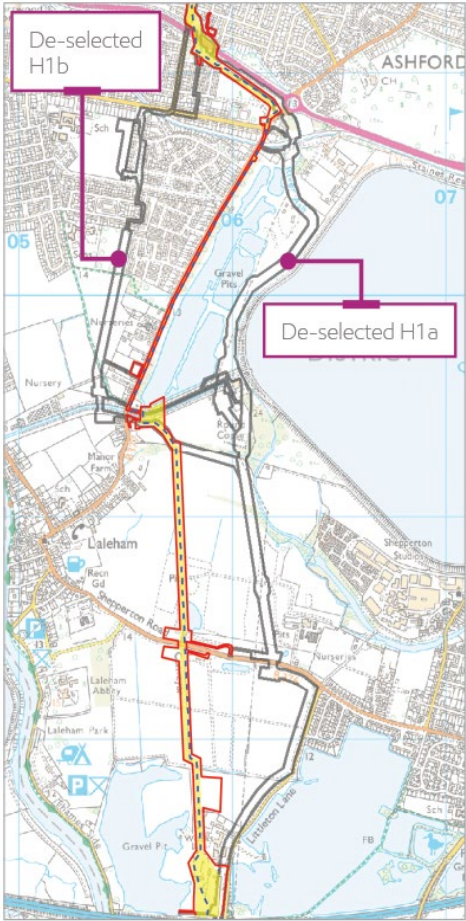
Relevant Representation	Key Issue	Response to Theme
		<p><i>engagement undertaken by the developer and that the borough and its communities have been consulted in accordance with statutory duties’.</i></p> <p>11.3.4 At the first statutory consultation, the Applicant consulted on two sub-options near the Queen Mary Reservoir in Ashford (see the page 53 of the Preferred Route Consultation Brochure (Appendix 5.1 of the Consultation Report <b>Application Document AS-012</b>):</p> <ul style="list-style-type: none"> <li>• The H1a sub-option followed the existing pipeline route, crossing the reservoir inlet channel and following the toe (bottom) of the Queen Mary Reservoir embankment. The route then ran past Laleham Substation and across the Staines Reservoirs Aqueduct and B377 to the crossing of the Staines Bypass (A308).</li> <li>• The H1b sub-option to the west diverted away from the western edge of the reservoir, before turning north. It then proceeded either through the sports field of Matthew Arnold School or an alignment further east, after which it crossed the Staines Reservoirs Aqueduct.</li> </ul> <p><b>Illustration 9.3 Extract from First Statutory Consultation Brochure (Appendix 5.1 of the Consultation Report Application Document AS-012)</b></p> 



Relevant Representation	Key Issue	Response to Theme
		<p>11.3.5 The consultation responses from the first statutory consultation raised that:</p> <ul style="list-style-type: none"> <li>• There were concerns regarding the impacts of sub-option H1b on narrow residential roads, parking, and facilities, such as local schools and churches (section 5.20, pages 192-4 of the Consultation Report <b>Application Document AS-013</b>).</li> <li>• H1a was favoured by 90% of those respondents to the consultation who expressed a preference (section 9 of Appendix 5.24 of the Consultation Report <b>Application Document AS-012</b>).</li> <li>• There were issues raised concerned with the proposal to place the H1a sub-option between the reservoir embankment and the River Ash, citing implications for the safety of the reservoir structure (pages 192-4 of the Consultation Report <b>Application Document AS-013</b>), in particular from Thames Water who added that there would be significant technical challenges in constructing the H1a sub-option and that the presence of a pipeline in this area might affect their ability to deal with emergency situations with the reservoir (page 86 of Appendix 5.24 of the Consultation Report <b>Application Document AS-012</b>).</li> <li>• There was also an alternative route proposed along Ashford Road by four members of the public, in place of the two proposed sub-options.</li> </ul> <p>11.3.6 Following ongoing engagement with landowners, including Thames Water, and consultation feedback, the Applicant deselected sub-option H1b. The factors considered were that H1b passed through the following:</p> <ul style="list-style-type: none"> <li>• a proposed gravel extraction site where the planning permission has been implemented by the commencement of the advanced works in preparation for the quarry operation;</li> <li>• two schools - Buckland Infant School and the Matthew Arnold School campus; and</li> <li>• narrow residential roads (paragraph 15.3.8 of the Planning Statement <b>Application Document APP-132</b>).</li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<p>11.3.7 H1a was favoured by local residents and met the Applicant’s preference to install on private land away from public roads. However, following consultation feedback, the Applicant reviewed the engineering challenges around sub-option H1a and it was deselected as assessment showed that it would be a safety risk to install the pipeline in this area (Appendix 6.2 of the Consultation Report <b>Application Document APP-037</b>). The factors considered were:</p> <ul style="list-style-type: none"> <li>• construction near the toe (bottom) of the reservoir embankment risks compromising its stability, and pushes construction activity towards the overhead power lines;</li> <li>• construction in the area below the overhead power lines poses an increased safety risk; and</li> <li>• there simply isn’t enough space to safely construct the replacement pipeline between the high-pressure gas main and other underground utilities.</li> </ul> <p>11.3.8 The Design Refinements Consultation (second statutory consultation) took place from 21 January to 19 February 2019. At this consultation the Applicant consulted on the alternative route along Ashford Road which was proposed within consultation feedback.</p>

Relevant Representation	Key Issue	Response to Theme
		<p><b>Illustration 9.4 Extract from Second Statutory Consultation Brochure</b> (page 19 of Appendix 6.2 of the Consultation Report Application Document APP-037)</p>  <p>The map displays a proposed pipeline route through an area including Ashford and Laleham. Two specific sections of the route are highlighted with red boxes and labeled as 'De-selected H1b' and 'De-selected H1a'. The map also shows various landmarks such as 'Gravel Pt.', 'Laleham Abbey', and 'Laleham Mark'.</p>



Relevant Representation	Key Issue	Response to Theme
		<p>11.3.9 Feedback from the Design Refinements Consultation raised issues concerned with disruption to residents and road users, impacts on trees and existing services in the area, and security and personal safety. There was also a suggestion made within nine consultation responses from the public for an alternative route travelling east around the Queen Mary Reservoir.</p> <p>11.3.10 The Applicant did not take this alternative forward, as it would increase the amount of pipeline beneath the highway, which would introduce risk to significant drainage systems buried under the road and there are significant practical constraints to construction alongside strategic road networks. It would also transfer impacts to other communities, particularly along Charlton Road, Spelthorne Road and the A308, which is residential in parts. There would also be transferable environmental impacts. See section 16 of the Design Refinements Consultation Summary Report (Appendix 6.18 of the Consultation Report <b>Application Document APP-037</b>).</p> <p><b>Final route selection</b></p> <p>11.3.11 Paragraphs 2.19.7 to 2.19.10 of the NPS EN-4 set out the approach to be taken in route selection for oil and gas pipeline NSIPs. The Applicant has followed this approach.</p> <p>11.3.12 The Applicant selected the refined route along Ashford Road as part of the final route submitted as part of its application for development consent and is confident that the refined route is less likely to impact on nearby homes and residents when compared to H1b.</p> <p>11.3.13 The Applicant did take into account consultation feedback regarding the proposed compound on Ashford Road and removed it from the final route (Appendix 7.3 of the Consultation Report <b>Application Document APP-038</b>).</p>





Relevant Representation	Key Issue	Response to Theme
	<p><b>Access to properties and local facilities (e.g. the White House Depot)</b></p>	<p><b>Relevant Representations raised issues regarding construction impacts on residential amenity, access (particularly to the White house Depot) and road traffic, air quality and noise during construction.</b></p> <p>11.3.14 The Applicant is aware of the need to maintain access to the White House Depot and this has led to the proposed trenchless crossing of Ashford Road and Kingston Road to ensure that this busy interchange, including the access to the White House Depot, is maintained. The details of the proposed trenchless crossing (TC038) are shown on the General Arrangement Plans, Sheet numbers 51 and 52; and 120 and 124 (<b>Application Document APP-014</b>). There would be traffic management in place where the open cut works take place along Ashford Road itself to manage the impact of the works on the road network.</p> <p>11.3.15 The Applicant is proposing commitment G79 in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>) <i>‘Pedestrian access to and from residential, commercial, community and agricultural land uses would be maintained throughout the construction period. Vehicle access would be maintained where practicable. This may require signed diversions. The means of access would be communicated to affected parties at least two weeks in advance.’</i></p> <p><b>Traffic and Timescales</b></p> <p>11.3.16 The Applicant expects that it would take three to six months to construct the pipeline along Ashford Road, with the trenchless crossing into Fordbridge Park at the top of Ashford Road taking place for a further three months. The work to construct the pipeline along the road would move along in small sections and would not require a complete road closure. There would always be at least one lane of traffic open. See Appendix 7.3 of the Consultation Report (<b>Application Document APP-038</b>).</p> <p>11.3.17 The Applicant would produce a Construction Traffic Management Plan (CTMP), which would consider the traffic generated by construction vehicles and how the project would manage the diversions and closures within the highway network (provided for under the development</p>



Relevant Representation	Key Issue	Response to Theme
		<p>consent). This is outlined within commitment G111 which is outlined below and can be found in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>).</p> <p>11.3.18 <i>The CTMP would consider the traffic generated by construction vehicles and how the contractor(s) would manage the diversions and closures within the highway network (provided for under the development consent). The CTMP could also include, but would not be limited to, the following:</i></p> <ul style="list-style-type: none"> <li>• <i>show the location of construction compound(s), access routes, site boundaries, entry/exit points;</i></li> <li>• <i>develop measures to promote safe access to and from site;</i></li> <li>• <i>detail each road crossing including the technique for installing the pipeline, access points and traffic management requirements;</i></li> <li>• <i>define routes that would be taken by Heavy Goods Vehicles (HGVs), light vehicles (including Light Goods Vehicles with a gross weight less than 3.5 tonnes) and other site traffic;</i></li> <li>• <i>make drivers aware of designated access routes;</i></li> <li>• <i>provide appropriate temporary signage directing HGV drivers to relevant compounds;</i></li> <li>• <i>show the location of temporary road closures including temporary diversion routes agreed with the relevant highway authority;</i></li> <li>• <i>manage Abnormal Indivisible Loads;</i></li> <li>• <i>provide proof of concept for the proposed measures, for example large vehicle swept path analysis at pinch points on the public highway;</i></li> <li>• <i>provide a Travel Plan for transport of the construction workforce; and</i></li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<ul style="list-style-type: none"> <li>• <i>provide measures for the monitoring of the CTMP and details of appropriate actions in the event of a non-compliance.</i> (<b>Application Document APP-056</b>).</li> </ul> <p><b>Air quality</b></p> <p>11.3.19 Air quality was assessed within ES Appendix 13.2 (<b>Application Document APP-120</b>). This concluded that the air quality effects from construction traffic, including diversions, on human and ecological receptors in rural and urban areas was considered to be not significant.</p> <p>11.3.20 A number of project commitments have been made to reduce impacts on air quality from dust during construction activity including commitment G30 which states ‘<i>A dust management plan would be produced, including the following measures to be implemented where relevant:</i></p> <ul style="list-style-type: none"> <li>• <i>control runoff of water or mud to reduce the spread of particulates that could subsequently be disturbed and become airborne;</i></li> <li>• <i>return subsoil and topsoil at the earliest suitable time of year after construction has been completed;</i></li> <li>• <i>manage earthworks and soil by methods such as covering, seeding or using water suppression where appropriate;</i></li> <li>• <i>limit de-compaction of the subsoil in windy conditions during reinstatement;</i></li> <li>• <i>construct compound access points to the public highway with temporary hard surfacing;</i></li> <li>• <i>enforce an appropriate speed limit for vehicles travelling on site to limit dust generation;</i></li> <li>• <i>make an adequate water supply available for effective dust/particulate matter suppression/mitigation;</i></li> <li>• <i>protect sand and other aggregates from drying out;</i></li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<ul style="list-style-type: none"> <li>• <i>limit drop heights when loading and unloading materials from vehicles including pipes and excavated materials;</i></li> <li>• <i>control the number of handling operations to ensure that dusty material is not moved or handled unnecessarily;</i></li> <li>• <i>where there is a risk of dust nuisance when using cutting, grinding or sawing equipment, use in conjunction with suitable dust suppression techniques;</i></li> <li>• <i>keep equipment readily available to clean any dry spillages;</i></li> <li>• <i>clean up spillages as soon as reasonably practicable after the event using wet cleaning methods;</i></li> <li>• <i>limit dry sweeping of large areas;</i></li> <li>• <i>prohibit bonfires or the burning of waste materials;</i></li> <li>• <i>provide adequate wheel washing facilities at all logistics hubs and large compound access points on to the highway;</i></li> <li>• <i>deploy water-assisted road cleaners on public roads when necessary to prevent excessive dust or mud deposits;</i></li> <li>• <i>sheet vehicle loads during the transportation of loose or potentially dusty material or contaminated excavation material, spoil; and</i></li> <li>• <i>undertake inspections to monitor dust and record results in the Environmental log. The frequency of inspections to be increased when activities with a high potential to cause nuisance are being carried out, or conditions increase the risk of nuisance, e.g. windy conditions increase dust risk.'</i></li> </ul>



Relevant Representation	Key Issue	Response to Theme
		<p>11.3.21 The Applicant would produce a Construction Environmental Management Plan (CEMP) in line with Requirement 6 of the draft DCO (<b>Application Document AS-059</b>) to explain how the project activities comply with its requirements and would include subsidiary plans such as the management of waste and soils. This is outlined within commitment G1 which states ‘<i>A Construction Environmental Management Plan (CEMP) would be produced in line with the Outline CEMP. It would explain how the activities of sub-contractor(s) comply with its requirements and include subsidiary plans such as the management of waste and soils</i>’ as detailed in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>).</p> <p><b>Noise</b></p> <p>11.3.22 Construction noise was assessed within ES Appendix 13.3 (<b>Application Document APP-131</b>). This used similar schemes to identify potential noise levels associated with typical machinery. The noise levels were mapped to identify receptors that would experience elevated noise levels. Ashford Road was not identified in Table 6.5 in Appendix 13.3, as less than 10 properties were expected to experience significant noise levels.</p> <p>11.3.23 The Applicant has adopted commitment G99 which states ‘<i>The contractor would be required to produce a Noise and Vibration Management Plan for the approval of the relevant planning authority. The Noise and Vibration Management Plan would, having regard to the approved operational hours, set out, where applicable, the best practicable means that would be used to reduce noise and vibration during installation</i>’ as detailed in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>).</p> <p>11.3.24 Commitment 100 outlines that ‘<i>the Noise and Vibration Management Plan would, having regard to the approved operational hours, set out, where applicable, the best practicable means that would be used to reduce noise and vibration during installation. The Noise and Vibration Management Plan would include the following details in relation to the project within the relevant local authority area:</i></p>



Relevant Representation	Key Issue	Response to Theme
		<ul style="list-style-type: none"> <li>• <i>description of works pursuant to DCO;</i></li> <li>• <i>scheme of work;</i></li> <li>• <i>programme;</i></li> <li>• <i>working hours;</i></li> <li>• <i>plant noise and vibration data;</i></li> <li>• <i>receptors at risk of &gt;1.0mm/s peak particle velocity and a protocol for providing prior warning and explanation;</i></li> <li>• <i>best practicable means (BPM) measures where applicable (as defined in Section 72 of CoPA 1974 for the control of noise and vibration);</i></li> <li>• <i>predicted noise and vibration levels; and</i></li> <li>• <i>BPM justification for short-term higher noise/vibration levels or out of hours working and community communication details' (Application Document APP-056).</i></li> </ul>
	<p><b>Trees</b></p>	<p><b>Impact of construction on trees – potential ancient woodland</b></p> <p>11.3.25 There are a number of trees along the verge of Ashford Road. At the time of application, these were not on the Ancient Tree Inventory (Woodland Trust) but since this time, three trees have been added to the inventory as veteran trees (Ancient Tree Inventory, Woodland Trust, <a href="https://ati.woodlandtrust.org.uk/">https://ati.woodlandtrust.org.uk/</a>). The Applicant has surveyed the trees along Ashford Road and has estimated root protection areas for these. This information would be used to inform the pipeline routing during detailed design at this location.</p> <p>11.3.26 The Applicant has adopted commitments set out within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>) that relate to trees, include:</p>



Relevant Representation	Key Issue	Response to Theme
		<ul style="list-style-type: none"> <li>• G65: <i>‘Working widths would be reduced in specific locations where trees or hedges are present. Where notable trees would be retained within or immediately adjacent to the Order Limits, the trees and their root protection areas would be protected where they extend within the Order Limits and are at risk. This would be by means of fencing or other measures’.</i></li> <li>• G86: <i>‘Works to notable trees, where at risk of damage, would be supervised by the Ecological Clerk of Works’.</i></li> <li>• G87: <i>‘Vegetation clearance, retention, protection and replanting/reinstatement drawings would be produced prior to the construction phase. The project would implement these plans including agreed mitigation where practicable’.</i></li> <li>• G95: <i>‘The project would consider and apply, where practicable, the relevant protective principles set out in the National Joint Utilities Group Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (‘NJUG Volume 4’ (2007)). This would be applied to trees within the Order Limits which would be preserved through the construction phase, and to trees outside the Order Limits where such measures do not hinder or prevent the use of the relevant working width for construction’.</i></li> </ul>



## 12 Celia Crescent/ Fordbridge Park

### 12.1 Overview

12.1.1 Three interested parties raised issues about the impact of the project on Celia Crescent and Fordbridge Park in Ashford, Surrey.

12.1.2 Table 12.1 below provides a summary of the key themes raised and the Applicant's response to these themes.

### 12.2 Application Documents

12.2.1 The following application documents are relevant to this response:

- The Consultation Report (**Application Document AS-013**);
- Appendix 4 of The Consultation Report (**Application Document APP-035**);
- Appendix 5 of The Consultation Report (**Application Document AS-012**);
- Appendix 6 of The Consultation Report (**Application Document APP-037**);
- Appendix 7 of The Consultation Report (**Application Document APP-038**); and
- Spelthorne Borough Council's Adequacy of Consultation Representation (**Application Document AoC-018**).

12.2.2 ES Chapter 16 outlines the Applicant's commitments with regards to the mitigation of impacts, including noise and traffic. Table 12.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**), please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).





## 12.3 Key Issues

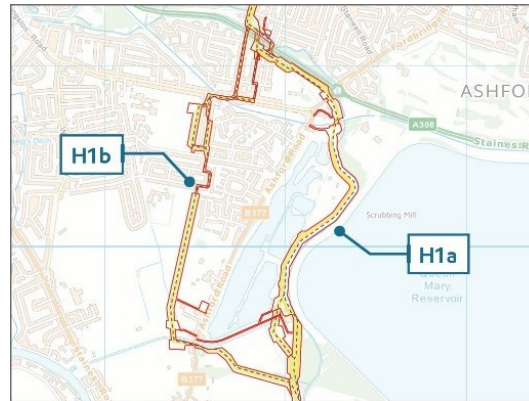
Table 12.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
<p>Celia Crescent Residents Group (TW15) (RR-003)</p> <p>Noel Lynch (RR-057)</p> <p>Spelthorne Borough Council (RR-180)</p>	<p><b>Consultation and route</b></p>	<p><b>Consideration of alternatives and consultation on the proposed access to Fordbridge Park from Celia Crescent</b></p> <p>12.3.1 The Applicant’s Preferred Route Consultation (First Statutory Consultation) took place between 6 September and 19 October 2018. Section 42 (specified parties), Section 47 (local community) and Section 48 (notices) of the Planning Act 2008 (“the 2008 Act”) set out the duty to consult in relation to Nationally Significant Infrastructure Projects. The Applicant has complied with the requirements of the 2008 Act (see Consultation Report <b>Application Document AS-013</b>).</p> <p>12.3.2 Prior to undertaking statutory consultation in accordance with the 2008 Act, the Applicant also consulted with local authorities on the detail of the local community consultation process through the Statement of Community Consultation (SoCC) (Appendix 4.8 of The Consultation Report <b>Application Document APP-035</b>). The SoCC stated in Chapter 12 that “<i>following the statutory consultation, there may be changes to our proposals. If we judge these are significant, or if new statutory consultees are affected, we would undertake further targeted consultation...</i>” (see <b>Application Document APP-035</b>).</p> <p>12.3.3 The application has been accepted for examination following confirmation by the Planning Inspectorate that the consultation complied with the requirements of the 2008 Act and was adequate. Spelthorne Borough Council responded to the Planning Inspectorate’s request for an adequacy of consultation representation in their <b>Application Document AoC-018</b>. The council said “<i>I can confirm we were invited to comment on the draft Statement of Community Consultation in July 2018 and were consulted on the scheme itself throughout the pre-application stage, from the initial route corridors to the design refinements and final route. Spelthorne is satisfied that the Consultation Report is an accurate account of the extensive</i></p>



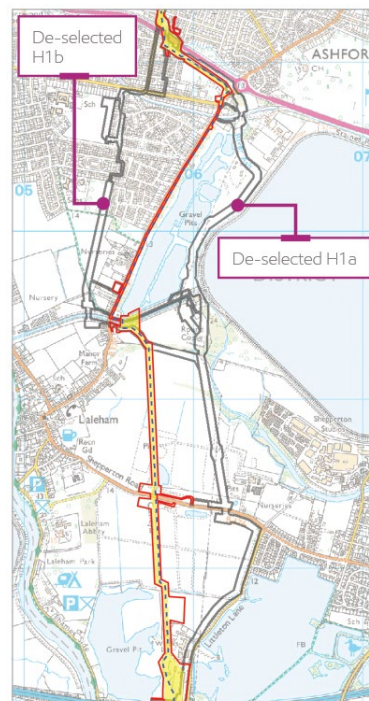
		<p><i>engagement undertaken by the developer and that the borough and its communities have been consulted in accordance with statutory duties”.</i></p> <p>12.3.4 At the first statutory consultation, the Applicant consulted on two sub-options near the Queen Mary Reservoir in Ashford, which included construction in Fordbridge Park (see the page 53 of the Preferred Route Consultation Brochure (Appendix 5.1 of The Consultation Report <b>Application Document AS-012</b>):</p> <ul style="list-style-type: none"> <li>• The H1a sub-option followed the existing pipeline route, crossing the reservoir inlet channel and following the toe (bottom) of the Queen Mary Reservoir embankment. The route then ran past Laleham Substation and across the Staines Reservoirs Aqueduct and B377 to the crossing of the Staines Bypass (A308).</li> <li>• The H1b sub-option to the west diverted away from the western edge of the reservoir, before turning north. It then proceeded either through the sports field of Matthew Arnold School or an alignment further east, after which it crossed the Staines Reservoirs Aqueduct.</li> </ul> <p>12.3.5 Sub-option H1b proposed the replacement pipeline to be constructed either along Woodthorpe Road or along the north western section of Celia Crescent, where it would enter into Fordbridge Park for a trenchless crossing of the Staines Bypass (see the information sheet in Appendix 7.8 of The Consultation Report <b>Application Document APP-038</b>).</p> <p>12.3.6 Sub-option H1a proposed construction through Fordbridge Park and included the use of the gate at the end of the north western section of Celia Crescent to enable access into the Park during construction.</p>
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**Illustration 12.1 Extract from First Statutory Consultation Brochure** (page 53 of Appendix 5.1 of The Consultation Report Application Document AS-012)



- 12.3.7 The consultation responses from the first statutory consultation about sub-options H1a and H1b are discussed in Section 11 of this document and can be found in The Consultation Report (**Application Document AS-013**).
- 12.3.8 There were a number of consultation responses raising issues concerned with sub-option H1b, in particular the option which passed through Celia Crescent, citing access issues, highlighting the narrowness of the road and the number of disabled or elderly residents who would be impacted, as well as suggesting that construction might inhibit emergency service vehicle access to the road. See page 193 of the Consultation Report (**Application Document AS-013**).
- 12.3.9 Following ongoing engagement with landowners and consultation feedback, the Applicant deselected sub-option H1b. The reasons for this are discussed in Section 11 of this document.
- 12.3.10 The Design Refinements consultation (Second Statutory Consultation) took place from 21 January to 19 February 2019. At this consultation, the Applicant consulted on an alternative route along Ashford Road that was proposed within consultation feedback (**Application Document APP-037**).

**Illustration 12.2 Extract from Second Statutory Consultation Brochure** (page 19 of Appendix 6.2 of the Consultation Report **Application Document APP-037**)

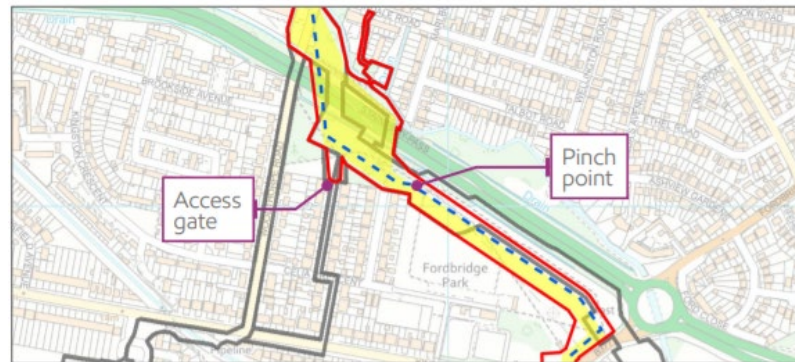


12.3.11 Retained within the alternative route was the trenchless crossing from Fordbridge Park under the Staines Bypass, River Ash and Woodthorpe Road. The Applicant also retained the existing access gate into Fordbridge Park on the north western end of Celia Crescent. The Order Limits do not include Celia Crescent itself as it is a public highway, and so can only be used for vehicle access. For the avoidance of doubt, the Applicant is not seeking to install the replacement pipeline within the road (see **Application Document APP-038**).

12.3.12 Consultation feedback from the second statutory consultation raised concerns about the use of Celia Crescent for accessing the working area in Fordbridge Park. The Applicant has confirmed with Spelthorne Borough Council that the Park gate on Celia Crescent has been used for maintenance access into the Park. The Applicant's intention would be to transport the drill rig and equipment needed for the trenchless crossing in and out of Fordbridge Park through the gate on Celia Crescent. The Applicant anticipates that this would comprise two sets of equipment movements (once in, and once out of the Park). These vehicles would be a similar size to a refuse lorry or large removal van. Aside from this, the Applicant would aim to use the gate only for small vehicles such as vans to avoid the need to travel through the Park itself. Such vehicle movements would typically be at the start and end of the working day.

12.3.13 The Applicant has chosen to use the gate on Celia Crescent to access the Park, as the alternative would be to travel through the Park itself from the east. There is substantial pinch point along this alternative route (see Illustration 12.3 below) which would require significant tree removal to enable access and the Applicant wishes to avoid unnecessary tree losses where alternative routes are viable (see **Application Document APP-038**). The Applicant also wishes to reduce the amount of time areas of the park are fenced off to minimise the impact on the users of the Park in line with NPS EN-1.

**Illustration 12.3 Extract from Celia Crescent information sheet (Application Document APP-038)**



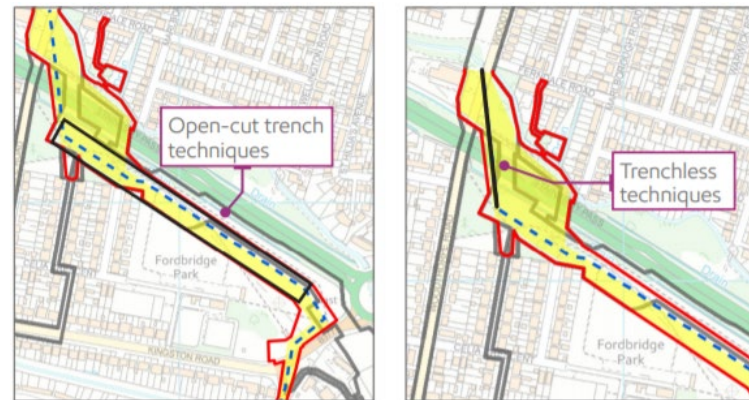


		<p><b>Alternative routes</b></p> <p>12.3.14 The refined route along Ashford Road, including the vehicle access into Fordbridge Park via Celia Crescent, was taken forward within the Applicant’s final route in its application for development consent.</p> <p>12.3.15 Although the Applicant no longer plans to construct the replacement pipeline along Celia Crescent, it chose to retain the access point into Fordbridge Park that was consulted on at the Preferred Route consultation. Due to the limited number of larger vehicle movements that are anticipated, the Applicant does not consider it necessary to look at alternative access points (see <b>Application Document APP-038</b>).</p>
	<p><b>Impacts during construction</b></p>	<p><b>Impact on residents of Celia Crescent</b></p> <p>12.3.16 The Applicant is aware that Celia Crescent is a narrow, residential road and would plan to keep heavy vehicle movements to a minimum. The Applicant believes that using the access is the most appropriate way to construct in this area and has carefully considered the balance between reducing the impact on Celia Crescent and keeping the construction time and impacts to a minimum within Fordbridge Park (see <b>Application Document APP-038</b>).</p> <p>12.3.17 The proposal is to drill from the north west corner of Fordbridge Park, under the Staines Bypass, River Ash and Woodthorpe Road, coming out the other side at a recreational area to the west of Woodthorpe Road. The drill rig and equipment needed for the trenchless crossing would be transported in and out of Fordbridge Park through the gate on Celia Crescent. This would only be two sets of equipment movements (once in, and once out of the park). These vehicles would be a similar size to a refuse lorry used by the local council or a large removal van. On a day-to-day basis, the Applicant would aim to use the gate only for small vehicles such as vans to avoid the need to travel through the park itself. Such vehicle movements would typically be at the start and end of the working day (see <b>Application Document APP-038</b>).</p> <p>12.3.18 The sections of pipeline would be laid out in the area next to Woodthorpe Road and pulled back through the drill to Fordbridge Park. This means the Applicant does not anticipate needing to transport long lengths of pipeline through the access point at the end of Celia Crescent.</p>

### Impact on Fordbridge Park

12.3.19 The construction of the replacement pipeline within Fordbridge Park would take place in two parts not necessarily sequentially. Through the main section of the park the Applicant intends to use open-cut trench techniques. The crossing of the Staines Bypass would be using a trenchless technique.

**Illustration 12.4 Extract from Celia Crescent information sheet (Application Document APP-038)**



12.3.20 Within the park, both the working area for open-cut and trenchless techniques would be securely fenced off within the Order Limits. Within these areas, there would be room for any parking needed for vans and for mobile welfare units, which include toilet facilities (see **Application Document APP-038**).

12.3.21 The Applicant has adopted commitment G85 in ES Chapter 16 Table 16.2 (**Application Document APP-056**) outlines the Applicant's commitment to working areas:

*'Working areas would be appropriately fenced. The choice of fencing would be decided following a risk assessment, relevant to the work location. For some locations the fence used may also serve to provide acoustic and visual screening of the work sites and reduce the potential for disturbance of users in the surrounding areas. Provision of additional fencing on a site by site basis may be used to reduce the potential for impacts on wildlife and trees. Fencing*



		<p><i>would be regularly inspected and maintained and removed as part of the demobilisation unless otherwise specified.'</i></p> <p>12.3.22 Through the main area of the Park, which would use open-cut trench techniques, the route has been designed to reduce the impact from construction through a highly constrained area. This is where the Limits of Deviation narrow to route between the end property on the north eastern end of the Crescent, mature trees and the electricity pylon located within the Park (see Illustration 12.4 above). The Applicant is committed to using narrower working areas to reduce impacts on trees in Fordbridge Park, as outlined in commitment NW30 in ES Chapter 16 Table 16.1 (<b>Application Document APP-056</b>).</p> <p>12.3.23 Following construction, '<i>Land used temporarily would be reinstated to an appropriate condition relevant to its previous use</i>' (commitment G94 in ES Chapter 16 Table 16.1 (<b>Application Document APP-056</b>)).</p> <p><b>Good practice measures within Fordbridge Park</b></p> <p>12.3.24 A Construction Environmental Management Plan (CEMP) would be produced in line with Requirement 6 of the Draft Development Consent Order (<b>Application Document AS-059</b>) to explain how the project activities comply with its requirements. The project would also provide a series of reviewed method statements. The number of construction activities subjected to this process would be decided on a risk-based approach and could include site preparation, pipe-laying, trenchless crossings and reinstatement. Each method statement would include the measures that need to be undertaken to meet the requirements outlined in the CEMP. This is outlined within commitments G1 and G2 in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>).</p> <p>12.3.25 Appropriate site layout and housekeeping measures would be implemented by the project at all construction sites (outlined within commitment G7 in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>)).</p> <p><i>These may include:</i></p> <ul style="list-style-type: none"> <li>• <i>pest prevention, vermin control and treating any infestation promptly. This would include arrangements for the proper storage and disposal of waste produced on site;</i></li> </ul>
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		<ul style="list-style-type: none"> <li>• <i>inspecting and collecting any waste or litter found on site;</i></li> <li>• <i>locating or designing site offices and welfare facilities to limit the overlooking of residential properties;</i></li> <li>• <i>locating designated smoking/vaping areas to avoid significant nuisance to neighbours;</i></li> <li>• <i>managing staff/vehicles entering or leaving site, especially at the beginning and end of the working day;</i></li> <li>• <i>avoiding the use of loudspeaker systems or radios; and</i></li> <li>• <i>managing potential off-site contractor and visitor parking.</i></li> </ul> <p>12.3.26 Commitment G99 and G100 in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>), outline the Applicant’s commitment to managing noise.</p> <p>12.3.27 The project would be required to produce a Noise and Vibration Management Plan for the approval of the relevant planning authority. <i>‘The Noise and Vibration Management Plan would, having regard to the approved operational hours, set out where applicable, the best practicable means that would be used to reduce noise and vibration during installation. The Noise and Vibration Management Plan would include the following details in relation to the project within the relevant local authority area:</i></p> <ul style="list-style-type: none"> <li>• <i>description of works pursuant to DCO;</i></li> <li>• <i>scheme of work;</i></li> <li>• <i>programme;</i></li> <li>• <i>working hours;</i></li> <li>• <i>plant noise and vibration data;</i></li> <li>• <i>receptors at risk of &gt;1.0mm/s peak particle velocity and a protocol for providing prior warning and explanation;</i></li> </ul>
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		<ul style="list-style-type: none"> <li>• <i>best practicable means (BPM) measures where applicable (as defined in Section 72 of CoPA 1974 for the control of noise and vibration);</i></li> <li>• <i>predicted noise and vibration levels; and</i></li> <li>• <i>BPM justification for short-term higher noise/vibration levels or out of hours working and community communication details’ (see <b>Application Document APP-056</b>).</i></li> </ul> <p>12.3.28 Commitments G110 and G111 in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>) outline that a Construction Traffic Management Plan (CTMP) would be produced. ‘<i>The CTMP would consider the traffic generated by construction vehicles and how the project would manage the diversions and closures within the highway network (provided for under the development consent).</i>’</p> <p>12.3.29 The CTMP could also include, but would not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• <i>showing the location of construction compound(s), access routes, site boundaries, entry/exit points;</i></li> <li>• <i>developing measures to promote safe access to and from site;</i></li> <li>• <i>defining routes that would be taken by Heavy Goods Vehicles (HGVs), light vehicles (including Light Goods Vehicles with a gross weight less than 3.5 tonnes) and other site traffic;</i></li> <li>• <i>making drivers aware of designated access routes;</i></li> <li>• <i>providing appropriate temporary signage directing HGV drivers to relevant compounds;</i></li> <li>• <i>providing a Travel Plan for transport of the construction workforce; and</i></li> <li>• <i>providing measures for the monitoring of the CTMP and details of appropriate actions in the event of a non-compliance (see <b>Application Document APP-056</b>).</i></li> </ul>
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## 13 St James School RR-095

### 13.1 Overview

- 13.1.1 This document contains the Applicant's responses to the relevant representations (RR-095) that have been made by St James School.
- 13.1.2 The school does not object to the principle of the replacement pipeline but has concerns regarding the proposed route and the impact of the construction and operation of the pipeline on the operation of the school, its revenue-generating activities and the reputation of the school, both now and in the future.

### 13.2 Application Documents

- 13.2.1 The following application documents are relevant to this response:
- Draft Development Consent Order (DCO) (**Application Document AS-059**);
  - Chapter 3 of the Environmental Statement (ES): Project Description (**Application Document APP-043**);
  - Chapter 4 of the ES: Design Evolution (**Application Document APP-044**);
  - Chapter 16 of the ES: Environmental Management and Mitigation (**Application Document APP-056**);
  - Code of Construction Practice (CoCP) (**Application Document APP-0128**);
  - General Arrangement Plans (**Application document APP-024**); and
  - Consultation Report (**Application Document APP-032**).
- 13.2.2 Table 13.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the DCO.



### 13.3 Key Issues

Table 13.1 Relevant Representation Key Issues

Key Issue	Response to Relevant Representation
<p><b>Impact of the proposed works on the reputation and operation of the school</b></p>	<p><b>The Schools' Relevant Representation raised issues regarding the School's Reputation during the project including the carrying out of the Works within the school grounds and the use of the main entrance to the School by construction workers and traffic will have a serious adverse impact on the operation of the School. The School is concerned that the project would affect the attractiveness of the School to prospective parents and pupils which will have an adverse impact on the School's short-term and long-term financial health and viability.</b></p> <p>13.3.1 The Applicant is in discussions with the school and has committed to them that the project would be completing the main works (open cut construction through their land and trenchless crossing under the railway from Clarendon Primary School) in the school's summer holiday period, thereby avoiding a conflict between the operation of the school and the construction of the replacement pipeline. The Applicant is confident that while the reduced working width does require additional operatives and plant, the works can be completed within the school's summer holiday period.</p> <p>13.3.2 The application as proposed, only requires the use of the school entrance for access purposes during construction. The proposed development is for a buried pipeline, which would have no impact above ground once installed. The installed pipe would have a nominal internal diameter of 30cm and a nominal wall thickness of 11.9 mm. The replacement pipeline would be buried underground for its entire length. Details of the proposed development can be found in Chapter 3 Project Description, of the ES (<b>Application Document APP-043</b>).</p> <p>13.3.3 The Applicant has been in discussion with the school and has proposed a reduction of the working width within the application Order Limits (which are typically 30m) to a maximum 15m width within St James School grounds. The project would aim to use a 10m working width through the school except for the short section in the vicinity of the chapel and the water tower where the route could be reduced to 5m working width. This commitment is shown as NW31 on the General Arrangement plans, Sheets 52 and 53 and Sheet 122 (<b>Application Document APP-024</b>).</p> <p>13.3.4 The Applicant proposes to enter into a deed with the school which would include provision for compensation and indemnity provisions for losses they suffer as a result of construction. In the ongoing discussion with the school, the</p>



Key Issue	Response to Relevant Representation
	<p>Applicant has suggested further options regarding the proposed fencing and screening of the works. To reduce visual impact of the construction works, the Applicant is prepared to use alternative fencing and screening, such as living screening (temporary planting) or planting around the working area. Alternatively, a solid hoarding with photographic or art-worked wrap could be used to screen the open-cut area. The Applicant is willing to agree the solid screening design with the school. However, it should be noted that additional screening would take time to install and may need to take place at the end of the preceding term to make sure that the open-cut construction is completed within the summer holiday period. A further update on these discussions will be made to the Examining Authority during the Examination.</p>
<p><b>Child protection</b></p>	<p><b>The School is concerned that the construction of the pipeline would impact adversely on their primary responsibility towards the safeguarding duties the school has in keeping the pupils safe.</b></p> <p>13.3.5 The Applicant is in discussions with the school and has committed to constructing the pipeline outside term-time, thereby avoiding a conflict between the operation of the school and the construction of the replacement pipeline. The Applicant is confident that while the reduced working width does require additional operatives and plant, the works can be completed within the school's summer holiday period. Commitment G173 states: <i>'the project would consult with educational facilities within the Order Limits to co-ordinate where practicable the construction timetable to reduce impacts'</i>.</p> <p>13.3.6 The proposed replacement pipeline would cross a number of schools along the 97km route. Therefore, it would be a requirement of any contractor to ensure that the workforce has the required Disclosure and Barring Service check. This would be secured through the contractual arrangements with the contractor. In addition, there is a commitment (G31) for a Community Engagement Plan, to provide a formal reporting and monitoring process for anyone to report any concerns regarding the operation of the construction works.</p>
<p><b>Impact on sport facilities</b></p>	<p><b>The school benefits from significant outdoor playing field space used for outdoor sport.</b></p> <p>13.3.7 The Applicant is in discussions with the school and has committed to them that the main works (open cut and trenchless constructions) would be completed in the school's summer holiday period, thereby avoiding a conflict between the operation of the school and the construction of the replacement pipeline. The Applicant is confident that</p>



Key Issue	Response to Relevant Representation
	<p>while the reduced working width does require additional operatives and plant, the works can be completed within the school's summer holiday period.</p> <p>13.3.8 The Applicant has assessed the proposed route and its impact in line with the NPS EN-1 specifically Section 5.10 Land use including open space, green infrastructure and Green Belt. The Applicant has been in discussion with the school and is proposing to reduce the working width within the application Order Limits (typically 30m within the school grounds) to a maximum of 15m within St James School grounds. The project would typically aim to use a 10m working width through the school except for the short section in the vicinity of the chapel and the water tower where the route could be reduced to 5m working width. This commitment is NW31, as shown on the General Arrangement plans Sheets 52 and 53 and Sheet 122 (<b>Application Document APP-024</b>).</p> <p>13.3.9 The timing of the work outside school term time and the narrow working significantly reduces any impact from construction on the use of the school pitches for outside sport. Additionally, the route has been designed to run on the edge of the playing area to further reduce conflict between the main playing surface and the construction of the pipeline; therefore, once reinstated, the pitches can be swiftly brought back into use safely. Once the pipeline is installed and operational it has no impact on the use of the land as school sports pitches. The presence of the pipeline does not impact on the safety of the school using the playing pitches above. There would be no long-term impact from the construction or operation of the replacement pipeline on the use or management of the school's sports pitches.</p> <p>13.3.10 The Applicant is in discussions, through the acquisition of land rights process, to implement a methodology to reduce impact on the sports pitches and ensure that they can be used for recreation as soon as reasonably practicable following construction. This method would reduce the impact on the existing pitches by using boards, matting or tracks to evenly distribute the load from vehicles and machinery (with the indirect contact of machinery) and thereby negate the need to strip topsoil. The only area that requires topsoil removed would be above the (typically less than) 1m wide trench. It is also possible to remove turf and store it for relaying to aid a quicker restoration of the existing surface.</p> <p>13.3.11 Another method that could be adopted to reduce impact to the pitch is for the demarcation and safety fencing to be surface mounted, utilising water-filled or similar barriers. This would reduce remedial works required to the sports pitches.</p>



Key Issue	Response to Relevant Representation
	<p>13.3.12 These construction methodologies will continue to be discussed with the School and the Applicant is happy to discuss any items, including a separate agreement regarding specific construction methodologies, that would give the school reassurance that they would not be worse off as a result of the installation or easement.</p> <p>13.3.13 The wall thickness of the pipe is greater than required by the British Standard PD8010 (British Standards Institution, 2019) to provide additional long-term protection from deterioration or damage. The minimum depth from the top of the pipe to the ground surface would be 1.2m in open cut sections, and deeper for trenchless crossings. This is reflected in the engineering designs. A slightly shallower depth may conceivably be necessary in exceptional circumstances, but all indications are that this would not be required. Details of the proposed development can be found in Chapter 3 Project Description of the ES (<b>Application Document APP-043</b>). The nature and depth of the proposed replacement pipeline would have no impact on the safe use of the land as a school playing field.</p>
<p><b>Existing planning consent</b></p>	<p><b>The school has extant planning permission for the redevelopment of a number of buildings to the rear of the main school building to the north west, and a separate planning consent for a new sports hall that could be built on the current all-weather pitch.</b></p> <p>13.3.14 The Applicant took into account all extant planning applications and major planning allocations in the selection of proposed route for the replacement pipeline. Therefore, the planning permissions referred to in the school's relevant representation have influenced the selection of the route which avoids conflict with the school's plans for development.</p> <p>13.3.15 The proposed route of the pipeline and the associate compulsory acquisition of rights does not interfere with any extant planning permission. In addition, should the school enter into the land agreement, the proposed deed contains a lift and shift clause that gives the right to the Grantor to request the Applicant to move the pipeline at the Applicant's expense.</p>



Key Issue	Response to Relevant Representation
<p><b>Contamination from existing landfill</b></p>	<p><b>The playing field to the north of the main school buildings is on top of historic landfill. The school is anxious that the replacement pipeline would disturb this landfill and result in adverse impacts.</b></p> <p>13.3.16 The Applicant has carefully considered the proposed route across this landfill. Construction across the historic landfill does not pose a significant engineering challenge and, therefore, the Applicant would follow the good practice measures as set out in requirement 10 of the draft DCO and in commitment G71 below.</p> <p>13.3.17 Commitment G71 is in place to manage the construction work within potentially contaminated land, and states: <i>‘For all areas, the following strategic approach would be taken for the management of both known and unknown land contamination:</i></p> <ul style="list-style-type: none"> <li>• <i>a desk based qualitative risk assessment would be undertaken on the basis of available information to ascertain areas of known and unknown contamination;</i></li> <li>• <i>working method statements would be produced based on the assessment;</i></li> <li>• <i>contingency plans would be developed for dealing with various forms of known or unknown contamination to allow work to progress with limited delay. These procedures would clearly define methods for dealing with any areas of unexpected contamination to manage immediate risks and prevent any contamination, ground gas, airborne contaminants or odour spreading from the affected area, and for appropriate disposal. Measures would contain protocols for dealing with areas of potential asbestos-containing materials, should they be encountered;</i></li> <li>• <i>for areas where potential contamination is known or strongly suspected to be present as a result of past activities, the following would also be undertaken:</i></li> <li>• <i>ground investigation information would be shared and developed as appropriate;</i></li> <li>• <i>risks to receptors would be assessed, and mitigation and working methods to control those risks would be developed. Risks would include: encountering contaminated dust, soils and groundwater; and where the presence of ground gas and/or vapours may lead to confined space risks, such as in excavations;</i></li> <li>• <i>a Suitably Experienced Person (SEP) would ensure that risk areas are identified, working methods followed and mitigation carried out appropriately;</i></li> </ul>





Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• <i>made ground and materials known or strongly suspected of being contaminated would be segregated from natural and inert materials; and</i></li> <li>• <i>ground arisings deemed unsuitable for re-use within the project would be disposed of appropriately for example to a soil treatment centre or landfill.'</i></li> </ul>
<p><b>Loss of revenue</b></p>	<p><b>The School has raised an issue concerned with the adverse impact of the replacement pipeline on its additional revenue generation activities beyond the operation of the school.</b></p> <p>13.3.18 The Applicant has proposed to the school additional measures to reduce the impact of the proposed works on the setting of the school buildings. These further options to reduce visual impacts include, for example, living screening (temporary planting) or planting around the working area; or a solid hoarding with photographic or art-worked wrap could be used to screen the open-cut area. The Applicant is engaging with the school to discuss the solid screening design. However, it is important to note that additional screening would take time to install and may need to take place at the end of the preceding term to make sure that the open-cut construction is completed within the summer holiday period.</p> <p>13.3.19 The proposed Deed of Grant contains compensation and indemnity provisions. In addition, should compulsory acquisition rights be exercised then compensation is provided for under statute.</p>
<p><b>Future restrictions on the school</b></p>	<p><b>The School is concerned that the proposed replacement pipeline across their estate will restrict the school in future and impact adversely on the future management and use of its estate.</b></p> <p>13.3.20 The Applicant took into account all extant planning applications and major planning allocations in the selection of the proposed route for the replacement pipeline. Therefore, the planning permissions referred to in the school's relevant representation have influenced the selection of the route which avoids conflict with the school's plans for development.</p> <p>13.3.21 The Applicant is seeking a Deed of Grant for an easement across the school's estate. The easement would be for 3.0m either side of the new pipeline with 0.3m for the pipe itself and would therefore be 6.3m wide, which is a very small area of land in the context of the wider school estate. Within this easement there would be restrictions on any</p>



Key Issue	Response to Relevant Representation
	<p>permanent buildings or structures, but there would not be restriction on the use of the land as a school playing field, or on the maintenance of the surface for this purpose.</p> <p>13.3.22 In addition, the land agreement includes a 'lift and shift' clause which would require the applicant to either move the pipeline or cover the reasonable cost of the relocation of the pipeline should the landowner secure consent for another development. This is detailed in the option agreement and deed.</p>
<p><b>Effective Consultation</b></p>	<p><b>The School is concerned that their views have not been taken into consideration by the Applicant in the selection and confirmation of the route for the proposed pipeline.</b></p> <p>13.3.23 Following Statutory Consultation in September-October 2018, the Applicant considered the responses received regarding the three sub-options in this section of the pipeline route, Options H2a, H2b and H2c, all of which crossed the St James School estate. Consultees raised issues concerned with the potential disruption to Stanwell Road and St James School from sub-option H2b and to Church Road at Clarendon School from sub-option H2c. Additional technical work was also carried out to further assess the construction risks associated with the three options.</p> <p>13.3.24 As a result of consultation and further technical work, sub-option H2b which ran along Stanwell Road was de-selected. Sub-option H2c including trenchless construction to cross Church Road and an improved trenchless crossing of the railway line was selected. Careful consideration of the impact on both Clarendon Primary School and St James School formed part of this consideration with additional work to test the potential for construction activity to take place outside term time at both schools. This is reported in the Consultation Report pages 194 to 197 (<b>Application Document APP-032</b>).</p> <p>13.3.25 Following this decision, the Applicant announced the selection of route options and undertook further targeted consultation in the form of the Route Refinement consultation in January-February 2019. This specifically included consultation on the proposed route around Ashford Station which identified the proposed crossing of Church Road and the railway into St James School. See page 218 of the consultation Report (<b>Application Document APP-032</b>). No additional issues were raised at this consultation regarding the impact of the proposed route on either of the schools impacted.</p> <p>13.3.26 The Applicant has carefully considered alternative routes along the length of the pipeline as detailed in Chapter 4 (Design Evolution) of the ES (<b>Application Document APP-044</b>). As the route approaches its northern end, there</p>



Key Issue	Response to Relevant Representation
	<p>are limited options to consider in order for the pipeline to reach the West London Terminal storage facility. The Applicant is in dialogue with the school regarding the acquisition of rights over the land for the routeing and construction of the pipeline. The Applicant has taken into consideration the impact of construction and operation of the proposed replacement pipeline on the operation of the school and concluded that the proposed route has no significant adverse impact on the school and is proposing mitigation measures to manage the impact of the project. These are laid out in the REAC in ES Chapter 16 (<b>Application Document APP-056</b>).</p> <p>13.3.27 The Applicant has been involved in discussions with the school and has investigated and responded to an alternative route suggested by the school. It is the Applicant's view that the alternative route through the school has several significant disadvantages when compared against the application route and performs less favourably when considered against the project's guiding principles (which would be considered by other stakeholders). It would be inconsistent for the project to promote a route that has higher risk and potential impact on the operation of the school. For this reason, it is not appropriate for the project to progress the alternative route suggested.</p> <p>13.3.28 The Applicant does not consider that any of the school's estate would be sterilised by the proposed replacement pipeline and, therefore, there is no requirement for the Applicant to provide alternative land for the school. The Applicant is confident that construction works can be completed outside school term time, including the reinstatement of the ground surface. Therefore, the applicant is confident that the school's estate would be available to the school during the school term for school purposes. Commitment G94 in the REAC in Chapter 16 of the ES (<b>Application Document APP-056</b>) confirms that '<i>Land used temporarily would be reinstated to an appropriate condition relevant to its previous use</i>'. Similar provisions are contained in the proposed Deed of Grant.</p>
<p><b>Protective Provisions</b></p>	<p><b>The School is concerned that the Applicant is not entering into 'Protective Provisions' with the school.</b></p> <p>13.3.29 The Applicant is only entering into 'Protective Provisions' in Schedule 9 of the draft DCO (<b>Application Document AS-059</b>) with statutory undertakers where appropriate to ensure they are able to carry out their statutory functions and to protect their assets lying in third-party land. St James School does not fall within this definition. Excluding parties like St James School is normal procedure and accords with the process followed by other DCO applications. Therefore, the Applicant is not proposing to enter into any 'Protective Provisions' with St James School. However, the Applicant is working with the school through the Deed of Grant and by following the good practice measures set</p>

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Key Issue	Response to Relevant Representation
	out in the REAC in ES Chapter 16 ( <b>Application Document APP-056</b> ) to manage and mitigate where practicable the impacts on the operation of the school during the construction and operation of this underground pipeline.



## 14 Consultation

### 14.1 Overview

- 14.1.1 Several Relevant Representations from interested parties with regards to the adequacy of consultation undertaken by the Applicant.
- 14.1.2 Table 14.1 below provides a summary of the key themes raised and the Applicant's response to these themes.

### 14.2 Application Documents

- 14.2.1 The Consultation Report (**Application Document AS-013**) provide details of how the Applicant consulted on its proposals, in particular with landowners and local authorities.



### 14.3 Key Issues

Table 14.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
Tariq Ahmed (RR-094)	<b>Adequacy of consultation</b>	<p><b>Relevant Representations were raised regarding issues about the compliance of the consultation process for the project with the requirements set out in the legislation.</b></p> <p>14.3.1 The Applicant undertook two phases of statutory consultation. The Preferred Route Consultation (First Statutory Consultation) took place between 6 September and 19 October 2018 and the Design Refinements Consultation (Second Statutory Consultation) took place between 21 January and 19 February 2019.</p> <p>14.3.2 Section 42 (specified parties), Section 47 (local community) and Section 48 (notices) of the Planning Act 2008 (the 2008 Act) set out the duty to consult in relation to Nationally Significant Infrastructure Projects (NSIPs). The Applicant has complied with the requirements of The Act (see the Consultation Report <b>Application Document AS-013</b>). Section 1.6 of the report outlines how the Applicant has complied with the statutory requirements of the Act, along with all relevant guidance and advice.</p> <p><b>Engagement over and above legal requirements</b></p> <p>14.3.3 The Applicant has engaged extensively with stakeholders outside of the formal consultation process, in particular with local planning authorities and Persons with an Interest in Land (PILs).</p> <p><u>Local authorities, parish councils and statutory bodies</u></p> <p>14.3.4 Since the project launched in December 2017, the Applicant has offered regular meetings to local authorities, parish councils and statutory bodies to provide briefings on project milestones. This included hosting a number of forums for portfolio holders at county and district councils, planning officers at relevant county and district councils, officers from South Downs</p>
Michael Charles (RR-127)		
P Huntley-Blecken (RR-132)		
Rowena Evans (RR-134)		
Sheona McMahon (RR-159)		
Spelthorne Borough Council (RR-172)		
Ministry of Defence (RR-200)		
Defence Infrastructure Organisation (RR-233)		



Relevant Representation	Key Issue	Response to Theme
<p>Mr M J Mary (RR-265)</p> <p>Nicholas Ralls on behalf of Mrs Judith Ralls (RR-266)</p> <p>National Farmers Union (RR-267)</p>		<p>National Park Authority, and MPs along the route of the existing pipeline. For each round of forums, there were two forums for Surrey councils and two for Hampshire councils, with separate briefings for officers and members. Forums were held on the following dates:</p> <ul style="list-style-type: none"> <li>• 19 January 2018 (see section 2.5 of The Consultation Report <b>Application Document AS-013</b>);</li> <li>• 23 February 2018 (see section 2.8);</li> <li>• 25 May 2018 (see section 3.21); and</li> <li>• 24 August 2018 (see section 5.2).</li> </ul> <p>14.3.5 Ahead of the Second Statutory Consultation, the Applicant approached local authorities and statutory bodies with the offer of a meeting and shared a briefing note on next steps for the project to MPs, planning officers at local authorities, and both county and district ward members that were along the route of the proposed pipeline (see section 6.3 of The Consultation Report <b>Application Document AS-013</b>).</p> <p>14.3.6 Further, the Applicant held meetings with parish councils where design refinements would be required and, where areas are unparished, sought to engage established resident associations in these areas as representatives of the local community (see section 6.4 of The Consultation Report <b>Application Document AS-013</b>).</p> <p><u>Persons with an Interest in Land</u></p> <p>14.3.7 Following the announcement of the preferred corridor in May 2018, the Applicant released an Initial Working Route which was an early view of where it might seek to install the pipeline. A key reason for publishing the Initial Working Route was to facilitate more detailed conversations with affected landowners and to give additional clarity on potential impacts on their land (see section 4.6 of The Consultation Report <b>Application Document AS-013</b>).</p>



Relevant Representation	Key Issue	Response to Theme
		<p>14.3.8 Recognising the important role that landowners would play in refining the Initial Working Route, the Applicant felt it appropriate to hold a series of engagement events aimed at landowners. There were 11 events along the route for the replacement pipeline. The Applicant wrote to all PILs affected by the Initial Working Route with details of these engagement events. The events were staffed by project team members from a broad range of disciplines, to ensure that queries from attendees could be answered wherever possible. The events provided an important opportunity for landowners to understand and comment on the Initial Working Route. Comments received as part of this engagement were used by the Applicant to inform ongoing refinements to the Initial Working Route (see section 4.6 of The Consultation Report <b>Applicant Document AS-013</b>).</p> <p>14.3.9 In advance of the start of the Design Refinements Consultation, the Applicant also engaged with previously identified landowners and new landowners that might be affected by any of the design refinements proposed. As part of this process, the Applicant invited newly identified landowners to four drop-in events (see section 6.3 of The Consultation Report <b>Applicant Document AS-013</b>).</p> <p><b>Adequacy of Consultation Representations</b></p> <p>14.3.10 The Applicant's application for development consent was accepted for examination following confirmation by the Planning Inspectorate that the consultation complied with the requirements of the 2008 Act and was adequate. This included taking into account the 25 Adequacy of Consultation Representations from relevant local authorities on whether the Applicant had complied with Section 42, Section 47 and Section 48 of the Act (<b>Application Documents A0C-001 to A0C-025</b>).</p>





## 15 Need for the project/ climate change

### 15.1 Overview

- 15.1.1 Nine interested parties raised issues concerned with the need for the project, including comments on perceived linkages between the project and climate change policies and aspirations.
- 15.1.2 Table 15.1 below provides a summary of the key themes raised and the Applicant's response to these themes.

### 15.2 Application Documents

- 15.2.1 The Planning Statement (**Application Document APP-132**) includes the Applicant's explanation and justification for the need for the project, and consideration of potential climate change impacts.
- 15.2.2 Table 15.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**), please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the DCO.



### 15.3 Key Issues

Table 15.1 Theme Key Issues

Relevant Representation	Key Issue	Response to Theme
<p>Stephen English (RR-011)</p> <p>North Surrey Green Party (RR-016)</p> <p>Eleanor Winslet (RR-018)</p> <p>Rebecca Swain (RR-021)</p> <p>Rob Whitney (RR-054)</p> <p>Mark Heard (RR-151)</p> <p>Sarah Gooding (RR-179)</p>	<p><b>Need for the project</b></p>	<p><b>The need to replace the existing pipeline</b></p> <p>15.3.1 The Applicant’s explanation and justification for the need for the replacement pipeline is set out in Chapter 2 of the Planning Statement (see <b>Application Document APP-132</b>). The existing pipeline was constructed between 1969 and 1972, initially for the transport of heavy fuel oil, and converted to transport aviation fuel in the 1980s. The existing pipeline is working adequately but the need for inspections and maintenance is increasing. The existing pipeline cannot be taken out of service and replaced on its existing alignment due to the prolonged disruption to fuel supplies that would result. The Applicant has decided that a replacement pipeline is needed to ensure that resilient supplies can be maintained.</p> <p>15.3.2 The need is consistent with, and supported by, Government policy in NPS EN-1 and NPS EN-4. Government policy supports the need for the development of aviation fuel pipelines such as that which is proposed in this application.</p> <p><b>The increased diameter of the proposed pipeline</b></p> <p>15.3.3 The Applicant has decided that it would replace the existing 10-inch (25cm) pipeline with a new 12-inch (30cm) pipeline. This is a business decision by the Applicant, based on its consideration of the current and potential future economics of aviation fuel supply, as described in Chapter 2 of the Planning Statement (see paragraph 2.4.38 of <b>Application Document APP-132</b>). The increased diameter would enable the Applicant to respond flexibly to seasonal and shorter-term fluctuations in aviation fuel demand.</p>



<p>Charlotte Gill (RR-185)</p> <p>Siobhan Romp (RR-276)</p>	<p><b>Climate change</b></p>	<p><b>Relationship between the project and climate change policy</b></p> <p>15.3.4 As required by paragraph 4.8.5 of NPS EN-1, paragraphs 7.3.19 to 7.3.24 of the Planning Statement (see <b>Application Document APP-132</b>) demonstrates that the design of the project has considered the potential impacts of climate change when planning the location, design, build, operation, and where appropriate, decommissioning of the project. As requested under the scoping process for the environmental impact assessment, an assessment of carbon emissions from the construction and operation of the project has been calculated and is included in the Air Quality Technical Note in Appendix 13.2 of the Environmental Statement (<b>Application Document APP-120</b>) and no potentially significant effects have been identified.</p> <p><b>Government commitments to reduce carbon emissions and recent climate change emergency statements</b></p> <p>15.3.5 The application seeks development consent to replace an existing pipeline and such pipelines represent a safe, secure and low impact method of moving fuel over long distances. According to the UK Petroleum Association, more than 30 million tonnes of fuels are safely transported through UK pipelines every year taking around one million tanker journeys off our roads. The Applicant does not consider that the emissions associated with the construction and operation of the replacement pipeline is inconsistent with the objectives of climate change policy and associated statutory targets. As set out in Appendix 13.2 of the Environmental Statement (<b>Application Document APP-120</b>), the estimated carbon emissions associated with the construction stage are 52,503 tonnes of CO2 equivalent equal to 0.011% of the 460,200,000 tonnes emitted by the UK as a whole in 2017. During each year of operation, the average CO2 equivalent emissions of 2,298 tonnes (137,896 tonnes divided by an estimated 60 years of operation) represents 0.0005% of the UK 2017 CO2 emissions. The need for the proposed replacement pipeline is clearly set out in Chapter 2 of the Planning Statement (see <b>Application Document APP-132</b>) and supported by Government policy in NPS EN-1 and NPS EN-4.</p>
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## 16 Heathrow

### 16.1 Overview

- 16.1.1 Four interested parties raised issues about Heathrow Airport in relation to the project.
- 16.1.2 Table 16.1 below provides a summary of the key issues raised and the Applicant's response to these themes.

### 16.2 Application Documents

- 16.2.1 The Applicant's Planning Statement provides clarity with regards to links between the project and Heathrow Airport (**Application Document APP-132**).



## 16.3 Key Issues

**Table 16.1 Theme Key Issues**

Relevant Representation	Key Issue	Response to Theme
<p>North Surrey Green Party (RR-016)</p> <p>Eleanor Winslet (RR-018)</p> <p>Rebecca Swain (RR-021)</p> <p>Heathrow Airport Limited (RR-191)</p>	<p><b>Links between the project and Heathrow expansion</b></p>	<p><b>Links between the project and Heathrow expansion</b></p> <p>16.3.1 The replacement pipeline would provide essential aviation fuel transport infrastructure to the West London Terminal storage facility, which serves a critical purpose in support of Heathrow’s continued airport operations. This comprises a key element of the need for the project (see section 2.4 of the Planning Statement <b>Application Document APP-132</b>).</p> <p>16.3.2 The pipeline is not linked to or necessary for the proposed expansion of Heathrow through the construction of a third runway (see section 2.4 of the Planning Statement <b>Application Document APP-132</b>). This position is confirmed by Heathrow Airport Limited in its Relevant Representation to the Planning Inspectorate (see <b>RR-191</b>).</p>
	<p><b>Climate change</b></p>	<p><b>Climate change</b></p> <p>16.3.3 Some Relevant Representations express concern regarding climate change. This has been considered in the Applicant’s Environmental Statement (see <b>Application Document APP-043 and APP-120</b>) and a response to Relevant Representations has been prepared in the Need for the Project/Climate Change Theme (refer to Section 15 of this document).</p>



## 17 Protective Provisions

### 17.1 Overview

- 17.1.1 Twelve relevant representations have been received which raise Protective Provisions as an issue.
- 17.1.2 Table 17.1 provides a summary of the key issues raised and the Applicant's response to the issues.

### 17.2 Application Documents

- 17.2.1 Protective Provisions are either included within Schedule 9 of the draft Development Consent Order **Application Document AS-059** or would be agreed through agreements outside the DCO.



## 17.3 Key Issues

**Table 17.1 Theme Key Issues**

Relevant Representation	Key Issue	Response to Theme
<p>Southern Water Services Limited (RR-031)</p> <p>West London Pipeline and Storage (RR-034)</p> <p>National Grid Electricity Transmission PLC and National Grid Gas (RR-053)</p> <p>Transport for London Spatial Planning (RR-069)</p> <p>Cadent Gas Limited (RR-143)</p> <p>Highways England (RR-192)</p>	<p><b>Protective Provisions</b></p>	<p><b>Relevant Representations raised issues relating to Protective Provisions within the Draft DCO to manage the impact of the construction of the replacement pipeline on existing assets</b></p> <p>17.3.1 The Applicant is negotiating Protective Provisions with each of the statutory undertakers that have infrastructure and assets that could be impacted by the proposed replacement pipeline, including those who have made relevant representations. The Applicant is confident these negotiations should be concluded satisfactorily during the term of the Examination and will update the Examining Authority regularly on progress.</p>

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Relevant Representation	Key Issue	Response to Theme
Affinity Water Limited (RR-219)		
Defence Infrastructure Organisation (RR-233)		
Network Rail Infrastructure (RR-268)		
South East Water Limited (RR-277)		
South Eastern Power Networks plc (RR-278)		
Thames Water Utilities Limited (RR-283)		



## 18 Environment Agency RR-239

### 18.1 Overview

18.1.1 This document contains the Applicant's responses to the Relevant Representations (RR-239) that have been made by Environment Agency.

18.1.2 This follows a meeting of both parties on 19 September 2019, as part of agreeing a Statement of Common Ground.

### 18.2 Application Documents

18.2.1 The following application documents are relevant to this response:

- Environmental Statement (ES) Chapter 8 Water (**Application Document APP-048**);
- ES Appendix 8.1 Groundwater Baseline (**Application Document APP-102**)
- ES Appendix 8.2 Detailed Trenchless and Targeted Trench Assessments (**Application Document APP-103**);
- ES Appendix 8.3 Groundwater Dependent Terrestrial Ecosystems (**Application Document APP-104**);
- ES Appendix 8.4 Groundwater Abstraction Assessment (**Application Document APP-105**);
- ES Appendix 8.5 Potential Effects on Groundwater (**Application Document APP-106**);
- ES Appendix 8.6 Water Framework Directive Compliance Assessment (**Application Document APP-107**); and
- Flood Risk Assessment (**Application Document APP-134**).

18.2.2 Table 18.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).



### 18.3 Key Issues

**Table 18.1 Relevant Representation Key Issues**

Key Issue	Response to Relevant Representation
<p><b>Cove Brook Flood Storage Area</b></p>	<p><b>The proposed pipeline route crosses the Cove Brook Flood Storage Area (FSA). The Environment Agency raised concerns with the proposed approach to this crossing.</b></p> <p>18.3.1 In response, the Applicant can confirm that a trenchless crossing is now the proposed method of crossing the Cove Brook FSA. The list of trenchless crossings in Annex B of the Code of Construction Practice (CoCP) will be updated to reflect this, with detailed designs to follow at a later stage. In the meantime, the commitment has been made within the Statement of Common Ground discussed with the Environment Agency.</p>
<p><b>River Thames Scheme</b></p>	<p><b>The Environment Agency raised various concerns relating to the interaction between the project and the Agency's River Thames Flood Alleviation Scheme and requested further consultation to agree the way forward.</b></p> <p>18.3.2 Following positive recent meetings with the Environment Agency on this issue, matters are now being negotiated between the Applicant and Environment Agency's legal teams and the landowner.</p>
<p><b>Legal matters</b></p>	<p><b>The Environment Agency sets out where the Agency has reached conditional agreement on the disapplication of certain licences, consents and Permits but not to others, in pre-application discussions.</b></p> <p>18.3.3 This is subject to ongoing discussions between the Applicant and the Environment Agency and will be agreed through the Protective Provisions, with the outcome reflected within the updated DCO.</p>



Key Issue	Response to Relevant Representation
<p><b>Flood risk</b></p>	<p><b>The Environment Agency requests that details of the construction and detailed design method should be submitted prior to commencement of the works. This should include details to demonstrate that there has been a detailed site-specific assessment that considers the environmental and flood risk impacts of the proposed works at each crossing location including details of appropriate mitigation for any risks and proposed reinstatement of bed and/or banks. The Construction Environmental Management Plan (CEMP) submitted should be updated, and the full CEMP should be submitted to, and approved in writing by, the local planning authority.</b></p> <p>18.3.4 The Applicant has held a number of meetings with the Environment Agency which have included discussing the methodology and approach taken within the Flood Risk Assessment (FRA). Many of the points raised by the Environment Agency to date, are already reflected within the embedded design measures and additional mitigation set out within the REAC. The Applicant is committed to continuing engagement with the Environment Agency as the details of construction and detailed design method become available. Proposals for the reinstatement of bed and/or banks would be developed during detailed design.</p> <p>18.3.5 Detailed site-specific assessments for each watercourse crossing are included within Appendix C of the FRA (<b>Application Document APP-134</b>). This does not include watercourses where a trenchless crossing is proposed and no haul road would be provided, as there would be no impact to assess. There is an exception at the Windle Brook (watercourse crossing reference WCX 066) which would be crossed using a trenchless method but would still require a haul road crossing. This additional watercourse crossing report has been completed and has been submitted to the Environment Agency.</p> <p>18.3.6 The Outline CEMP (<b>Application Document APP-129</b>) was provided within the ES. The CEMP would be developed during detailed design and would reflect the Outline CEMP and the commitments set out within the REAC. As set out in ES Chapter 16 (<b>Application Document APP-056</b>), the CEMP would be submitted to the Local Planning Authorities for approval.</p>



Key Issue	Response to Relevant Representation
<p><b>Flood risk – haul roads, access roads</b></p>	<p><b>The Environment Agency commented on the adequacy of the assessments provided for haul roads, access roads, logistics hubs and construction compounds in areas of fluvial flood risk, particularly Flood Zones 3 and 3b, and the impacts on floodplain flow paths and floodplain storage.</b></p> <p>18.3.7 The FRA (<b>Application Document APP-134</b>) was submitted as part of the application for development consent. This assessed the impacts of the proposed project including temporary logistics hubs, compounds, haul roads and access roads on flood risk. The following sections outline where temporary works lie within FZ3. No land raising is required on the project for any part of the temporary (during installation) or permanent (during operation) works including FZ3.</p> <p><b>Haul Roads and Access Roads within Flood Zone 3</b></p> <p>18.3.8 As stated in paragraph 3.2.13 of the FRA (<b>Application Document APP-134</b>), <i>‘where soils are suitable, the haul roads would be formed from exposed subsoil’</i>. The project, therefore, does not anticipate any additional material would be used to form the haul roads and no land raising is required.</p> <p>18.3.9 As stated in paragraph 3.2.10 of the FRA <i>‘Temporary access tracks, of approximately 3.5m in width, would be provided to link the pipeline installation areas and haul roads to the local road network. Conservatively it has been assumed for this FRA that the access tracks would be retained throughout the construction duration. Where these temporary access tracks are across open ground, the topsoil would be stripped and the access track constructed by laying imported crushed stone on a geotextile membrane or some form of ground protection.’</i></p> <p>18.3.10 Topsoil removed to form haul and access roads would be stockpiled within the Order Limits. The locations where the project could store material in FZ3, as a result of the haul and access road construction and topsoil stockpiling, are set out in Table 7.4 of the FRA (<b>Application Document APP-134</b>). This has assessed the severity of impact of any increase in flood risk as a result of stockpiling based on the nature of receptors upstream of the pipeline route and the proposed haul/access road. The likelihood of flooding in all cases is medium as these locations are within FZ3. Based on the severity of impact and likelihood of flooding the unmitigated risk of increasing flood risk to receptors has been determined.</p>



Key Issue	Response to Relevant Representation
	<p>18.3.11 Table 7.5 of the FRA (<b>Application Document APP-134</b>) provides further assessment of the impact of material stored from haul roads and the trench arisings where the unmitigated risk of increasing flood risk to receptors has been assessed as either medium or high (i.e. the Ively Brook, Cove Brook, River Ash and River Thames as high risk and the Windle Brook as medium risk).</p> <p>18.3.12 In all cases Commitment W5 '<i>Topsoil and subsoil would be stockpiled for as short a duration as practicable within FZ3 and areas of High and Medium RoFSW</i>' and W6 applies which states that '<i>Stockpiles in FZ3 or areas of High or Medium RoFSW would not exceed 25m between breaks. Breaks in between stockpiles would be at least 5m. Breaks would be located opposite each other on either side of the excavation where practicable</i>'.</p> <p>18.3.13 In addition to the text above, the following information is pertinent to the assessment of impact for these four watercourses:</p> <ul style="list-style-type: none"> <li>• Ively Brook: Commitment W7 states '<i>Stockpiles would not be stored within Ively Brook Flood Zone 3, east of A327</i>';</li> <li>• Cove Brook: A trenchless crossing is now proposed at Cove Brook Flood Storage Area (FSA) to cross the reservoir dam. The total excavated material stockpile (which includes haul road and pipeline trench) within the FSA is 2,600m<sup>3</sup> out of a total storage volume of 95,000m<sup>3</sup> which represents 3%;</li> <li>• Windle Brook: any increase in flood risk would be to a minor road and the excavated soil stockpile is assessed to represent around 2% of the total floodplain volume; and</li> <li>• River Thames/Ash floodplain: the volume of soil stored is likely to be insignificant when compared to the extensive floodplain volume and is unlikely to significantly increase flood levels. The topsoil stockpile has been assessed to be at most 0.1% of the total floodplain volume.</li> </ul>



Key Issue	Response to Relevant Representation
<p><b>Flood Risk – Logistics Hubs and Compounds</b></p>	<p><b>The Environment Agency also raised specific queries about construction compound number 55 (Frimley) and M3 Junction 3 New Road Logistics Hub being located in FZ3, along with Construction Compound 33 (CO-5A) (Frimley Green Road), which in turn appeared to conflict with project Commitment G125, which states that ‘all construction compounds will be located outside of Flood Zone 3, except in the River Thames floodplain’.</b></p> <p>18.3.14 The assessment of construction compounds is set out in Appendix D of the FRA (<b>Application Document APP-134</b>) and is summarised in Section 7 and Section 13 in relation to fluvial flood risk.</p> <p>18.3.15 For all compounds there is no land raising anticipated as part of the formation of any of the construction compounds. As stated in Section 3.2.8 of the FRA (<b>Application Document APP-134</b>), the project design is that existing permeable areas within the temporary compounds would remain permeable and would not include a positive drainage system. Topsoil would be stripped where necessary at compounds and stockpiled. The location of topsoil stockpiles has yet to be determined and will be developed as part of the detailed design phase that will develop layouts for the construction compounds.</p> <p>18.3.16 As stated in Section 13.2.3 of the FRA (<b>Application Document APP-134</b>), three construction compounds were identified to be located within FZ3 within Appendix D of the FRA - Mead Lane 47 (CO-5N), Shepperton Road North 49 (CO-5P) and Frimley Green Road 33 (CO-5A). In addition, as noted in the Environment Agency response, Construction Compound 55 (Frimley Green) and the M3 Junction 3 New Road Logistics Hub (CO-7B) were incorrectly identified as lying wholly outside of FZ3. Therefore, there are four construction compounds and one logistics hub identified as being located within Flood Zone 3, which are discussed below.</p> <p>18.3.17 Two of the four construction compounds are located within River Thames Flood Zone 3 (Exceptions are identified in Commitment G125: ‘<i>With the exception of the Thames flood plain, all construction compounds would be located outside of flood zone 3</i>’). These are Construction Compound 47 Mead Lane (CO-5N) and Construction Compound 49 Shepperton Road North (CO-5P). The stockpiling of topsoil in these two compounds is an insignificant volume compared to the size of the River Thames floodplain and would not be expected to cause a noticeable loss of floodplain volume.</p> <p>18.3.18 There are two further construction compounds and one logistics hub located in FZ3:</p>



Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• Construction Compound 33 (CO-5A) – Frimley Green Road: This compound is partially within FZ3 along its northern boundary (17.5m<sup>2</sup> which is 1% of the total compound area). The Applicant recognises that the works plans submitted with the draft DCO would allow for temporary construction compound 33 (DCO Works No CO-5A) at Frimley Green to be partly located over FZ3. The Applicant can confirm that Construction Compound 33 (DCO Works No CO-5A) would be sized and located so that it does not sit within FZ3 or within 8m of the top of bank of the watercourse. This will be added to the updated Code of Construction Practice (CoCP).</li> <li>• Construction Compound 55 – Frimley Green: This location would not be used as a construction works compound but is identified in the draft Development Consent Order as an area of land that may be used as alternative temporary car parking for staff at the SC Johnson Factory, as part of their existing car park is being used by the project to facilitate trenchless crossing of the River Blackwater valley to the west.</li> <li>• Logistics Hub – M3 Junction 3 New Road (CO-7B): This logistics hub has very small areas of FZ3 within its boundary. This site has already been used as a compound by Highways England as part of its Smart Motorway Programme. The watercourses are culverted at the centre of the site beneath existing access roads. The remaining areas of FZ3 are at the very outer margins of the logistics hub and will not be used during the works. Therefore, there would not be any loss of floodplain storage or interruption of flows in the floodplain at this site.</li> <li>• In addition, Commitment W5 states '<i>Topsoil and subsoil would be stockpiled for as short a duration as practicable within FZ3 and areas of High and Medium RoFSW</i>'. In addition, Commitment W6 states that '<i>Stockpiles in FZ3 or areas of High or Medium RoFSW would not exceed 25m between breaks. Breaks in between stockpiles would be at least 5m. Breaks would be located opposite each other on either side of the excavation where practicable</i>'.</li> </ul>



Key Issue	Response to Relevant Representation
<p><b>Flood risk – Temporary buildings in Flood Zone 3</b></p>	<p><b>The Environment Agency also queried the existing commitment (W3) regarding raising temporary buildings within FZ3 above the 1 in 10 (10%) AEP event peak water level rather than above the 1 in 100 (1%) AEP flood level.</b></p> <p>18.3.19 There are only two locations where temporary buildings would be situated within FZ3. These are the two compounds located within the River Thames floodplain. The compounds are both located towards the edge of this large floodplain. Following discussions with the Environment Agency, the Applicant has looked at the 1D hydraulic modelling results for the River Thames for the 1% (1:100) AEP event for each compound.</p> <ul style="list-style-type: none"> <li>• Construction Compound 47 Mead Lane (CO-5N): The supplied River Thames 1% AEP level is 12.25m AOD. The minimum elevation from LiDAR is 11.28m AOD. Therefore, to raise the temporary buildings above the 1% AEP peak water level would require buildings to be raised up to a maximum of 1.0m above ground level (based on Lidar data). The Applicant will commit at Mead Lane Construction Compound to raise temporary buildings above the 1% AEP (1:100 year) event, and this will be reflected in a revised CoCP.</li> <li>• Construction Compound 49 Shepperton Road North (CO-5P): The supplied 1% AEP level is 12.48m AOD. The minimum elevation from Lidar is 10.70m AOD. However, the site lies on a slope, with parts of the compound lying outside of the 1% AEP level. The Applicant will commit to locate temporary buildings outside of FZ3 at Shepperton Road North, this will be reflected in a revised CoCP.</li> </ul>
<p><b>Climate change allowances</b></p>	<p><b>The Environment Agency noted they agreed that climate change allowances do not need to be considered for short-term temporary works, but raised queries in relation to any permanent structures or land raising, and the duration of works in place on site.</b></p> <p>18.3.20 The Applicant can confirm that there is no land raising proposed on the project, either in the construction phase or in the operational phase.</p> <p>18.3.21 As stated in paragraph 3.4.2 of ES Chapter 3 (<b>Application Document APP-043</b>), ‘Works to install and commission the pipeline are expected to start from grant of DCO and be completed early 2023’. Therefore, the whole 97km pipeline is due to be installed within the two-year period. The ES and FRA have assumed that the</p>





Key Issue	Response to Relevant Representation
	<p>installation works in any given location would be short term, which is defined in paragraph 3.4.3 of ES Chapter 3 <i>'For the purposes of assessment, a short-term duration is assumed to be less than six months... and includes mobilisation and reinstatement'</i>.</p> <p>18.3.22 As stated in paragraph 3.4.29 of ES Chapter 3, <i>'Approximately 52 temporary compounds would be established along the route of the new pipeline for the storage of pipe, materials, plant and equipment'. The compounds are at frequent locations along the Order Limits and each compound would serve a small part of the working length. Each compound is assumed to be active (including setup, operation and reinstatement) for the full construction of its related pipeline section.'</i></p> <p>18.3.23 The logistics hubs could be in place for the full two-year construction programme. However, as outlined above and as discussed in meetings between the Applicant and the Environment Agency, only M3 New Road Logistics Hub (CO-7B) lies within FZ3 and is discussed above.</p>
<p><b>Flood Zone 3b</b></p>	<p><b>The Environment Agency raised a concern on the consideration and presentation of Flood Zone 3b areas within the assessment.</b></p> <p>18.3.24 The FRA (<b>Application Document APP-134</b>) assesses the impacts on all of FZ3, and therefore, assesses a worst case compared to an assessment of FZ3b (a subset of FZ3).</p>
<p><b>Watercourse crossing reports</b></p>	<p><b>The Environment Agency has queried the number of watercourse crossing reports and requested clarification of an apparent discrepancy.</b></p> <p>18.3.25 The FRA (<b>Application Document APP-134</b>) was submitted as part of the application for Development Consent. This assessed the impacts on watercourses potentially affected by the project. This assessed the impacts on 98 watercourses along the Order Limits in Appendix B; and Appendix C contained 72 detailed crossing assessments.</p> <p>18.3.26 The difference between the number of watercourse crossings stated in Appendix B of the FRA and the number of crossing reports in Appendix C is because no reports have been produced where a trenchless crossing is</p>



Key Issue	Response to Relevant Representation
	<p>proposed and there would be no haul road crossing the watercourse. Therefore, in these locations the construction phase would not affect flood risk or the watercourse.</p> <p>18.3.27 However, when undertaking the work to respond to the Environment Agency Relevant Representation (RR-239), the Applicant has noted that there is one location where a trenchless crossing is proposed but where a haul road crossing would still be required. This is at the watercourse crossing of the Windle Brook (WCX066). The project has completed a watercourse crossing report for the Windle Brook to assess the risk posed by this haul road crossing, and this report has been submitted to the Environment Agency for reference.</p>
<p><b>Open cut crossings of culverted watercourses</b></p>	<p><b>Open-cut crossings of culverted watercourses</b></p> <p>18.3.28 The Environment Agency raised concerns in relation to the risks to culverted rivers when using open-cut crossings, giving an example of the culverted Stanwell Brook. The Agency would prefer to see some investigatory work to establish the exact location of the culvert and then hand dig in close proximity to protect the structure of the culvert, as well as a contingency/emergency plan should the structure be compromised, incorporated into method statements for this and any other culverted watercourses.</p> <p>18.3.29 The approach to crossing or passing beneath any buried pipe such as a culvert carrying a watercourse would be determined during detailed design. This will take account of appropriate depths of cover and clearance between pipes to reduce the risk of damage to existing infrastructure as part of the installation of the pipeline.</p> <p>18.3.30 It has been agreed with the Environment Agency at a meeting on 19 September 2019 that no further information was required by the Environment Agency at this stage. Detailed method statements and emergency plans for crossing watercourses would follow from the appointed contractor and would be prepared as part of the required Construction Environmental Management Plan (CEMP).</p>
<p><b>Permitting - exemptions and standard rules</b></p>	<p><b>The Environment Agency notes their Exemptions and Standard Rules related to crossings under watercourses and storage of materials in the floodplain.</b></p> <p>18.3.31 This is noted.</p>



Key Issue	Response to Relevant Representation
<p><b>Source Protection Zones</b></p>	<p><b>The Environment Agency states that while it does not appear that any part of the pipeline is within areas mapped as SPZ1, they would highlight that a 50m default SPZ1 boundary are typically applied around any (groundwater) private water supply abstractions.</b></p> <p>18.3.32 The project identified Source Protection Zone (SPZ) 1 as areas of high value and sensitivity within the study area. SPZ1 were considered during the pipeline routeing at the options appraisal stage. This was reflected in Commitment O6 ‘<i>The pipeline as laid will not lie within existing Source Protection Zone 1 (SPZ1) areas associated with licensed abstractions</i>’ which can be found within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>). This commitment is reflected in the design of the Order Limits presented in the application for Development Consent.</p> <p>18.3.33 A distinction has been made between SPZ1 associated with licensed abstraction and default protection zones associated with private water supplies (PWS) as it is standard in the Environmental Impact Assessment (EIA) process to distinguish between the value of the receptor. Large supplies used by many people (whether they be public or private supplies), which have limited potential for substitution, were considered to be of greater value than a supply used by just one household, where alternative substitution may be possible.</p> <p>18.3.34 <i>The Environment Agency’s approach to groundwater protection</i> (Environment Agency, 2018) states in Position Statement B3 – Default source protection zones for private water supplies: ‘<i>All groundwater abstractions intended for human consumption or food production purposes have a default SPZ1 with a minimum radius of 50 metres. In some cases, depending on the volumes abstracted, a default SPZ2 with a minimum radius of 250 metres applies.</i>’</p> <p>18.3.35 The ES baseline included data collection on unlicensed PWSs provided by local authorities. These PWSs relate to groundwater abstractions of less than 20m<sup>3</sup>/day. Any unlicensed groundwater abstractions where the water is used for human consumption or food production has a 50m radius SPZ associated with it (Paragraph 8.29 in <b>Application Document APP-048</b>).</p>



Key Issue	Response to Relevant Representation
<p><b>Location of private water supply abstractions</b></p>	<p><b>The Environment Agency notes that as the exact location of a private water supply abstraction may vary slightly from mapped locations, which are often mapped for the property, rather than the abstraction point itself, the Agency would request that the project consults with relevant parties to ensure that the pipeline is greater than 50m away from any private water supply abstractions.</b></p> <p>18.3.36 The Applicant recognises that local authority data may be incomplete and that the exact location of the abstraction may vary slightly from mapped locations. The project has obtained local authority records where available and is undertaking discussions with relevant landowners to ground-truth this information and to identify any additional records of PWSs. Commitment G144 states: <i>‘As part of negotiations with landowners within the Order Limits which are affected by the project, active private water supplies (PWS) would be identified with the landowner. Appropriate mitigation would be considered during construction.’</i></p> <p>18.3.37 In addition, commitment W12 includes further measures to protect PWS during construction:</p> <ul style="list-style-type: none"> <li>• <i>‘For private water supplies (PWS) the following would be put in place:</i> <ul style="list-style-type: none"> <li>➢ <i>In the event of a landowner or tenant complaining that installation activities have affected their PWS, an initial response would be provided within 24 hours.</i></li> <li>➢ <i>Where the installation works have affected a PWS, an alternative water supply would be provided, as appropriate.</i></li> </ul> </li> <li>• In the event of a significant spill during construction: <ul style="list-style-type: none"> <li>➢ <i>all landowners/tenants would be contacted within 24 hours, within 250m of the spill, to determine if there are any PWS that might be affected;</i></li> <li>➢ <i>an assessment of the likelihood of groundwater contamination supplying identified PWS would be undertaken;</i></li> <li>➢ <i>where requested by the relevant landowner, monitoring of well water would be undertaken for a determined period of time, taking into account pollution travel time in groundwater, to determine whether pollution has occurred; and</i></li> </ul> </li> </ul>



Key Issue	Response to Relevant Representation
	<p>➤ <i>where a PWS is affected, an alternative water supply would be provided, as appropriate.</i></p>
<p><b>Groundwater protect around private water supply abstractions</b></p>	<p><b>The Environment Agency highlights that a default SPZ2 is typically applied 250m around (groundwater) private water supply abstractions</b></p> <p>18.3.38 The Environment Agency’s approach to groundwater protection (Environment Agency, 2018) states in Position Statement B3 – Default source protection zones for private water supplies, that SPZ2s are only defined ‘in some cases’ based on the volumes abstracted. The guidance does not state what volume threshold would trigger the delineation of a 250m SPZ for PWS. However, as PWS are typically of low yield (i.e. below registration and licensing thresholds), a 250m SPZ is not considered appropriate given the small scale and short-term nature of the construction works on the project.</p>
<p><b>SPZ sensitivity</b></p>	<p><b>The Environment Agency have queried the methodology used within the ES for assessing Source Protection Zones (SPZ) and stated that they feel that all SPZs should appear in the highest sensitivity category.</b></p> <p>18.3.39 SPZs are designations around groundwater sources such as wells, boreholes and springs used for drinking water and are mapped for public drinking water supplies. Groundwater source catchments are divided into three main zones (inner (zone 1), outer (zone 2) and total catchment (zone 3)). The zones are used to identify the level of risk to the source from contamination from activities that may cause pollution in the area. The closer the activity, the greater the risk.</p> <p>18.3.40 EIA involves assigning a sensitivity or value to the baseline environment (independent of the project) and then looking at the magnitude of impact from a proposed project. The combination of sensitivity and magnitude results in the likely significance of effects resulting from a project as set out in ES Chapter 6 (<b>Application Document APP-046</b>).</p> <p>18.3.41 It is standard EIA practice to ascribe differing sensitivities (values) to the different SPZs, in order to distinguish between the different zones. This is because a change to the groundwater regime within SPZ1 close to the abstraction, is more likely to affect the integrity of the source than a change experienced in SPZ3. Distinguishing between the different zones on the project during the route selection stage, made it possible for the commitment</p>



Key Issue	Response to Relevant Representation
	<p>to O6 (see the REAC in ES Chapter 16 (<b>Application Document APP-056</b>) to avoid laying the pipeline within the higher sensitivity SPZ1 to be made.</p> <p>18.3.42 In the UK, guidance on EIA assessment for groundwater and assigning values to receptors is limited. The standard used on many projects, including this project, is Table A4.3 in the <i>Design Manual for Roads and Bridges</i> (DMRB) (Highways Agency, 2009), which is extracted in Table 1 below for reference. Although DMRB is designed for road schemes, it is a comprehensive guide for assessing environmental impacts on long linear projects and has been considered appropriate guidance for use on this project. The approach to the assessment was set out within the project’s Scoping Report (<b>Additional Submission AS-019</b>)</p> <p>18.3.43 The DMRB importance criteria has four categories ranging from very high to low, whereas the equivalent four value categories used throughout the project ES is from high to negligible to make the terminology consistent across the ES Chapters. Further details on the overall approach to the EIA and general criteria for assigning value (sensitivity) to receptors for the project ES are provided in Table 6.1 of Chapter 6 Overview of Assessment Process (<b>Application Document APP-046</b>). The sensitivity criteria are independent of the type of development being proposed. The type of development and associated risks are captured in the magnitude of effect.</p> <p>18.3.44 The approach for ascribing SPZ values has been adopted on other pipeline projects including the West Cumbria Water Supplies Project – Thirlmere Transfer and in other Nationally Significant Infrastructure Projects, including the Western Rail Link to Heathrow Project.</p>



Key Issue	Response to Relevant Representation																				
	<p><b>Table 18.2 Extract of Importance of Groundwater taken from Table A4.3 in DMRB (Highways Agency, 2009)</b></p> <table border="1"> <thead> <tr> <th style="background-color: #0056b3; color: white;">Importance</th> <th style="background-color: #0056b3; color: white;">Criteria</th> <th style="background-color: #0056b3; color: white;">Aquifer Description</th> <th style="background-color: #0056b3; color: white;">SPZ</th> </tr> </thead> <tbody> <tr> <td>Very High</td> <td>Attribute has a high quality and rarity on regional or national scale</td> <td>Principal aquifer providing a regionally important resource or supporting site protected under EC and UK habitat legislation</td> <td>SPZ1</td> </tr> <tr> <td>High</td> <td>Attribute has a high quality and rarity on local scale</td> <td>Principal aquifer providing locally important resource or supporting river ecosystem</td> <td>SPZ2</td> </tr> <tr> <td>Medium</td> <td>Attribute has a medium quality and rarity on local scale</td> <td>Aquifer providing water for agricultural or industrial use with limited connection to surface water</td> <td>SPZ3</td> </tr> <tr> <td>Low</td> <td>Attribute has a low quality and rarity on local scale</td> <td>Unproductive strata</td> <td>-</td> </tr> </tbody> </table>	Importance	Criteria	Aquifer Description	SPZ	Very High	Attribute has a high quality and rarity on regional or national scale	Principal aquifer providing a regionally important resource or supporting site protected under EC and UK habitat legislation	SPZ1	High	Attribute has a high quality and rarity on local scale	Principal aquifer providing locally important resource or supporting river ecosystem	SPZ2	Medium	Attribute has a medium quality and rarity on local scale	Aquifer providing water for agricultural or industrial use with limited connection to surface water	SPZ3	Low	Attribute has a low quality and rarity on local scale	Unproductive strata	-
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<b>Aquifer sensitivity</b>	<p><b>The Environment Agency support the general principles of the scoring for the aquifer typology but query how this will be applied to both superficial and bedrock geology and state it would appear appropriate to apply a higher sensitivity score to the superficial or solid geology in any particular location. The Agency also queried how the risks will be assessed if Principal Aquifers occur at relatively shallow depth beneath any covering geology, given that the pipeline is subsurface.</b></p> <p>18.3.45 The ‘scoring’ of the aquifer designations only applies to the sensitivity (value) of the aquifer and it is the potential magnitude of change which determines the ‘risk’ to the groundwater in the aquifer. Therefore, in ES Appendix 8.5 (<b>Application Document APP-106</b>), it is the ‘Potential Magnitude of Change’ column which considers factors such as depth to groundwater, using actual ground investigation evidence or the groundwater flooding susceptibility dataset. The shallowness of groundwater and potential dewatering effects are captured throughout the ES and in particular, Appendix 8.2 (<b>Application Document APP-103</b>), Appendix 8.3 (<b>Application Document APP-104</b>) and Table 8.5.1 in Appendix 8.5 (<b>Application Document APP-106</b>) assessing the potential significance of effects for interception of shallow groundwater in the pipeline trench.</p>																				



Key Issue	Response to Relevant Representation
	<p>18.3.46 From the value of the potential receptor and magnitude of change, the significance of effect is obtained. This assessment encompasses both superficial and bedrock aquifers and the conditions associated with the superficial principal aquifer in the northern part of the proposed development.</p> <p>18.3.47 As all principal aquifers are high value, if the ES were to distinguish areas of shallow and deep groundwater it would mean some areas of principal aquifer would be reclassified as only being of medium value, which may undervalue the overall principal aquifer.</p> <p>18.3.48 Also, following comments to the Scoping Report (<b>Application Document AS-019</b>) from Portsmouth Water, the project considered that where the Chalk is at the edge of its outcrop overlain by the London Clay and Lambeth Group there may be hydraulic connection between these overlying deposits and the Chalk. However, our study concluded that there was unlikely to be any connection, due to the low permeability nature of the overlying deposits, see paragraphs 1.3.4 and 1.5.8 of ES Appendix 8.1 (<b>Application Document APP-102</b>).</p>
<p><b>Groundwater Dependent Terrestrial Ecosystem &amp; private supply sensitivity</b></p>	<p><b>The Environment Agency queried the methodology used within the ES for assessing groundwater dependent terrestrial ecosystems (GWDTE) and private water supplies.</b></p> <p>18.3.49 EIA involves assigning a sensitivity or value to the baseline environment (independent of the project) and then looking at the magnitude of impact from a proposed project. The combination of sensitivity and magnitude results in the likely significance of effects resulting from a project as set out in ES Chapter 6 (<b>Application Document APP-046</b>).</p> <p>18.3.50 It is standard EIA practice to ascribe differing sensitivities (values) to a receptor to allow significance to be determined. Large water supplies used by many people (whether they be public or private supplies), which have limited potential for substitution, were considered to be of greater value than a supply used by just one household, where alternative substitution may be possible.</p> <p>18.3.51 Please see above response on aquifer sensitivity in relation to the ‘scoring’ of the aquifer designations.</p> <p>18.3.52 From the value of the potential receptor and magnitude of change, the significance of effect is obtained. This assessment encompasses both superficial and bedrock aquifers and the conditions associated with the superficial principal aquifer in the northern part of the proposed development.</p>





Key Issue	Response to Relevant Representation
	<p>18.3.53 A similar approach was adopted for GWDTE, with internationally designated sites (such as SACs/SPAs) being of greater rarity and hence conservation value than local or undesignated sites such as Sites of Importance for Nature Conservation. The definitions used within the ES are based on UK Technical Advisory Group (UKTAG) guidance to identify, prioritise and assess the impacts on GWDTEs (UKTAG, 2004). The guidance defines the significance of damage as <i>'a function of the (a) degree of damage occurring to a GWDTE (caused by groundwater pressure) and (b) the "significance" of the ecosystem itself as a nature conservation resource'</i>. The guidance further expands by saying <i>'Ideally, a prioritisation process would focus on criteria such as level of groundwater dependence and risk of damage to the ecosystem'</i>. Annex 1 of the guidance includes a list of NVC plant communities and their likely degree of groundwater dependency (UKTAG 2009). This guidance was used to inform the value of the GWDTE based on rarity and groundwater dependence. The value is then combined with the magnitude of change to determine the significance of effect. Further details can be found in ES Chapter 6 (<b>Application Document APP-046</b>).</p> <p>18.3.54 The approach outlined above has been adopted on other pipeline projects including the West Cumbria Water Supplies Project – Thirlmere Transfer, and is still considered appropriate for the project.</p>
<p><b>Land contamination</b></p>	<p><b>The Environment Agency queried the methods for working and managing contamination risks within higher risk areas, particularly in SPZ2.</b></p> <p>18.3.55 The approach to dealing with areas with a potential contamination risk is stated in Commitment G71 which states that: 'For all areas, the following strategic approach would be taken for the management of both known and unknown land contamination:</p> <ul style="list-style-type: none"> <li>• <i>a desk-based qualitative risk assessment would be undertaken on the basis of available information to ascertain areas of known and unknown contamination;</i></li> <li>• <i>working methodologies would be produced based on the assessment; and</i></li> <li>• <i>contingency plans would be developed for dealing with various forms of known or unknown contamination to allow work to progress with limited delay.'</i></li> </ul>



Key Issue	Response to Relevant Representation
	<p>18.3.56 These procedures would clearly define methods for dealing with any areas of unexpected contamination to manage immediate risks and prevent any contamination, ground gas, airborne contaminants or odour spreading from the affected area, and for appropriate disposal. Measures would contain protocols for dealing with areas of potential asbestos-containing materials, should they be encountered. For areas where potential contamination is known or strongly suspected to be present as a result of past activities, Commitment G71 goes on to state the following would also be undertaken:</p> <ul style="list-style-type: none"> <li>• <i>‘Ground investigation information would be shared and developed as appropriate;</i></li> <li>• <i>risks to receptors would be assessed, and mitigation and working methods to control those risks would be developed. Risks would include: encountering contaminated dust, soils and groundwater; and where the presence of ground gas and/or vapours may lead to confined space risks, such as in excavations;</i></li> <li>• <i>a Suitably Experienced Person (SEP) would ensure that risk areas are identified, working methods followed and mitigation carried out appropriately;</i></li> <li>• <i>made ground and materials known or strongly suspected of being contaminated would be segregated from natural and inert materials; and</i></li> <li>• <i>ground arisings deemed unsuitable for re-use within the project would be disposed of appropriately for example to a soil treatment centre or landfill.’</i></li> </ul> <p>18.3.57 In addition, Requirement 10 (contaminated land and groundwater) of the DCO states that where contamination has been found and reported to the relevant planning authority, that <i>‘an investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the part of the Order limits within which works are being carried out, whether or not that contamination originates on that part of the Order limits; and—</i></p> <p><i>(a) the contents of that scheme are subject to the approval of the relevant planning authority; and</i></p> <p><i>(b) that investigation and risk assessment must be undertaken in accordance with the approved scheme and a written report of the findings must be submitted to the relevant planning authority.</i></p>



Key Issue	Response to Relevant Representation
	<p><i>Where remediation is required to control or prevent the release or potential release of contamination as a result of the works, a detailed remediation scheme must be prepared and submitted for the approval of the relevant planning authority. The approved remediation scheme must be carried out in accordance with its terms.'</i></p>
<p><b>Existing pipeline loss - West Tisted</b></p>	<p><b>The Environment Agency requested confirmation whether the exact location of a known/suspected loss is known and whether all issues have been satisfactorily addressed.</b></p> <p>18.3.58 This is outside the scope of the application for development consent. The risk of impact has been assessed in the ES along with other potential sources of contamination. Further details are not relevant to the DCO application.</p>
<p><b>Decommissioning of existing pipeline</b></p>	<p><b>The Environment Agency raise some concerns regarding other potential historic losses from the existing pipeline, although they acknowledge that this is outside the scope of the current proposal, and request details of methodology and proposals to demonstrate that the existing pipeline can be decommissioned/removed from service in a manner to minimise the potential of any future loss.</b></p> <p>18.3.59 Decommissioning of the existing pipeline is outside of the scope of the application for development consent. This was confirmed in the Scoping Opinion received from the Planning Inspectorate (<b>Application Document APP-078</b>). Further details can be found in Section 7 of this document.</p>
<p><b>Watching Brief</b></p>	<p><b>The Environment Agency also requires a watching brief when working in close vicinity of the existing pipeline, and suggests a strategy for inclusion. The Agency also requests assessment of anticipated losses in relation to environmental harm.</b></p> <p>18.3.60 The strategy for dealing with risks from potential contamination sources is set out in Commitment G71. This is covered in the response to the Environment Agency's comment on land contamination above. This could include working methodologies and contingency plans where a risk was identified. It also includes the identification of a Suitably Experienced Person (SEP) to ensure that risk areas are identified, working methods followed and mitigation carried out appropriately.</p>



Key Issue	Response to Relevant Representation
	18.3.61 The Applicant has made an assessment of the potential impact in the case of an incident resulting in environmental harm. This is assessed in ES Chapter 14 Major Accidents ( <b>Application Document APP-054</b> ).
<b>Use of stanks</b>	<p><b>Use of stanks</b></p> <p>18.3.62 The comments on the use of stanks are noted.</p>
<b>Borehole drilling</b>	<p><b>The Environment Agency queries and comments on the first phase of ground investigation boreholes.</b></p> <p>18.3.63 This phase of ground investigation boreholes was subject to consultation and correspondence with the Environment Agency during May, July and August 2018. This phase of boreholes has been completed.</p>
<b>Working at depth</b>	<p><b>The Environment Agency queried the locations where working at depth would be required and requested a map.</b></p> <p>18.3.64 The application for development consent, including the ES and supporting Appendices, considered up to 4m below ground level for trenched crossings. A map has been submitted to the Environment Agency to show the location of the trenchless crossing locations and other areas where the Applicant is currently aware that the proposed pipeline could be deeper than 4m below ground level. This is primarily where the replacement pipeline would be installed using trenchless methods, and where the replacement pipeline would need to cross existing services.</p> <p>18.3.65 The Applicant has undertaken a qualitative assessment for all of these locations using the methodology set out within ES Appendix 8.2 (<b>Application Document APP-103</b>). There are ten trenchless crossing locations and four other locations where there could be a significant effect in the absence of mitigation.</p> <p>18.3.66 The Applicant has an existing commitment (W13) to reduce the significance of these effects for the trenchless crossings. The Applicant is proposing to make a further commitment to provide mitigation at the four other locations. This new commitment will be implemented through the Construction Environmental Management Plan (CEMP) and will say: <i>‘Temporary sheet piling or similar for control of groundwater would be put in place at</i></p>



Key Issue	Response to Relevant Representation
	<p><i>the following locations unless a detailed assessment is undertaken which demonstrates that no building or infrastructure is at risk of differential settlement:</i></p> <ul style="list-style-type: none"> <li>• <i>Near the junction of Roakes Avenue and Canford Drive, Chertsey TQ048657</i></li> <li>• <i>Southeast of Jubilee Church, Chertsey (TQ049658)</i></li> <li>• <i>Junction of Chesterfield Road and Woodthorpe Road, Ashford TQ059716</i></li> <li>• <i>To the southwest of the Esso West London Terminal storage facility, West Bedfont TQ068733'</i></li> </ul> <p>18.3.67 With both the existing commitment (W13) covering the trenchless crossing locations and the new commitment covering the additional four locations, any potential effects would be reduced to minor and not significant. The new commitment will be implemented through the CEMP.</p>
<p><b>Environmental Statement</b></p>	<p><b>The Environment Agency welcomed the inclusion of a potential impact to surface water from fuel/chemical spillage being included in the Environmental Statement but questioned why there is not recognition of groundwater in this, and state it should be included in any risk assessment.</b></p> <p><b>The Environment Agency queried ES Table 8.3.</b></p> <p>18.3.68 The Environment Agency note that within ES Appendix 8.3 there are a number of figures showing cross sections through the GWDTEs and state it would be helpful to show the proposed depth that the pipeline will pass under these features to better assess the impact on these sites. The Environment Agency ask the Applicant to note a recent press release relating to CLR11.</p> <p>18.3.69 The assessment relating to fuel and chemical spillages during the construction phase is assessed in Table 8.5.6 in ES Appendix 8.5 (<b>Application Document APP-106</b>).</p> <p>18.3.70 The responses above describe how sensitivity has been assigned. Further details on the approach can be found in ES Chapter 6 (<b>Application Document APP-046</b>).</p> <p>18.3.71 The figures in ES Appendix 8.3 (<b>Application Document APP-104</b>) are conceptualisations and the vertical axis is not to scale. To add the pipeline depth could be misleading in many circumstances.</p>



Key Issue	Response to Relevant Representation
	18.3.72 The Applicant has noted a recent press release relating to CLR11.
<b>Active landfill Permitting</b>	<p><b>The Environment Agency discussed various considerations and information that would be required in the future Permit variation process.</b></p> <p>18.3.73 The project aims to gain agreement on permit variation in active landfill sites through further discussions with the EA permitting team.</p>
<b>Biodiversity and fisheries; and Biodiversity net gain</b>	<p><b>The Environment Agency would welcome acknowledgement from the Applicant that they intend to deliver a measurable net gain in biodiversity as part of this project and are happy to consider how this could be delivered within the scope of the project.</b></p> <p>18.3.74 As a good neighbour and responsible operator, the Applicant is actively engaged in agreeing a voluntary Environmental Investment Programme (EIP) to invest into the local area, should the DCO be granted. This programme is separate to the mitigation of the project's impacts as assessed in its ES and which are set out in the Register of Environmental Actions and Commitments (REAC) and secured through the DCO. The EIP is therefore a voluntary programme that remains outside the DCO process and is not limited to the DCO Order Limits. The EIP comprises a range of activities along the replacement pipeline route to carry out localised environmental improvements and enhance local biodiversity, within environmentally designated sites and/or areas of social/community importance over and above what is required to mitigate the project as part of the application for development consent. The Applicant will continue to engage with the Environment Agency on the voluntary EIP and intends for the broad scope to be issued shortly. It should be noted that there is no mandatory requirement to deliver an overall ecological biodiversity enhancement (what has been termed 'net gain') for a Nationally Significant Infrastructure Project. It is understood that net gain will form part of the UK Government's forthcoming Environment Bill, however, the UK Government's position is that Nationally Significant Infrastructure Projects will be exempt (Department for Environment, Food &amp; Rural Affairs, July 2019. Net Gain: Summary of responses and Government response).</p>



Key Issue	Response to Relevant Representation
<p><b>Otter and water vole</b></p>	<p><b>The Environment Agency commented on the potential for water vole and otter to be affected and requested a watching brief for signs of water vole and otter during construction, with the provision that if otter or water vole or their field signs are identified then works must cease immediately and advice sought from the appropriate authority (Natural England).</b></p> <p>18.3.75 An assessment of the impacts on otter and water vole and current good practice measures proposed are set out in ES Appendix 7.17 (<b>Application Document APP-101</b>).</p> <p>18.3.76 Commitment G33 states that <i>'Pre-construction surveys would be completed if existing baseline survey data need to be updated or supplemented'</i>.</p> <p>18.3.77 G43 states that <i>'The contractor(s) would comply with relevant protected species legislation including with regard to badgers, bats, dormice, otters, water voles, sand lizards, great crested newts and Schedule 1 birds. Appropriate licences would be obtained where necessary from Natural England for all works affecting protected species as identified by the Environmental Statement and through pre-construction surveys. All applicable works would be undertaken in accordance with the relevant mitigation requirements and conditions set out in those licences.'</i></p> <p>18.3.78 In addition, with regard to water voles, commitment G197 states <i>'Where there is evidence of water voles from pre-construction surveys, a class licence would be applied for where necessary, and the following methods would typically be implemented:</i></p> <ul style="list-style-type: none"> <li>• <i>all burrows in the working area would be identified and marked;</i></li> <li>• <i>vegetation from within the working width (up to 5m either side of the trench) would be removed using a strimmer until only bare earth remains. The strimmed area would extend to the top of the bank and a further 2m beyond;</i></li> <li>• <i>all arisings from the strimmed area would be raked off and removed;</i></li> <li>• <i>the burrow entrances would be checked to ensure they have not become blocked;</i></li> </ul>



Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• <i>the strimmed area would be monitored on a daily basis during the works for field signs of water voles. Where field signs are recorded the need to repeat or extend the strimming would be reviewed;</i></li> <li>• <i>a destructive search would be carried out five days following strimming and if no evidence of water vole is recorded following a re-survey; and</i></li> <li>• <i>the area would be maintained as unsuitable for water voles as the works are carried out.</i></li> <li>• <i>It may be necessary to de-water the working area, if practicable and environmentally acceptable, prior to the destructive search’.</i></li> </ul>
<p><b>Fisheries</b></p>	<p><b>The Environment Agency stated that noise, vibration and artificial lighting during trenchless crossings of watercourses should be assessed and commented on the proposed timing restrictions proposed for the protection of salmonids.</b></p> <p>18.3.79 The project has reviewed the surveyed results for each watercourse as part of the review of the timings and considers the existing commitment to be sufficient for each watercourse, given the value of the habitat present.</p> <p>18.3.80 Commitment G171 is included within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>). G171 states <i>‘Open cut crossings on five watercourses would be subject to constraints. The tributary of Cove Brook (WCX047) would be subject to constraints between March and May. The tributary of the River Hamble (WCX007), ditch leading to the tributary of the River Hamble (WCX006), Caker Stream (WCX012) and Ryebriidge Stream (WCX021) would be subject to constraints between October to December and March to May. At all five locations, works undertaken in the channel or close to bank tops would be reduced/restricted during these sensitive periods’.</i></p> <p>18.3.81 The commitment wording was specifically designed to protect the most sensitive period of fish spawning, in a proportionate manner to the habitats observed during the 2018 field surveys.</p> <p>18.3.82 The timings were designed around standard seasonal restrictions in relation to fish:</p> <ul style="list-style-type: none"> <li>• Migratory fish period: October to December;</li> <li>• Migratory fish spawning: January to March; and</li> </ul>





Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• Coarse fish spawning: March to June.</li> </ul> <p>18.3.83 The disturbance from in-channel works is predicted to impact a very small proportion of the total watercourse resource and, in the presence of the project's commitments outlined within the Register of Environmental Actions and Commitments (in ES Chapter 16, <b>Application Document APP-056</b>), regarding pollution and sediment control, is unlikely to result in significant effects on water quality, quantity or habitat degradation. As discussed at the meetings with the Environment Agency regarding the project, the in-channel works from the open cut method are likely to be limited to a small number of days per crossing, and whilst the associated haul road may be in place for longer periods, channel connectivity will be maintained throughout.</p> <p>18.3.84 Timing restrictions on the tributary of the River Hamble (WCX007), ditch leading to the tributary of the River Hamble (WCX006), Caker Stream (WCX012) and Ryebridge Stream (WCX021) are considered appropriate for these watercourses. All four crossing points are either ephemeral or hold little water during normal summer flow. As such these watercourses will provide limited adult fish habitat, opportunity for spawning or juvenile fish habitat of quality. Therefore, the project team considers that only protection of spawning periods is required in these locations, given the limited disturbance to in-channel habitats and poor habitat present.</p> <p>18.3.85 The crossing of the tributary of the Cove Brook (WCX047) lies within Southwood Golf Course and was completely choked with emergent vegetation at the time of survey (summer 2018). It is unlikely that this location would be used by fish for spawning or juvenile life stages. Therefore, the existing commitment wording is considered to be sufficient with regard to this watercourse, given the value of the habitat present and short duration of the open cut crossing.</p>



## 19 Forestry Commission AS-028

### 19.1 Overview

19.1.1 This section of the document contains the Applicant's responses to the Additional Submissions (**AS-028**) made by the Forestry Commission.

### 19.2 Application Documents

19.2.1 The following application documents are relevant to this response:

- Draft Development Consent Order (**Application Document AS-059**);
- Environmental Statement (ES) Chapter 3 Project Description (**Application Document APP-043**);
- ES Chapter 7 Biodiversity (**Application Document APP-047**);
- ES Appendix 7.3 Ancient Woodland Factual Report (**Application Document APP-083**);
- ES Chapter 10 Landscape and Visual (**Application Document APP-050**);
- ES Chapter 16 Environmental Management and Mitigation (**Application Document APP-056**); and
- Additional Submissions (**AS-028**) made by the Forestry Commission.



### 19.3 Key Issues

Table 19.1 Relevant Representation Key Issues

Key Issue	Response to Relevant Representation
<p><b>Work within 15m of Ancient Woodland</b></p>	<p><b>The Forestry Commission requests clarification on the methodology for work within the tree root zone of the ancient woodland boundary and refers to standing advice from the Forestry Commission and Natural England that there should be a 15m buffer to protect roots to ensure no loss or deterioration of the ancient woodland</b></p> <p>19.3.1 To reflect concerns raised by the Forestry Commission, the Applicant has prepared a Technical Note on Ancient Woodland and Veteran Trees which sets out the approach to reduce the impacts of the project on ancient woodland and potential ancient woodland within 15m of the Order Limits. This follows a hierarchy, ranging from the use of buffers and ground protection around ancient trees and woodland, to the requirement for specialist construction techniques to be used for any unavoidable excavation within root protection areas. The project had regard to the standing advice from the Forestry Commission and Natural England (<i>Ancient woodland, ancient trees and veteran trees: protecting them from development</i>, 2018) when developing the hierarchy of mitigation principles, with avoidance of works within 15m of the edge of ancient woodland recommended where practicable.</p> <p>19.3.2 The Technical Note has been submitted to the Forestry Commission, as part of agreeing the Statement of Common Ground. The hierarchy commitments would be included in a revised Code of Construction Practice (<b>Application Document APP-128</b>).</p>
<p><b>Veteran Trees buffer zone</b></p>	<p><b>The Forestry Commission requests clarification on the surveying and methodology for work within the tree root zones of veteran and ancient trees, and refers to standing advice from the Forestry Commission and Natural England that a buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree and that the buffer zone should be 5m from the edge of the tree’s canopy if that area is larger than 15 times the tree’s diameter.</b></p> <p>19.3.3 To reflect concerns raised by the Forestry Commission, the Applicant has prepared a Technical Note on Ancient Woodland and Veteran Trees which sets out the approach to reduce the impacts of the project on veteran trees and potential veteran trees within 15m of the Order Limits. This sets out proposed further mitigation principles, which</p>



Key Issue	Response to Relevant Representation
	<p>follow a hierarchy, ranging from the use of buffers and ground protection around veteran trees and potential veteran trees, to the requirement for specialist construction techniques to be used for any unavoidable excavation within root protection areas. The project had regards to the standing advice from the Forestry Commission and Natural England (<i>Ancient woodland, ancient trees and veteran trees: protecting them from development</i>, 2018) when developing the hierarchy of mitigation principles. The Technical Note has been submitted to the Forestry Commission, as part of agreeing the Statement of Common Ground. The hierarchy commitments would be included in a revised Code of Construction Practice (<b>Application Document APP-128</b>).</p> <p>19.3.4 ES Chapter 10 (<b>Application Document APP-064</b>) states that a check of the Ancient Tree Inventory was undertaken on the 12 February 2019 and this revealed no recorded ancient or veteran trees within the Order Limits (paragraph 10.3.24). Since the publication of the ES, there are still no ancient trees recorded within 15m of the Order Limits on the inventory, but three veteran trees, within 15m of the Order Limits, have been added to the inventory (checked 29 August 2019). These are located along Ashford Road, Staines.</p> <p>19.3.5 Arboricultural surveys have been carried out in accordance with the methodology set out in with BS5837:2012 <i>Trees in relation to design, development and construction</i>. No potential ancient trees were identified during these surveys. Ancient woodland, potential ancient woodland and potential veteran trees (as defined in BS 5837:2012) have been identified within 15m of the Order Limits. These were identified, measured and the root protection areas were calculated. This information would inform the future detailed alignment routeing to avoid root protection areas where practicable.</p>



## 20 Historic England RR-243

### 20.1 Overview

20.1.1 This section of the document contains the Applicant's responses to the Relevant Representations (RR-243) that have been made by Historic England.

### 20.2 Application Documents

20.2.1 The following application documents are relevant to this response:

- Draft Development Consent Order (**Application Document AS-059**);
- Chapter 3 Project Description, of the Environmental Statement (ES) (**Application Document APP-043**);
- Chapter 9 Historic Environment, of the ES (**Application Document APP-049**);
- Chapter 16 Environmental Management and Mitigation of the ES (**Application Document APP-056**);
- Historic Environment Desk Based Study in ES Appendix 9.1 (**Application Document APP-108**);
- Potential Effects on the Historic Environment in ES Appendix 9.4 (**Application Document APP-112**);
- Archaeological Mitigation Strategy (AMS) in ES Appendix 9.5 (**Application Document APP-113**); and
- Relevant Representation (**RR-243**) made by Historic England.



## 20.3 Key Issues

Table 20.1 Relevant Representation Key Issues

Key Issue	Response to Relevant Representation
<p><b>Archaeological evaluation and mitigation by design.</b></p>	<p><b>Historic England raised concerns that although geophysical survey has taken place, no archaeological evaluation has been undertaken, and further excavation and field work could reveal significant and well-preserved archaeological deposits which would be difficult to mitigate by design.</b></p> <p>20.3.1 Further excavation and field work is being undertaken prior to the start of construction of the pipeline, in the form of trial trenching, as set out in the Archaeological Mitigation Strategy (AMS) (<b>Application Document APP-113</b>), submitted with the application for development consent as Environmental Statement Appendix 9.5. This further archaeological field work could reveal archaeological deposits. Any potential archaeological deposits identified would be investigated by the project to determine if they could be of archaeological significance. Where archaeological work is required, a site-specific Written Scheme of Investigation (WSI) would be prepared in consultation with the local authority archaeologist/s as advisors to the relevant planning authorities. The results of the archaeological trial trenching, together with the desk-based survey and geophysical survey already undertaken, would be used to design the most appropriate mitigation.</p> <p>20.3.2 The AMS sets out how it proposed to assess and mitigate impacts of the project on archaeological deposits. The AMS states that the two overarching principles regarding the treatment of significant archaeological remains are:</p> <ul style="list-style-type: none"> <li>• to either protect or preserve <i>in situ</i> any significant archaeological remains that may be found; or</li> <li>• to record (preservation by record) any significant archaeological remains that may be found.</li> </ul> <p>20.3.3 Paragraph 2.1.2 of the AMS states that the <i>'preferred archaeological mitigation should be preservation in situ of identified heritage assets'</i> and Paragraph 2.1.3. states <i>'where known or unknown archaeological remains would not be directly affected by the project, such remains would be left in situ. ...'</i></p> <p>20.3.4 Compliance with the AMS would be secured through DCO Requirement 11 (archaeology).</p>



Key Issue	Response to Relevant Representation
	<p>20.3.5 As set out in ES Chapter 3 (<b>Application Document APP-043</b>), the most common technique for the construction of the pipeline would be open-cut trenches. These would be typically less than 1m wide, as the pipe is relatively small with an internal diameter of 30cm. The working width would be typically less than 36m (paragraph 3.2.5 in <b>Application Document APP-043</b>).</p> <p>20.3.6 The Limits of Deviation outlined within the application for development consent would allow the potential for the pipeline to be routed around nationally significant archaeological remains in many cases. The need for flexibility to divert around remains is one of the main reasons why the applicant has adopted a Limits of Deviation approach. Where this is not possible, other techniques could be available to provide preservation <i>in situ</i>. These could include choosing a trenchless technique to go underneath significant archaeological remains or using ground matting to reduce the risk of compaction or other damage to underlying archaeological remains. The preferred archaeological mitigation would be preservation in situ of identified heritage assets.</p> <p>20.3.7 In the event of unexpected archaeological discoveries during construction, the procedure in Section 2.4 of the AMS would be followed, which includes for consultation with local authority archaeologists.</p> <p>20.3.8 In conclusion, the AMS (<b>Application Document APP-113</b>) already sets out the approach to protecting archaeological remains of national significance, so no changes are proposed to the AMS on this matter.</p> <p>20.3.9 The above approach has been submitted to Historic England in the form of a Technical Note on Potential Nationally Significant Heritage Assets. The aim is to agree this approach with Historic England through the Statement of Common Ground.</p>
<p><b>Roman site at Stephen's Castle Down</b></p>	<p><b>Historic England identified concerns that a proposed construction compound and drive/ receiving pit may physically impact on Roman remains at Stephen's Castle Down that may relate to a villa site, and that it would be important to identify whether this example may be classed as of national importance.</b></p> <p>20.3.10 The Applicant understands the potential importance of Stephen's Castle Down and is considering options in relation to this compound. In the meantime, the approach outlined above sets out the project approach for dealing with nationally significant archaeological remains.</p>



Key Issue	Response to Relevant Representation
<p><b>Potential World War II aircraft crash sites</b></p>	<p><b>Relevant Representation raised issues relating to the significance give to protected military remains.</b></p> <p>20.3.11 The project has subsequently agreed with Historic England to undertake an additional assessment of potential World War II (WW2) crash sites, in the form of metal detecting, in order to provide a further level of understanding of the impact, and that there is no need to alter the level of significance in the assessment.</p> <p>20.3.12 The wreckage of military aircraft is protected through the Protection of Military Remains Act 1986, and a licence is required for their excavation.</p> <p>20.3.13 There are five WW2 aircraft crash sites recorded within the Historic Environment Record, within 1km of the Order Limits (see ES Appendix 9.3 <b>Application Document APP-111</b>). Two of the crash sites are within the built-up area of Frimley and would not be impacted by the project. Three crash sites, although recorded as outside the Order Limits, have the potential to be affected by the project:</p> <ul style="list-style-type: none"> <li>• Asset 308, the crash site of an RAF Mosquito near Westbrook Grange;</li> <li>• Asset 770, the crash site of an RAF Leopard Moth near Deepcut; and</li> <li>• Asset 826, the crash site of an RAF Hurricane near Chobham.</li> </ul> <p>20.3.14 The exact locations of these three assets are unknown, as the airframes on most crash sites are fragmentary. There is also the potential for significant ancillary items, such as engines, to be spread over a wider area, which could extend into the Order Limits.</p> <p>20.3.15 As an additional measure, the project would add an additional paragraph to the AMS to state that: <i>'The project would undertake preliminary metal detecting in areas within Order Limits which are due to be excavated (including trial trenches) that are within 300m of the recorded site of a crash asset. This would be undertaken prior to the excavation and any potential items investigated by the project to determine if they could be of archaeological significance. Further to section 2.4.2 of the AMS (<b>Application Document APP-113</b>), an assessment of the significance of the archaeological remains would be made according to the criteria for the selection of important sites, set out in Military Aircraft Crash Sites, Archaeological guidance on their significance and future management (English Heritage 2002). If significant archaeological remains from these crash sites are</i></p>





Key Issue	Response to Relevant Representation
	<p><i>identified during the metal detecting or further archaeological work, the relevant local authority archaeologists, Historic England and the Ministry of Defence would be consulted in line with section 2.4 of the AMS.'</i></p> <p>20.3.16 The above approach has been submitted to Historic England in the form of a Technical Note on Potential Nationally Significant Heritage Assets. The aim is to agree this approach with Historic England through the Statement of Common Ground.</p>
<p><b>Consultation regarding undesignated heritage assets</b></p>	<p><b>Relevant representation raised an issue relating to the consultation with relevant bodies regarding undesignated heritage assets.</b></p> <p>20.3.17 The Applicant is also discussing archaeological matters with local authority archaeologists at Hampshire County Council, Winchester City Council and Surrey County Council, and is preparing Statements of Common Ground with these local authorities.</p>



## 21 Natural England AS-030

### 21.1 Overview

21.1.1 This section of the document contains the Applicant's responses to the Additional Submissions (**Application Document AS-030**) made by Natural England.

### 21.2 Application Documents

21.2.1 The following application documents are relevant to this response:

- Environmental Statement (ES) Chapter 3 Project Description (**Application Document APP-043**);
- ES Chapter 4 Project Description (**Application Document APP-044**);
- ES Chapter 7 Biodiversity (**Application Document APP-047**);
- ES Appendix 7.3 Ancient Woodland Factual Report (**Application Document APP-083**);
- ES Chapter 16 Environmental Management and Mitigation (**Application Document APP-056**);
- ES Appendix 16.1 Code of Construction Practice (**Application Document APP-128**);
- Draft Development Consent Order (**Application Document AS-059**); and
- Additional Submissions made by Natural England (**Application Document AS-030**) (submitted as Relevant Representations by Natural England).



## 21.3 Key Issues

Table 21.1 Relevant Representation Key Issues

Key Issue	Response to Relevant Representation
<p><b>Environmental Investment Programme</b></p>	<p><b>Natural England request details relating to the Environmental Investment Programme</b></p> <p>21.3.1 As a good neighbour and responsible operator, the Applicant is actively engaged in agreeing a voluntary Environmental Investment Programme (EIP) to invest into the local area should the Development Consent Order (DCO) be granted. This programme is separate to the mitigation of the project's impacts as assessed in its Environmental Statement and which are set out in the Register of Environmental Actions and Commitments and secured through the DCO. The EIP is therefore a voluntary program that remains outside the DCO process and is not limited to the DCO Order Limits. The EIP comprises a range of activities along the replacement pipeline route to carry out localised environmental improvements and enhance local biodiversity, within environmentally designated sites and/or areas of social/ community importance over and above what is required to mitigate the project as part of the application for development consent. The Applicant will continue to engage with Natural England on the voluntary EIP and intends for the broad scope to be issued shortly. It should be noted that there is no mandatory requirement to deliver an overall ecological biodiversity enhancement (what has been termed 'net gain') for a Nationally Significant Infrastructure Project. It is understood that net gain would form part of the UK Government's forthcoming Environment Bill however the UK Government's position is that Nationally Significant Infrastructure Projects would be exempt (Department for Environment, Food &amp; Rural Affairs, July 2019. Net Gain: Summary of responses and Government response).</p>
<p><b>Methodology relating to working within 15m of woodland</b></p>	<p><b>Natural England requests further information on the methodology relating to working within 15m of woodland</b></p> <p>21.3.2 Since submission of their Relevant Representations, Natural England has confirmed that their concerns relate to the working method within 15m of ancient woodland and veteran trees.</p> <p>21.3.3 To reflect concerns raised by Natural England the Applicant has prepared a Technical Note on Ancient Woodland and Veteran Trees which sets out the project approach to reduce the impacts of the project on designated trees within 15m of the Order Limits. This sets out proposed further mitigation principles, which follow a hierarchy, ranging</p>



Key Issue	Response to Relevant Representation
	<p>from the use of buffers and ground protection around veteran trees and potential veteran trees, to the requirement for specialist construction techniques to be used for any unavoidable excavation within root protection areas. The project had regards to the standing advice from the Forestry Commission and Natural England (<i>Ancient woodland, ancient trees and veteran trees: protecting them from development</i>, 2018) when developing the hierarchy of mitigation principles. The Technical Note has been submitted to Natural England, as part of agreeing the Statement of Common Ground. This approach to ancient woodland and veteran trees would be secured by being appended to the Code of Construction Practice (<b>Application Document APP-128</b>).</p>



## 22 Runnymede District Council RR-212

### 22.1 Overview

22.1.1 This section of the document contains the Applicant's responses to the Relevant Representation (RR-212) that have been made by Runnymede Borough Council (RmBC in this document to distinguish this reference from Rushmoor Borough Council (RBC)).

### 22.2 Application Documents

22.2.1 The response to the relevant representation made by Runnymede refers to the following Application documents:

- Draft Development Consent Order (DCO) (**Application Document AS-059**);
- Statement of Reasons (**Application Document APP-029**);
- Chapter 4 of the Environmental Statement (ES): Design Evolution (**Application Document APP-044**);
- Chapter 7 of the ES: Biodiversity (**Application Document APP-047**);
- Chapter 9 of the ES: Historic Environment (**Application Document APP-049**);
- Chapter 10 of the ES: Landscape and Visual (**Application Document APP-050**);
- Chapter 15 of the ES: Cumulative Effects (**Application Document APP-055**);
- Chapter 16 of the ES: Environmental Management and Mitigation (**Application Document APP-056**);
- Appendix 7.3 of the ES: Ancient Woodland Factual Report (**Application Document APP-083**);
- Appendix 15.3 of the ES: Inter-Project Cumulative Effects Assessment (**Application Document APP-127**);
- Appendix 16.1 of the ES outlines the Code of Construction Practice (CoCP) (**Application Document APP-128**);
- Appendix 16.2 of the ES contains the Outline Construction Environmental Management Plan (**Application Document APP-129**);
- Habitats Regulations Assessment of the ES (**Application Documents APP-130 and 131**);
- The Planning Statement (**Application Document APP-132**) explains the need for the project;
- Draft Statements of Common Ground (**Application Document APP-133**);
- Flood Risk Assessment (**Application Document APP-134**);
- Transport Assessment (**Application Document APP-135**);
- Consultation Report (**Application Document AS-013**); and
- Scoping Report - Volume 1 (**Application Document AS-019**).



22.2.2 Table 22.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the DCO.



## 22.3 Key Issues

Table 22.1 Relevant Representation Key Issues

Key Issue	Response to Relevant Representation
<p><b>Compulsory acquisition of the land and rights in the DCO</b></p>	<p><b>Issues were raised about the Applicant’s approach to acquire the land and rights by negotiation and the Applicant not being forthcoming in what compensation and mitigation is offered</b></p> <p>22.3.1 Issues were raised about the Applicant’s approach to acquire the land and rights by negotiation and the Applicant not being forthcoming in what compensation and mitigation is offered.</p> <p>22.3.2 The Statement of Reasons in Volume 4 of the application documents provides details on how the Applicant is seeking to assemble in its ownership, the land and associated rights over land included in the draft DCO (see <b>Application Documents AS-059</b> and <b>APP-029</b>). The Statement of Reasons provides an overview of the reasons for requesting that the Secretary of State grant powers of compulsory acquisition pursuant to section 122 of the 2008 Act.</p> <p>22.3.3 The need for the scheme is established in the Planning Statement’s Chapter 2: Need Statement (<b>Application Document APP-132</b>) and the justification for the extent of the Compulsory Acquisition Powers sought is set out in the Statement of Reasons (<b>Application Document APP-029</b>).</p> <p>22.3.4 There has been ongoing engagement directly with all affected persons with an interest in land (PILs) and landowners and occupiers since the launch of the project and all have had opportunities to feedback on the routeing and siting of the scheme as it affects them, in order to try to avoid the need for compulsory acquisition (see paragraph 7.3.3 of the Statement of Reasons <b>Application Document APP-029</b>).</p> <p>22.3.5 Permanent land rights are proportionate with the expected life of the scheme and the investment required but for short-term activities such as those during construction, temporary rights have been identified (see paragraph 7.4.3 of the Statement of Reasons (<b>Application Document APP-029</b>)). Easements or 999-year leases are the standard property rights used in relation to oil pipelines. Please refer to Section 7 regarding extinguishment of rights once a pipeline is decommissioned. In addition, it should be noted that under the terms of a voluntary deed, the Applicant</p>



Key Issue	Response to Relevant Representation
	<p>offers a right to reposition the pipeline at the Applicant's expense in order to allow for subsequent development of the land.</p> <p>22.3.6 The Applicant sent out offers for easement options to all relevant landowners and occupiers in three tranches between 19 January 2019 and 22 March 2019; active negotiations are ongoing. Concurrent to this, the Applicant has also been negotiating with the landowners for the acquisition of the land identified for Pigging Station and Valve sites. The Applicant is also negotiating with owners of the land identified for Logistics Hubs for short-term leases at those sites. This follows contact meetings with landowners and/or their agents across the route for various purposes over the last two years.</p> <p>22.3.7 Negotiations to acquire interests by agreement with affected landowners would continue in parallel with the DCO process. Seeking compulsory acquisition powers whilst, in parallel, negotiations to acquire interests continue, is in accordance with both general practice and paragraph 39 of the Guidance related to procedures for compulsory acquisition of land produced by the Department for Communities and Local Government (as updated September 2013). Where an agreement is reached with the owner of any part of the land required for the development, that land, save where expressly stated otherwise, would be retained as part of the Order Land. This would enable the Applicant to override, suspend or extinguish any third-party interests that may subsist in the land which might otherwise delay, impede or prevent the implementation or operation of the development. This is the approach recommended by the Department for Communities and Local Government in paragraph 26 of its Guidance.</p> <p>22.3.8 Where agreement has been reached with an interested party and that agreement can be relied upon at the time the Applicant requires entry on to the Order Land, then the Applicant would not exercise any powers of compulsory acquisition against that party (see paragraph 8.1.3 of the Statement of Reasons <b>Application Document APP-029</b>).</p> <p>22.3.9 The Applicant would use its reasonable endeavours to continue to negotiate with landowners right up to the date on which the DCO is determined. As is usual and advisable for linear schemes, the Applicant's DCO application would include a request for Compulsory Purchase Powers to acquire any rights required to construct and maintain the pipeline which have not been obtained voluntarily.</p>





Key Issue	Response to Relevant Representation
	<p>22.3.10 The terms of the proposed deeds are significantly more advantageous to the landowner than would be the case if compulsory acquisition were to proceed.</p>
<p><b>Highways and transportation</b></p>	<p><b>Highways and transportation</b></p> <p>22.3.11 The Applicant is in discussion with Surrey County Council, as the relevant County Highway Authority, in relation to the assessment, impact and management of the impacts of the project on the County road network.</p> <p>22.3.12 Paragraphs 5.13.2 and 5.13.3 of the NPS for Energy (EN-1) states:</p> <p><i>‘The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development as set out in Section 2.2 of this NPS.’</i></p> <p><i>‘If a project is likely to have significant transport implications, the applicant’s ES should include a transport assessment, using the NATA/ WebTAG methodology stipulated in Department for Transport (DfT) guidance or any successor to such methodology. Applicants should consult the Highways Agency and Highways Authorities as appropriate on the assessment and mitigation.’</i></p> <p>22.3.13 The Transport Assessment has been submitted as part of the Application (<b>Application Document APP-135</b>). The Transport Assessment fulfils the requirements for an assessment of transport impacts required by the NPS EN-1 policy. The Transport Assessment concludes that there are unlikely to be significant effects on the transport network caused by the project. The Applicant has had detailed discussions with the Highway Authority regarding how the street works would be managed and has agreed the scope of the Transport Assessment.</p>
<p><b>Flooding and Drainage</b></p>	<p><b>CoCP: Good practice measures for water/ flooding</b></p> <p>22.3.14 The Applicant is working with the Environment Agency and the relevant Local Lead Flood Authorities in this case Surrey County Council to address the impact of the project on flood risk and the water environment.</p> <p><b>How flooding impacts are mitigated at Chertsey Meads</b></p> <p>22.3.15 Chertsey Meads lies adjacent to the River Thames and is within Flood Zone 3 for the River Thames. The Applicant is aware of its responsibilities in relation to flood risk and has submitted a Flood Risk Assessment (FRA) with the</p>



Key Issue	Response to Relevant Representation
	<p>application for Development Consent. The FRA provides an assessment of impact during construction and operation. Chertsey Meads lies within Flood Zone 3 of the River Thames floodplain, which is approximately 1.8km wide at this location. The project has made the following commitments in relation to the River Thames floodplain Commitment W5 states: <i>'Topsoil and subsoil would be stockpiled for as short a duration as practicable within Flood Zones 3 areas, reducing the time period of storage of soil within Flood Zone 3'</i> (see Section 15.2.3 of <b>Application Document APP-134</b>). An assessment has been made of such locations and the overall risk of impact is considered to be low based on the scale of impact and the proposed mitigation measures for the project (see paragraph 15.2.7 of <b>Application Document APP-134</b>).</p> <p>22.3.16 Appendix 16.1, Table A1 of the ES CoCP contains the schedule of reduced working widths that would be implemented by the project, which includes Chertsey Meads (<b>Application Document APP-128</b>). This is where the working width is reduced within the Order Limits to enable the project to reduce impacts to sensitive environmental features. The reduced working width for Chertsey Meads is:</p> <ul style="list-style-type: none"> <li>• <i>NW29 - Working width reduced to 15m positioned towards the western half of the Order Limits and use of ground protection to reduce impacts to Chertsey Meads Local Nature Reserve. The approximate distance would be 720m. (Grid ref: TQ05626 66084 to TQ05972 66563). Turf would be stripped, stored and reinstated above the trench for an approximate distance of 125m between approximate grid references TQ 05958 66596 and TQ 05997 66480.</i></li> </ul>
<p><b>Ecology and Nature Conservation</b></p>	<p><b>Ecology and Nature Conservation</b></p> <p>22.3.17 In accordance with the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and paragraph 2.21.3 of the NPS EN-4, the impacts of the project on ecology and biodiversity have been comprehensively and robustly assessed within the ES, in particular, Chapter 7 Biodiversity (<b>Application Document APP-047</b>) and the Habitats Regulations Assessment (HRA) (<b>Application Document APP-130 and 131</b>).</p> <p>22.3.18 Paragraph 5.3.3 of the NPS EN-1 states that <i>'the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity'</i>. In line with the requirements of EN-1, the Applicant has, within the ES and the HRA, (<b>Application</b></p>



Key Issue	Response to Relevant Representation
	<p><b>Documents APP-130 and 131</b>) described and assessed effects on designated sites of conservation importance, on protected species (including preparation of draft EPS licences) and on habitats and other species of principal importance for the conservation of biodiversity.</p> <p>22.3.19 The Applicant has undertaken a programme of ecology surveys following the survey methodology set out within Chapter 2 of Appendix 3 of the Scoping Report (<b>Application Document AS-019</b>). The Scoping Report also sets out the relevant best practice guidance that was followed when determining the survey scope, where applicable. The scope of these surveys was informed by desk-based studies and consultation with Natural England and other key nature conservation stakeholders. The factual (baseline) ecology reports, which describe the existing ecological conditions for a range of habitats and species, are set out in <b>Application Documents APP-080 to APP-093</b>.</p> <p>22.3.20 The assessment was completed in consultation with Natural England and other key nature conservation stakeholders including the Environment Agency, Hampshire and Isle of Wight Wildlife Trust and Surrey Wildlife Trust. Section 2 of the Consultation Report details the engagement which took place with key stakeholders (see <b>Application Document AS-013</b>). The Applicant has now completed and signed a Statement of Common Ground with Surrey Wildlife Trust and Natural England.</p> <p>22.3.21 ES Chapter 7: Biodiversity has considered the potential effect on Chertsey Meads and the trenchless crossing of the River Bourne and River Thames. Paragraphs 7.5.534 and 7.5.535 state:</p> <ul style="list-style-type: none"> <li>• <i>‘Construction within Chertsey Meads would be largely by open cut, with further excavations associated with the reception and launch pits of the proposed trenchless crossings of the River Bourne (TC033) and River Thames (TC034). In excavations where the depth of the trench would intersect the water table, dewatering would be required for the duration of construction. Dewatering could lower groundwater levels and change groundwater flows on which [groundwater dependent terrestrial ecosystems] are dependent, leading to potential effects to GWDTE habitats resulting in loss, fragmentation or modification. The depth to the water table would depend on the season during which works take place but based on the available hydrogeological information excavations are likely to be below the water table.’</i></li> <li>• <i>‘The habitats of Chertsey Meads closest to the Order Limits are mostly not groundwater dependent. However, there are some small areas of grassland of low groundwater dependency within the area expected to be affected</i></li> </ul>



Key Issue	Response to Relevant Representation
	<p><i>by dewatering (Appendix 8.3 Groundwater Dependent Terrestrial Ecosystems Assessment). Any potential effect would be temporary, for the duration of works within the site, and would be localised’ (Application Document APP-047).</i></p> <p>22.3.22 ES Chapter 16 Tables 16.1 through to 16.3 (<b>Application Document APP-056</b>) presents the embedded environmental measures identified and included during the design development to reduce impacts to the environment and communities. These include the overarching project commitments which were made at the outset of the project to act as guiding principles for the project design. Areas have also been identified where it would be beneficial to reduce the working width within the Order Limits to reduce the impacts on sensitive environmental receptors. These areas and their descriptions are included at the end of Table 16.1 (see <b>Application Document APP-056</b>). In addition, trenchless crossings have been incorporated into the design to limit impacts to areas of environmental sensitivity and are also presented within Table 16.1. There are commitments and Embedded Design Measures relating to land use, including community, as described in Tables 16.1 Embedded Design Measures and 16.2 Good Practice Measures (<b>Application Document APP-056</b>).</p> <p>22.3.23 The draft DCO (<b>Application Document AS-059</b>) contains in article 29 the details of the temporary possession the Applicant is seeking over land and the conditions under which the applicant would construct and restore the land affected. This is a well precedented provision and includes appropriate provisions regarding the reinstatement of land upon the cessation of temporary possession.</p> <p>22.3.24 As regards the council's comments in relation to the removal of vegetation, and impact of the project on the River Bourne, the Applicant would note the following commitments in the REAC. Commitments relating to vegetation, Chertsey Meads, River Bourne, ecological monitoring include:</p> <ul style="list-style-type: none"> <li>• Commitment G88 states <i>‘Where possible, reinstatement of vegetation would generally be using the same or similar species to that removed (subject to restrictions for planting over and around pipeline easements)’</i>. See Table 16.2 of ES Chapter 16 (<b>Application Document APP-056</b>).</li> <li>• Commitment NW29 states <i>‘Working width reduced to 15m positioned towards the western half of the Order Limits and use of ground protection to reduce impacts to Chertsey Meads Local Nature Reserve. The approximate distance would be 720m. (Grid ref: TQ0562666084 to TQ0597266563). Turf would be stripped, stored and reinstated above the trench for an approximate distance of 125m between approximate grid</i></li> </ul>



Key Issue	Response to Relevant Representation
	<p>references TQ 05958 66596 to TQ 05997 66480'. The justification is 'to reduce the impacts on the Chertsey Meads [Local Nature Reserve], designated for its sensitive flora and habitats' (see Table 16.1 Embedded Design Measures of <b>Application Document APP-056</b>).</p> <ul style="list-style-type: none"> <li>• Commitment D98: Use trenchless crossing under the River Bourne as an embedded design measure to reduce ecological impact (<b>Application Document APP-056</b>). (Crossing reference number TC033/ WXC093a as shown on General Arrangement Sheet number 49 (<b>Application Document APP-024</b>)).</li> <li>• Commitment G34: Where restrictions to working are required due to ecological seasonality, e.g. for hibernation or breeding of protected species, standard timings have been indicated. However, due to alterations in weather patterns and temperatures from year to year, the restricted season may alter. It would be at the discretion of the Ecological Clerk of Works (ECoW) in consultation with Natural England, where applicable, to decide the actual dates for restriction of works.</li> <li>• Commitment G41: The ECoW would monitor the works in accordance with relevant environmental Development Consent Order requirements and adhere to the required mitigation measures. The ECoW would also be involved with any targeted additional mitigation strategies that may be required.</li> <li>• Commitment G47: A programme of post-construction monitoring and objectives/ targets for designated ecological sites, would be agreed and implemented in accordance with DCO requirements.</li> <li>• Commitment G48: Working within ecologically designated sites would be controlled using a variety of methods. These would take account of the reasons for designation to identify the appropriate techniques to reduce impacts. This could include limiting the number of compounds, reducing corridor widths and using lighter vehicles within the sites.</li> </ul> <p>22.3.25 It should be noted that there is no mandatory requirement to deliver an overall ecological biodiversity enhancement (what has been termed "net gain") for a Nationally Significant Infrastructure Project. It is understood that net gain would form part of the UK Government's forthcoming Environment Bill however the UK Government's position is that Nationally Significant Infrastructure Projects would be exempt (Department for Environment, Food &amp; Rural Affairs, July 2019. Net Gain: Summary of responses and Government response). As a good neighbour and responsible operator, the Applicant is actively engaged in agreeing a voluntary Environmental</p>



Key Issue	Response to Relevant Representation
	<p>Investment Programme (EIP) to invest into the local area should the Development Consent Order (DCO) be granted. This programme is separate to the mitigation of the project's impacts as assessed in its Environmental Statement and which are set out in the Register of Environmental Actions and Commitments and secured through the DCO. The EIP is therefore a voluntary program that remains outside the DCO process and is not limited to the DCO Order Limits. The EIP comprises a range of activities along the replacement pipeline route to carry out localised environmental improvements and enhance local biodiversity, within environmentally designated sites and/or areas of social/ community importance over and above what is required to mitigate the project as part of the application for development consent. The Applicant will continue to engage with Runnymede Borough Council on the voluntary EIP.</p>
<p><b>Chertsey Agricultural Show, open space and Public Rights of Way (PRoW) (Thames Path)</b></p>	<p><b>Chertsey Agricultural Show, open space and PRoW (Thames Path)</b></p> <p>22.3.26 The environmental impacts, including open spaces, are considered and assessed in accordance with the NPS EN-1 Parts 4 and 5; and NPS EN-4 Section 2.19.</p> <p>22.3.27 In developing the project through an iterative process of consultation and engagement with consultees and by undertaking an Environmental Impact Assessment, the project sought to identify and incorporate suitable measures and mitigation for any potentially significant adverse effects. These commitments are set out in the REAC in section 16.3 (<b>Application Document APP-056</b>). The REAC also includes reference to how the commitments would be implemented (or secured) through the DCO process.</p> <p>22.3.28 Tables 16.1 through to 16.3 from ES Chapter 16 (<b>Application Document APP-056</b>) presents the embedded environmental measures identified and included during the design development to reduce impacts to the environment and communities. Commitments relating to the Chertsey Agricultural Show, access to community land uses and PRoW during construction, include the following:</p> <ul style="list-style-type: none"> <li>• PC1: <i>The project would work with the Chertsey Agricultural Show to limit impacts to the Show at Chertsey Meads and along Mead Lane.</i></li> <li>• G79: <i>Pedestrian access to and from residential, commercial, community and agricultural land uses would be maintained throughout the construction period. Vehicle access would be maintained where practicable. This</i></li> </ul>



Key Issue	Response to Relevant Representation
	<p><i>may require signed diversions. The means of access would be communicated to affected parties at least two weeks in advance.</i></p> <ul style="list-style-type: none"> <li>• G114: <i>All designated PRow would be identified, and any potential temporary closures applied for/detailed in the DCO. All designated PRow crossing the working area would be managed, including National Trails, with access only closed for short periods while construction activities occur (Application Document APP-056).</i></li> </ul> <p>22.3.29 The Applicant is aware of the need to reduce the impact of construction activity on open spaces and their users. However, the Applicant does not believe that there is a need for specific provisions within the draft DCO to address this issue. It is important to note that the preferred construction technique is open cut trenching which is the quickest method and would reduce the time spent within the open space. The working area would be fenced during construction, topsoil stripped and stored alongside the working area, the trench would be excavated, and the material stored within the working area, the pipe would be laid out and welded alongside the trench and tested, before being lifted into place and the ground reinstated. Access to the unaffected open space would be maintained at all times. (See paragraph 11.8.136 of Planning Statement <b>Application Document APP-132</b>).</p> <p>22.3.30 Concerns raised in these representations would be addressed through continued discussion with the RmBC and status would be recorded through the draft SoCG. In addition, the applicant has met with the Chertsey Show organisers and would continue to engage with them as the project progresses.</p>
<p><b>Noise</b></p>	<p><b>Noise</b></p> <p>22.3.31 Paragraphs 1.1.50 and 1.1.51 of the CoCP (<b>Application Document APP-128</b>) confirms the Applicant’s approach to community liaison:</p> <p><i>The Applicant ‘is committed to ensuring that the local community and associations are provided with information regarding relevant construction activities. Information relating to the pipeline is and would continue to be readily available on the project website at <a href="https://www.slpproject.co.uk/">https://www.slpproject.co.uk/</a>. This would include the project programme with estimated durations, email addresses with helpline numbers for the members of the public or businesses, who wish to request information or make an enquiry relating to the construction activities.</i></p>



Key Issue	Response to Relevant Representation
	<p><i>Should any construction-related complaints or enquiries be received, they would be discussed and responded to in a timely manner.</i></p> <p>22.3.32 Commitments relating to community liaison are set out in the REAC in Section 16.3 of (<b>Application Document APP-056</b>) including:</p> <ul style="list-style-type: none"> <li>• G9: <i>A central Environmental Log would be set up. The Log would be available to view by the local authority if requested. It would be a living document and kept up to date and referred to on a regular basis. This would have three main purposes:</i> <ul style="list-style-type: none"> <li>➢ to record all comments and complaints made to the site together with resulting actions and outcomes;</li> <li>➢ to record where and when environmental monitoring takes place and what if any action is required and when it has been completed; and</li> <li>➢ to record the results of site inspections and note the measures taken where required.</li> </ul> </li> <li>• G31: <i>A proportionate Community Engagement Plan would be produced and implemented.</i></li> </ul>
<p><b>Archaeology</b></p>	<p><b>Archaeology</b></p> <p>22.3.33 Historic England and Surrey County Council were engaged when developing the assessment, this is noted within the application documents - <i>‘Historic England and the Local Authority Archaeologists from Hampshire and Surrey County Council and Winchester City Council support the methodology and study area used within the Historic Environment Desk-based Survey (Appendix 9.1) to establish the baseline.’</i> (<b>Application Document APP-049</b>).</p> <p>22.3.34 Paragraph 9.2.16 of Chapter 9 of the ES states <i>‘Intrusive archaeological evaluation has not been used to inform this assessment but is planned prior to installation (see Appendix 9.5 Archaeological Mitigation Strategy (AMS)). This approach has been agreed in meetings held with Historic England and the Local Authority Archaeologists from Hampshire and Surrey County Council and Winchester City Council. The ES provides a robust assessment of potential effects without the additional data provided by intrusive archaeological evaluations’</i> (<b>Application Document APP-049</b>).</p>





Key Issue	Response to Relevant Representation
	<p>22.3.35 The Applicant has been in discussions with Surrey County Council (County Archaeologist) to determine the scale and location of preliminary archaeological investigation and would continue to engage with Historic England and Surrey County Council. The final AMS is agreed with Surrey County Council and Historic England and would be secured through Requirement 11 of the draft DCO. Trial trenching locations are agreed and would be undertaken shortly.</p> <p>22.3.36 The following commitments relating to archaeology have been made in the ES Appendix 16.1 Code of Construction Practice (<b>Application Document APP-128</b>):</p> <ul style="list-style-type: none"> <li>• G67: <i>Measures presented within the Archaeological Mitigation Strategy (AMS) would be taken to protect or preserve in situ or by record, any significant archaeological remains that may be found.</i></li> </ul> <p>22.3.37 Under the terms of the AMS, the Applicant would agree written schemes of investigation (WSI) for specific archaeological sites along the route, the details of the WSI would be agreed between the Applicant and the Surrey County Archaeologist. The WSI would include the mechanisms for recording and publishing any archaeological information.</p>
<p><b>Ancient woodland</b></p>	<p><b>Ancient woodland</b></p> <p>22.3.38 Paragraph 5.3.14 of NPS EN-1 states: <i>‘Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or ‘veteran’ trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why.</i></p> <p>22.3.39 The Applicant sets out in ES Chapter 4 Design Evolution (<b>Application Document APP-044</b>) how the Order Limits have evolved to avoid designated areas of ancient woodland. Commitment O2 states <i>‘Design route alignment to avoid all areas if existing classified ancient woodland’</i>. There are no areas of designated ancient woodland within the Order Limits. See ES Appendix 7.3 (<b>Application Document APP-083</b>).</p>



Key Issue	Response to Relevant Representation
	<p>22.3.40 Fan Grove is located along a section of the route that would be crossed using trenchless techniques (TC-028) see ES Appendix 3.1 (<b>Application Document APP-075</b>). This trenchless crossing is embedded in the application design. There are unlikely to be any impacts to this area of ancient woodland.</p>
<p><b>Public Rights of Way (PRoW)</b></p>	<p><b>Public Rights of Way (PRoW)</b></p> <p>22.3.41 The Council’s comment is noted.</p> <p>22.3.42 Tables 16.1 through to 16.3 from ES Chapter 16 (<b>Application Document APP-056</b>) presents the embedded measures identified during the design development to reduce impacts to the environment and communities. A commitment relating to PRoW during construction is G114: <i>‘All designated PRoW would be identified, and any potential temporary closures applied for/ detailed in the DCO. All designated PRoW crossing the working area would be managed, including National Trails, with access only closed for short periods while construction activities occur’.</i></p>
<p><b>Cumulative effects</b></p>	<p><b>Cumulative effects</b></p> <p>22.3.43 ES Chapter 15 outlines the Cumulative Effects associated with the project (<b>Application Document APP-055</b>). Table 15.7 from ES Chapter 15 provides a summary of potential inter-project Cumulative Effects resulting from in-combination effects with other DCOs/ Other Significant Development and Major Planning Applications (<b>Application Document APP-055</b>).</p> <p>22.3.44 Appendix 15.3 of the ES contains further detail on the Inter-Project Cumulative Effects Assessment which includes assessment of Heathrow Expansion, Southern Rail Link, River Thames Scheme and planning applications in Runnymede Borough Council (see Table 1.1 of <b>Application Document APP-127</b>).</p> <p>22.3.45 The Cumulative Effects assessment considered inter-project cumulative effects and concluded that there are no significant intra-project or inter-project effects during construction or operation. Therefore, no mitigation has been identified (see paragraph 15.5.1 of <b>Application Document APP-055</b>).</p>



## 23 Rushmoor District Council RR-293

### 23.1 Overview

23.1.1 This document contains the Applicant's responses to the Relevant Representation (RR-293) that has been made by Rushmoor Borough Council.

### 23.2 Application Documents

23.2.1 The following application documents are relevant to this response:

- Draft Development Consent Order (**Application Document AS-059**);
- Statement of Reasons (**Application Document APP-029**);
- Chapter 4 of the Environmental Statement (ES): Design Evolution (**Application Document APP-044**);
- Chapter 7 of the ES: Biodiversity (**Application Document APP-047**);
- Chapter 10 of the ES: Landscape and Visual (**Application Document APP-050**);
- Chapter 15 of the ES: Cumulative Effects (**Application Document APP-055**);
- Chapter 16 of the ES: Environmental Management and Mitigation (**Application Document APP-056**);
- Appendix 16.1 of the ES outlines the Code of Construction Practice (**Application Document APP-128**);
- Appendix 16.2 of the ES contains the Outline Construction Environmental Management Plan (**Application Document APP-129**);
- Habitats Regulations Assessment (HRA) of the ES (**Application Documents APP-130 and 131**);
- The Planning Statement (**Application Document APP-132**) explains the need for the project;
- Draft Statements of Common Ground (**Application Document APP-133**); and
- Consultation Report (**Application Document AS-013**).

23.2.2 Table 23.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).



## 23.3 Key Issues

Table 23.1 Relevant Representation Key Issues

Key Issue	Response to Key Issue
<p><b>Thames Basin Heaths Special Protection Area (SPA) and Suitable Alternative Natural Greenspace (SANG)</b></p>	<p><b>Thames Basin Heaths Special Protection Area and Southwood Country Park (proposed) SANG</b></p> <p>23.3.1 The Applicant assessed the impact of the project on open spaces and SANGs against the policy advice in NPS EN-1 paragraphs 4.3.1 and 5.3.9; and NPS EN-4 paragraphs 2.2.11-2.21.3 (see Planning Statement (<b>Application Document APP132</b>)).</p> <p>23.3.2 The Applicant has also worked with Natural England (NE) extensively on the project and has sought its advice on the Habitats Regulations Assessment (HRA) (<b>Application Document APP-130 and APP-131</b>) and potential impacts of the project on the Thames Basin Heaths Special Protection Area (SPA). EN-1 requires an ES to set out any effects on internationally, nationally and locally designated sites of ecological importance (paragraph 5.3.3). EN-4 requires an Environmental Statement (ES) to assess the biodiversity effects of a proposed route (paragraph 2.21.3). The impact on the SPA is addressed in the HRA (<b>Application Documents APP-130 and APP-131</b>). The assessment has considered the knock-on effects of routeing through public open spaces, such as local SANGs and any transferred impact on the neighbouring SPAs. NE has indicated that it is content with the project's HRA, which was submitted as part of the application for development consent and has not raised any issue with the HRA in their relevant representation (see <b>Application Documents APP-130 and APP-131</b>). NE has signed a Statement of Common Ground (SoCG) with the Applicant to confirm its position on this issue. For more information on this please see the Applicant's response to the Natural England Relevant Representation in Chapter 29 of this document.</p> <p>23.3.3 Rushmoor Borough Council (RBC) is concerned that construction activity could impact on all the SANGs/open spaces simultaneously. The Applicant is yet to appoint a contractor and define the phasing for installation. The Applicant will continue to engage with RBC on this concern as part of the proposed SoCG.</p> <p>23.3.4 Within the council's administrative area the project crosses one SANG, Southwood Country Park, the first phase of which opened in September 2019. The Authority is concerned that construction works in the SANG would displace users to the Thames Basin Heaths SPA, thereby having an adverse impact on the integrity of the SPA regarding</p>



Key Issue	Response to Key Issue
	<p>its ecological functions as defined by the European Site Conservation Objectives. The Conservation Objectives are defined by NE and the relevant SPA Conservation Objectives are described in Section 5.5 of the HRA (See <b>(Application Documents APP-130 and APP-131)</b>). As detailed below, the Applicant considers that the displacement of recreational activities associated with the construction phase of the project would not lead to adverse impacts on the integrity of the SPA or its ecological functions as defined by the Conservation Objectives.</p> <p>23.3.5 The pipeline corridor and route selection processes evaluated various options based on guiding principles for the project. The project guiding principles were considered collectively and a balanced judgement made which resulted in the proposed pipeline route passing through the Southwood Country Park SANG.</p> <p>23.3.6 The HRA (<b>Application Document APP-130</b>) assesses the impact on the Thames Basin Heaths SPA. It states in the HRA Part 1 on page 3 (Executive Summary): <i>'The short duration and limited extent of works within affected Suitable Alternative Natural Greenspaces (SANG) is considered to reduce the risk of significant levels of recreational displacement to the SPA. Information presented in this report about each SANG impacted by the project and the presence of alternative unaffected spaces within 5km of affected sites further establishes a low risk of significant recreational displacement occurring. Any effects experienced are anticipated to be minor as the relative impact of a marginal increase in visitor numbers to existing footpaths on the SPA would be small. As such, no impacts are predicted that could result in an adverse effect to the site's integrity'</i>.</p> <p>23.3.7 The HRA (<b>Application Document APP-130</b>) goes on to state at paragraph 5.8.15 that <i>'Construction activity would not require the total closure of any SANG. All SANGs would still be accessible during the period of construction works, with only specific access points and footpaths being temporarily closed or diverted. There are no SANG car parks within the Order Limits and so these would remain unaffected.'</i> The HRA identifies the following specifically in relation to the proposed Southwood Country Park SANG: <i>'No SANG car parks would be directly affected by the project. It is anticipated that the existing Southwood Woodland SANG (approximately 350m to the west of the Order Limits) and unaffected parts of the SANG would act as a receptor for any displaced recreational activity for the short duration of construction, with the former already a well-established area for walkers'</i>. (See paragraph 5.8.21 of the HRA (<b>Application Document APP-130</b>)). <i>'The conclusion of the study was that there would be no adverse effects on the integrity of the Thames Basin Heaths SPA as a result of the project, either alone or in combination with other plans or projects.'</i></p>



Key Issue	Response to Key Issue
	<p>23.3.8 The Applicant’s current intention is to use open-cut trench techniques for installing the pipeline and the application includes a commitment on access within the SANG. This is in the CoCP, see commitment OP04: <i>‘Principal pedestrian routes within SANGs crossing the working area would be managed with access only closed for short periods while construction activities occur. Additional signage for diversions on to alternative existing paths will be utilised as appropriate. This will be secured through the CoCP and secured through Requirement 5 of the DCO.’</i></p> <p><b>Conclusion</b></p> <p>23.3.9 Given the above, it is anticipated that visitors would typically continue to make use of the SANG during the construction period and any displacement of recreation activity to the SPA is expected to be very low (see paragraph 5.8.28 of the HRA (<b>Application Document APP-130</b>)). It is, therefore, considered that the displacement of recreational activities associated with the construction phase of the project would not lead to adverse effects on the integrity of the SPA or its ecological functions as defined by the Conservation Objectives (See paragraph 5.8.29 of the HRA (<b>Application Document APP-130</b>)).</p> <p>23.3.10 For the purposes of undertaking an appropriate assessment, the competent authority must consult the appropriate nature conservation body and have regard to any representations made by that body. The appropriate nature conservation body is NE. NE in its submission to the Planning Inspectorate stated: <i>‘Natural England have no serious concerns with this application and will not be objecting to it’</i> (<b>Additional Submission AS-030</b>) and did not raise SANG as an issue. The conclusion is, therefore, that the HRA is sound and an acceptable assessment of the impact on the SPA.</p>
<p><b>Direct habitat loss within the SPA</b></p>	<p><b>Direct habitat loss within the SPA</b></p> <p>23.3.11 For the purposes of undertaking an appropriate assessment, the competent authority must consult the appropriate nature conservation body and have regard to any representations made by that body. The appropriate nature conservation body is NE, who in its submission to the Planning Inspectorate stated: <i>‘Natural England have no serious concerns with this application and will not be objecting to it’</i> (<b>Additional Submission AS-030</b>) and did not raise direct habitat loss as an issue. The conclusion is, therefore, that the HRA and ES assessment of potential direct and indirect impacts from construction works, including direct habitat loss, is sound and an acceptable</p>



Key Issue	Response to Key Issue
	assessment of the impact on the Thames Basin Heaths SPA from the construction and operation of the replacement pipeline.
<p><b>Potential SPA impacts from decommissioning</b></p>	<p><b>Potential SPA impacts from decommissioning</b> 23.3.12 See Section 7 of this document for information about decommissioning of the existing and replacement pipelines.</p>
<p><b>Eelmoor Marsh SSSI</b></p>	<p><b>Eelmoor Marsh SSSI</b> 23.3.13 The Applicant is aware of the sensitive environment at Eelmoor Marsh SSSI. A Construction Environmental Management Plan (CEMP) will be prepared by the Applicant and submitted for approval by RBC prior to the commencement of the works, secured under Draft DCO Requirement 6. Requirement 5 secures that the construction of the replacement pipeline must accord with the submitted Code of Construction Practice (CoCP) (<b>Application Document APP-128</b>).</p> <p>23.3.14 The Applicant has provided an outline CEMP in the application (<b>Application Document APP-129</b>) and has drafted a number of project-wide commitments which the Applicant considers would appropriately manage construction close to this environmental designation, including the following commitments which are found in the CoCP (<b>Application Document APP-128</b>):</p> <ul style="list-style-type: none"> <li>• Commitment G8: <i>‘The CEMP would include pro-active actions and measures to control pollution risks. This could be either directly from the construction works or due to external factors such as extreme weather. Measures would include appropriate storage and handling of fuels and other substances hazardous to the environment’;</i></li> <li>• Commitment G11: <i>‘Runoff across the site would be controlled by the use of a variety of methods including header drains, buffer zones around watercourses, on site ditches, silt traps and bunding’;</i></li> <li>• Commitment G28: <i>‘Construction workers would undergo training to increase their awareness of environmental issues. Topics would include but not be limited to:</i> <ul style="list-style-type: none"> <li>➢ <i>dust management and control measures;</i></li> </ul> </li> </ul>



Key Issue	Response to Key Issue
	<ul style="list-style-type: none"> <li>➤ <i>location and protection of sensitive environmental sites and features;</i></li> <li>➤ <i>environmental buffer zones;</i></li> <li>➤ <i>noise reduction measures;</i></li> <li>➤ <i>working with potentially contaminated materials;</i></li> <li>➤ <i>flood risk response actions;</i></li> <li>➤ <i>agreed traffic routes, access points etc’; and</i></li> </ul> <ul style="list-style-type: none"> <li>• Commitment G40: <i>‘Where sensitive features are to be retained within or immediately adjacent to the Order Limits, an appropriate buffer zone would be created where this extends within the Order Limits. The buffers would be established using appropriate fencing and signage. A suitable method statement would be produced to ensure that construction works are undertaken in a manner that reduces the risk of damage or disturbance to the sensitive feature.’</i></li> </ul> <p>23.3.15 Chapter 3 of the Environmental Statement: Project Description (<b>Application Document APP-043</b>) provides a description of the Applicant’s inspection and maintenance proposals for the operation of the replacement pipeline, including remote flow and pressure monitoring. The Applicant’s standard operating procedure includes, as set out in Commitment O10 in the CoCP (<b>Application Document APP-128</b>): <i>‘24-hour remote monitoring of pipeline operation to detect leaks and enable remote shut down of the pipeline if required’.</i></p>
<p><b>Old Ively Road Green Corridor</b></p>	<p><b>Old Ively Road Green Corridor</b></p> <p>23.3.16 The Applicant is aware of the sensitive environment within the Old Ively Road area. The project has adopted a reduced working width as defined in the REAC in ES Chapter 16 (<b>Application Document APP-056</b>) under NW15 (Narrow Working) which states <i>‘Narrow working techniques to reduce the impacts to woodland along the Old Ively Road, and trees with high and moderate potential for bat roosts. The approximate distance would be 470m. (Grid ref: SU8384753962 to SU8423654174). To reduce the impacts on woodland in the Old Ively Road area which is potential ancient woodland under 2ha. Several trees have high and moderate bat roost potential.’</i></p>





Key Issue	Response to Key Issue
	<p>23.3.17 The Applicant has not undertaken the detailed route alignment, therefore, the impact to specific trees is not currently known. However, Commitment G65 states that <i>'Working widths would be reduced in specific locations where trees or hedges are present. Where notable trees would be retained within or immediately adjacent to the Order Limits, the trees and their root protection areas would be protected where they extend within the Order Limits and are at risk. This would be by means of fencing or other measures.'</i></p>
<p><b>Ball Hill Site of Importance for Nature Conservation (SINC)</b></p>	<p><b>Ball Hill Site of Importance for Nature Conservation (SINC)</b></p> <p>23.3.18 The Applicant is aware of the sensitive environment at Ball Hill SINC. A CEMP will be prepared and submitted for approval by RBC prior to the commencement of the works under Draft DCO Requirement 6 (CEMP). Requirement 5 secures that the construction of the replacement pipeline must accord with the submitted Code of Construction Practice (CoCP) (<b>Application Document APP-128</b>).</p> <p>23.3.19 The Applicant has provided an outline CEMP in the application (<b>Application Document APP-129</b>) and has drafted a number of project-wide commitments which the Applicant considers would appropriately manage construction close to this environmental designation, including the following commitments which are found in the CoCP (<b>Application Document APP-128</b>):</p> <ul style="list-style-type: none"> <li>• Commitment G8: <i>'The CEMP would include pro-active actions and measures to control pollution risks. This could be either directly from the construction works or due to external factors such as extreme weather. Measures would include appropriate storage and handling of fuels and other substances hazardous to the environment'</i>;</li> <li>• Commitment G11: <i>'Runoff across the site would be controlled by the use of a variety of methods including header drains, buffer zones around watercourses, on site ditches, silt traps and bunding'</i>;</li> <li>• Commitment G28: <i>'Construction workers would undergo training to increase their awareness of environmental issues. Topics would include but not be limited to:</i> <ul style="list-style-type: none"> <li>➢ <i>dust management and control measures;</i></li> <li>➢ <i>location and protection of sensitive environmental sites and features;</i></li> <li>➢ <i>environmental buffer zones;</i></li> </ul> </li> </ul>



Key Issue	Response to Key Issue
	<ul style="list-style-type: none"> <li>➤ noise reduction measures;</li> <li>➤ working with potentially contaminated materials;</li> <li>➤ flood risk response actions;</li> <li>➤ agreed traffic routes, access points etc'; and</li> </ul> <ul style="list-style-type: none"> <li>• Commitment G40: 'Where sensitive features are to be retained within or immediately adjacent to the Order Limits, an appropriate buffer zone would be created where this extends within the Order Limits. The buffers would be established using appropriate fencing and signage. A suitable method statement would be produced to ensure that construction works are undertaken in a manner that reduces the risk of damage or disturbance to the sensitive feature.'</li> </ul>
<p><b>Direct habitat loss within SINCs in Southwood Country Park</b></p>	<p><b>Direct habitat loss within SINCs in Southwood Country Park</b></p> <p>23.3.20 The Applicant used public sources to identify designated sites and consulted with each local authority at the scoping stage of the ES to confirm the data use. RBC responded to the screening opinion and scoping report and provided a list of SINC sites in their borough. Southwood Country Park was not on that list.</p> <p>23.3.21 The ES has carried out a baseline assessment of the site and this is reported in ES Chapter 7 paragraph 7.3.36 (<b>Application Document APP-047</b>) which states: 'The northern third of Section D is through the Cody Technology Park and the western part of the former Southwood Golf Course... The former golf course largely comprises amenity grassland, with peripheral stands of broadleaved semi-natural grassland, including Lowland Mixed Deciduous Woodland and Wet Woodland Priority Habitats. These include the Annex 1 habitats "Old acidophilous oak woods with <i>Quercus robur</i> on sandy plains" and "Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)", respectively'.</p> <p>23.3.22 The ES goes on to recognise the changing baseline conditions as reported in paragraph 7.3.150 of ES Chapter 7 (<b>Application Document APP-047</b>) which states: 'When first subject to baseline assessments in 2018, the former Southwood Golf Course was still in use as a golf course and was dominated by short mown amenity grassland. However, in October 2018, the golf course was closed to the public. The baseline conditions of this site will likely change in the short term as Rushmoor Borough Council converts the site to a SANG and undertakes landscape</p>



Key Issue	Response to Key Issue
	<p><i>and habitat improvements e.g. wetland creation and woodland planting (pers. comm. Rushmoor BC Biodiversity Officer). Subject to the granting of development consent, construction at the former Southwood Golf Course would take place between 2020 and 2023. Assuming that Rushmoor Borough Council starts landscape and habitat works prior to construction of the project, the newly created habitats would likely still be immature and of low biodiversity value. As such, the anticipated changes to the baseline conditions are not likely to significantly affect the ecological assessment within this ES’.</i></p> <p>23.3.23 The Applicant has not identified a significant effect to the site and, therefore, additional mitigation (over the good practice commitments) has not been identified. As per commitment G94 <i>‘land used temporarily would be reinstated to an appropriate condition relevant to its previous use.’</i></p> <p>23.3.24 The Applicant has adopted a commitment in the REAC in ES Chapter 16 (<b>Application Document APP-056</b>) which recognises that habitats would continue to change and develop. Commitment G33 states: <i>‘Pre-construction surveys would be completed if existing baseline survey data need to be updated or supplemented’</i>. The pre-construction survey information would be used to inform the CEMP and the LEMP.</p> <p>23.3.25 The Applicant will continue to engage with RBC on its concerns regarding the potential impact of the construction of the replacement pipeline in Southwood Country Park as part of the proposed SoCG.</p>
<p><b>Impacts on the Ively stream, headwaters and hydrological processes within the Country Park</b></p>	<p><b>Impacts on the Ively stream, headwaters and hydrological processes within the Country Park</b></p> <p>23.3.26 The Ively Brook was assessed in ES Chapter 7 (<b>Application Document APP-047</b>) which states that given the project commitments including G131 <i>‘River bank and in-channel vegetation would be retained where not directly affected by installation works’</i>, that <i>‘the potential habitat loss/fragmentation impact on macroinvertebrates is of small magnitude and minor adverse significance’</i> (paragraph 7.5.670).</p> <p>23.3.27 The Applicant is aware of RBC’s plans with the Environment Agency for the naturalisation and enhancement of the Ively and Marrow streams and Cove Brook. The Applicant is in discussions with RBC to understand this project and the relative timing of it in relation to the replacement pipeline project, and any potential for co-ordination or phasing of works. If the naturalisation project would precede the pipeline project, then the Applicant would be required to</p>



Key Issue	Response to Key Issue
	<p>reinstate the site as per commitment G94 '<i>Land used temporarily would be reinstated to an appropriate condition relevant to its previous use</i>'.</p> <p>23.3.28 The Applicant will continue to engage with the Authority on its concerns regarding the potential impact of the construction of the replacement pipeline in Southwood Country Park as part of the proposed SoCG.</p>
<p><b>Impacts on the undesignated habitats within Southwood Country Park</b></p>	<p><b>Impacts on the undesignated habitats within Southwood Country Park</b></p> <p>23.3.29 The ES has carried out a baseline assessment of the site and this is reported in ES Chapter 7 paragraph 7.3.36 (<b>Application Document APP-047</b>) which states '<i>the northern third of Section D is through the Cody Technology Park and the western part of the former Southwood Golf Course... The former golf course largely comprises amenity grassland, with peripheral stands of broadleaved semi-natural grassland, including Lowland Mixed Deciduous Woodland and Wet Woodland Priority Habitats. These include the Annex I habitats "Old acidophilous oak woods with Quercus robur on sandy plains" and "Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)", respectively</i>'.</p> <p>23.3.30 As is standard within Environmental Impact Assessment (EIA), the ES records where the baseline conditions are changing. This is reported in paragraph 7.3.150 of ES Chapter 7 (<b>Application Document APP-047</b>) in relation to Southwood Golf Course. '<i>When first subject to baseline assessments in 2018, the former Southwood Golf Course was still in use as a golf course and was dominated by short mown amenity grassland. However, in October 2018, the golf course was closed to the public. The baseline conditions of this site will likely change in the short term as Rushmoor Borough Council converts the site to a SANG and undertakes landscape and habitat improvements e.g. wetland creation and woodland planting (pers. comm. Rushmoor BC Biodiversity Officer). Subject to the granting of development consent, construction at the former Southwood Golf Course would take place between 2020 and 2023. Assuming that Rushmoor Borough Council starts landscape and habitat works in prior to construction of the project, the newly created habitats would likely still be immature and of low biodiversity value. As such, the anticipated changes to the baseline conditions are not likely to significantly affect the ecological assessment within this ES</i>'.</p> <p>23.3.31 RBC has noted that they consider the baseline to be changing faster than assumed within the ES. The Applicant recognises that the baseline may change at a rate different to that assumed within the ES at this or any other site</p>



Key Issue	Response to Key Issue
	<p>and has therefore included commitment G33 which states: <i>'Pre-construction surveys would be completed if existing baseline survey data need to be updated or supplemented'</i>. This preconstruction survey information would be used to inform the LEMP and reinstatement proposals appropriate to the site based on the baseline conditions present at the time of construction.</p> <p>23.3.32 The Applicant will continue to engage with the Authority on its concerns regarding the potential impact of the construction of the replacement pipeline in Southwood Country Park as part of the proposed SoCG.</p>
<p><b>Protected Species within the Country Park</b></p>	<p><b>Protected Species within the Country Park</b></p> <p>23.3.33 In accordance with the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and paragraph 2.21.3 of the NPS EN-4, the impacts of the project on ecology and biodiversity have been comprehensively and robustly assessed within the ES, in particular, Chapter 7 Biodiversity (<b>Application Document APP-047</b>) and the Habitats Regulations Assessment (<b>Application Document APP-130 and 131</b>).</p> <p>23.3.34 The project is required to comply with relevant legislation and policy relating to ecology and biodiversity. The Applicant has submitted draft EPS licences as part of the application for development consent (see <b>Application Document APP-094 to APP-100</b>). Natural England issued Letters of No Impediment (LONI) in respect of these draft EPS licences in April and May 2019, stating it is satisfied that the draft EPS licence applications demonstrate that the legal tests are capable of being met prior to the start of construction. The LONI can be found at the front of each of the draft EPS licences in <b>Application Documents APP-094, APP-095, APP-096 and APP-100</b>.</p> <p>23.3.35 Commitment G43 in ES Chapter 16 (<b>Application Document APP-056</b>) states <i>'All proposed works would be undertaken in accordance with relevant legislation and, where necessary, would be approved by Natural England via derogation licensing (e.g. European Protected Species [EPS] mitigation licence and badger sett licence). The Contractor(s) would comply with relevant protected species legislation with regards to badgers, bats, dormice, otters, water voles, sand lizards, great crested newts and Schedule 1 birds. Appropriate licences would be obtained where necessary from Natural England for all works affecting protected species as identified by the ES and through pre-construction surveys. All applicable works would be undertaken in accordance with the relevant mitigation requirements and conditions set out in those licences'</i>. See Table 16.2 of ES Chapter 16 (<b>Application Document</b></p>



Key Issue	Response to Key Issue
	<p><b>APP-056</b>). The Applicant will continue to engage directly with Natural England in relation to protected species and secure necessary licences in accordance with relevant legislation.</p>
<p><b>Mitigation of impacts within the Country Park</b></p>	<p><b>Mitigation of impacts within the Country Park</b></p> <p>23.3.36 As reported in the sections above on the impact of the project on SANG sites and Southwood Country Park, the Applicant has undertaken an assessment of the significant impacts from the project as set out in the Environmental Statement. A package of mitigation measures and commitments has been incorporated to offset and reduce impacts within the DCO application, as recorded within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>), and implemented through the CoCP (<b>Application Document APP-128</b>).</p> <p>23.3.37 As a good neighbour and responsible operator, the Applicant is actively engaged in agreeing a voluntary Environmental Investment Programme (EIP) to invest into the local area should the DCO be granted. This programme is separate to the mitigation of the project's impacts as assessed in its Environmental Statement and which are set out in the REAC. The EIP is therefore a voluntary programme that remains outside the DCO process and is not limited to the DCO Order Limits. The EIP comprises a range of activities along the replacement pipeline route to carry out localised environmental improvements and enhance local biodiversity, within environmentally designated sites and/or areas of social/community importance over and above what is required to mitigate the project as part of the application for development consent.</p> <p>23.3.38 The Applicant will continue to engage with the Authority on the voluntary EIP. The Applicant does not consider that a substantial mitigation, compensation and enhancement package for the Country Park would be appropriate or justified. The Applicant will continue to engage with the Authority on its concerns regarding the potential impact of the construction of the replacement pipeline in Southwood Country Park as part of the proposed SoCG.</p>
<p><b>Southwood Playing Fields</b></p>	<p><b>Southwood Playing Fields</b></p> <p>23.3.39 The routine management of playing fields above the replacement pipeline route would be able to continue as normal as this is not a restricted activity under the terms of the Deed of Grant which the Applicant is seeking to enter into with landowners.</p>



Key Issue	Response to Key Issue
	23.3.40 The Applicant is continuing to engage with the Authority on this issue. This will be reported through the SoCG.
<b>Cove Cricket Club</b>	<p><b>Cove Cricket Club</b></p> <p>23.3.41 The Applicant is aware of the planning permission granted for the new cricket nets and would liaise with the Cricket Club and Authority prior to implementation of the DCO over the timing and details of the proposed temporary access route across the southern part of the site.</p> <p>23.3.42 Access to and use of the cricket ground would be maintained during the construction period.</p>
<b>Prospect Road Allotments</b>	<p><b>Prospect Road Allotments</b></p> <p>23.3.43 The pipeline would be constructed below the allotments by means of trenchless construction, with no access to allotment land by the Applicant, or disruption to allotment users. Access to the allotments from Prospect Road would not be affected by construction works. There are existing pipelines below the allotments and it is not anticipated that the replacement pipeline would have a different impact to allotment holders than the existing pipelines.</p>
<b>Queen Elizabeth Park</b>	<p><b>Queen Elizabeth Park</b></p> <p>23.3.44 The Applicant is aware of the Authority's expressed concerns, which are considered in Section 10 of this document.</p> <p>23.3.45 The Applicant will continue to engage with the Authority on its concerns regarding the potential impact of the construction of the replacement pipeline in Queen Elizabeth Park as part of the proposed SoCG.</p>
<b>Ship Lane Cemetery SINC</b>	<p><b>Ship Lane Cemetery SINC</b></p> <p>23.3.46 The Applicant is aware of the sensitive environment at Ship Lane Cemetery SINC. A CEMP will be prepared and submitted for approval by the Council prior to the commencement of the works under Draft DCO Requirement 6 (CEMP). Requirement 5 secures that the construction of the replacement pipeline must accord with the submitted Code of Construction Practice (CoCP) (<b>Application Document APP-128</b>).</p>



Key Issue	Response to Key Issue
	<p>23.3.47 The Applicant has provided an outline CEMP in the application (<b>Application Document APP-129</b>) and has drafted a number of project-wide commitments which the Applicant considers would appropriately manage construction close to this environmental designation, including the following commitments which are found in the CoCP (<b>Application Document APP-128</b>):</p> <ul style="list-style-type: none"> <li>• Commitment G11: <i>‘Runoff across the site would be controlled by the use of a variety of methods including header drains, buffer zones around watercourses, on site ditches, silt traps and bunding’; and</i></li> <li>• Commitment G130: <i>‘The CEMP would follow the principles set out in the Outline CEMP and would set out the water mitigation and management measures and where they would need to be used. These measures would include, but not be restricted to, the following:</i> <ul style="list-style-type: none"> <li>➢ <i>details of when dewatering would be likely;</i></li> <li>➢ <i>measures to segregate construction site runoff from natural catchment runoff;</i></li> <li>➢ <i>details of measures to attenuate runoff rates before discharging at controlled rates to receiving watercourses;</i></li> <li>➢ <i>design of any holding or settlement lagoons or other treatment system required prior to discharge to the environment;</i></li> <li>➢ <i>details of mitigation measures for all work or compound areas located within flood risk areas;</i></li> <li>➢ <i>where construction activities would be located, preferably outside of the floodplain; and</i></li> <li>➢ <i>details of any water abstraction and discharge points relating to the works.’</i></li> </ul> </li> </ul>
<p><b>Farnborough Gate Sports Ground</b></p>	<p><b>Farnborough Gate Sports Ground</b></p> <p>23.3.48 The temporary impacts on this area of open space were assessed in Chapter 16 of the Planning Statement and Planning Statement Appendix 16.1 (<b>Application Document APP-132</b>). Paragraphs 16.4.32 and 16.4.33 of the Planning Statement note that:</p>





Key Issue	Response to Key Issue
	<p><i>‘16.4.32 The construction of a trenchless crossing from Farnborough to Frimley across the North Downs railway, the A331, the River Blackwater and the Ascot to Guildford railway line, requires a construction compound. This is located on the Farnborough Gate sports ground. This football pitch is not used by any established clubs and a site visit indicates that there is little evidence of organised football activity. There is suitable alternative provision and capacity locally on other nearby sports fields.</i></p> <p><i>16.4.33 The construction of the pipeline will occupy the whole of the pitch for the period of the installation of the pipeline, in this location this will be for a prolonged period of time because of the long trenchless crossing required for the Blackwater Valley. Following completion of the installation of the pipeline, the pitch will be reinstated to an appropriate standard, including the reinstatement of the drainage. ... This will be secured through the CoCP secured through Requirement 5 of the DCO, the CEMP through Requirement 6 of the DCO, through the hedgerow and trees Requirement 8 of the DCO and the LEMP in Requirement 12 of the DCO. Access to the car park, adjoining cemetery and bowls club will be retained throughout construction this will be secured through a commitment the CEMP under Requirement 6 of the DCO. Therefore, during construction the removal of this pitch will not have an impact. Aside from the commitments above, no site-specific mitigation is required in addition to the project-wide measures for the reinstatement of the land secured through the CoCP through DCO Requirement 5. There is no loss of open space from the operation of the pipeline once installed.’</i></p> <p>23.3.49 The project would have an unavoidable temporary impact on the sport pitch at Farnborough Gate during construction, following which the pitch would be reinstated in accordance with the commitments in the CoCP (<b>Application Document APP-128</b>). Access to the car park and bowling club would be maintained during construction. The Applicant would liaise with RBC prior to implementation of the DCO over the timing and details of the proposed works, including the provision of advance notice for users of the sports pitch, car park and bowling club.</p> <p>23.3.50 The routine management of playing fields above the replacement pipeline route would be able to continue as normal as this is not a restricted activity under the terms of the Deed of Grant which the Applicant is seeking to enter into with landowners.</p>



Key Issue	Response to Key Issue
<p><b>Blackwater Valley Frimley Bridge SINC</b></p>	<p><b>Blackwater Valley Frimley Bridge SINC</b></p> <p>23.3.51 Due to engineering constraints there is uncertainty about the construction methods that would be used to cross the Blackwater Valley. The possible options comprise trenchless methods and open trench construction. The preferred method is trenchless, but the submitted ES (<b>Application Document APP-39 to APP-131</b>) assesses the potential for significant effects from both potential methods and concludes that there would be no significant effects to the SINC. Paragraph 7.5.533 of ES Chapter 7 (<b>Application Document APP-047</b>) states that <i>‘In summary, at the Blackwater Valley site, the potential effect of habitat loss, fragmentation or modification due to dewatering during construction, would be of negligible magnitude and negligible significance’</i>.</p>
<p><b>Important Hedgerows under the Hedgerows Regulations 1997</b></p>	<p><b>Important Hedgerows under the Hedgerows Regulations 1997</b></p> <p>23.3.52 The Applicant has assessed important hedgerows under the Hedgerows Regulations 1997 in ES Appendix 7.2 (<b>Application Document APP-082</b>). There are two <i>‘likely important’</i> hedgerows within Rushmoor Borough. ES Chapter 7 (<b>Application Document APP-047</b>) assesses the impact of the project on hedgerows. This concludes that there would be no significant effects to hedgerows, therefore, no additional mitigation (over the good practice measures and commitments) are proposed in respect of hedgerows. See paragraphs 7.5.589 and 7.5.590:</p> <ul style="list-style-type: none"> <li>• <i>‘There is a high degree of confidence in the successful reinstatement of hedgerow habitat in the medium to long term and no permanent loss of hedgerow habitat is anticipated.</i></li> <li>• <i>Due to the extremely localised and reversible nature of hedgerow removal, the potential effect is of small magnitude and minor adverse significance.’</i></li> </ul> <p>23.3.53 The Applicant recognises the importance of hedgerows and has, therefore, made commitments which are aimed at reducing the impact of the project on hedgerows as part of the application.</p> <ul style="list-style-type: none"> <li>• Commitment O1: <i>‘Commitment to only utilise a 10m width when crossing through boundaries between fields where these include hedgerows, trees or watercourses’;</i></li> </ul>



Key Issue	Response to Key Issue
	<ul style="list-style-type: none"> <li>• Commitment G87: <i>‘Vegetation clearance, retention, protection and replanting/reinstatement drawings would be produced prior to the construction phase. The contractor(s) would implement these plans including agreed mitigation where practicable’;</i></li> <li>• Commitment G88: <i>‘Where possible, reinstatement of vegetation would generally be using the same or similar species to that removed (subject to restrictions for planting over and around pipeline easements)’;</i> and</li> <li>• Commitment G94: <i>‘Land used temporarily would be reinstated to an appropriate condition relevant to its previous use.’</i></li> </ul>
<p><b>Invasive Non-Native Species (INNS)</b></p>	<p><b>Invasive Non-Native Species (INNS)</b></p> <p>23.3.54 As per Commitment G44, <i>‘the project will be run in compliance with all relevant legislation, consents and permits.’</i> The Applicant has submitted a Protected and Controlled Species Legislation Compliance Report in Appendix 7.17 of the ES (<b>Application Document APP-101</b>) which provides information relating to the approach the Applicant is taking to non-native species. The CoCP (<b>Application Document APP-128</b>) includes Commitment G42 which states that <i>‘a suitable methodology would be produced to set out how identifiable areas with the potential presence of Schedule 9 plant species or other invasive species would be demarcated, and how any affected soils would be appropriately managed throughout the works.’</i> In addition, Commitment G74 states that <i>‘Excavation materials identified by the Watching Brief as being potentially contaminated and unsuitable for re-use within the project would be segregated from other material and transported off-site in suitable vehicles for off-site testing and subsequent disposal. Vehicles would contain and cover the materials to prevent loss of leachate, dust or other material during transport.’</i> A Soil Management Plan will be prepared, secured by DCO Requirement 6 (the CEMP).</p>
<p><b>Biodiversity Gain</b></p>	<p><b>Biodiversity Gain</b></p> <p>23.3.55 As a good neighbour and responsible operator, the Applicant is actively engaged in agreeing a voluntary Environmental Investment Programme (EIP) to invest into the local area should the Development Consent Order (DCO) be granted. This programme is separate to the mitigation of the project’s impacts as assessed in its Environmental Statement and which are set out in the Register of Environmental Actions and Commitments and secured through the DCO. The EIP is therefore a voluntary program that remains outside the DCO process and is</p>



Key Issue	Response to Key Issue
	<p>not limited to the DCO Order Limits. The EIP comprises a range of activities along the replacement pipeline route to carry out localised environmental improvements and enhance local biodiversity, within environmentally designated sites and/or areas of social/community importance over and above what is required to mitigate the project as part of the application for development consent. The Applicant will continue to engage with the Authority on the voluntary EIP. It should be noted that there is no mandatory requirement to deliver an overall ecological biodiversity enhancement (what has been termed “net gain”) for a Nationally Significant Infrastructure Project. It is understood that net gain will form part of the UK Government’s forthcoming Environment Bill however the UK Government’s position is that Nationally Significant Infrastructure Projects will be exempt (Department for Environment, Food &amp; Rural Affairs, July 2019. Net Gain: Summary of responses and Government response).</p>



## 24 Spelthorne Borough Council RR-172 & 180

### 24.1 Overview

24.1.1 This section of the document contains the Applicant's responses to the Relevant Representations (RR-172 & 180) that have been made by Spelthorne Borough Council.

### 24.2 Application Documents

24.2.1 The response to the relevant representation made by Spelthorne Borough Council refers to the following Application documents:

- Draft Development Consent Order (**Application Documents AS-059**);
- Explanatory Memorandum (**Application Document APP-027**);
- Validation Report for Draft Development Consent Order (**Application Document APP-028**);
- Statement of Reasons (**Application Document APP-029**);
- Consultation Report: Appendix 6 - Design Refinements (**Application Document APP-037**);
- Consultation Report: Appendix 7 - Route Release (**Application Document APP-038**);
- Environmental Statement, Chapter 4 Design Evolution (**Application Document APP-044**);
- Environmental Statement, Chapter 16 Environmental Management and Mitigation (**Application Document APP-056**); and
- Planning Statement (**Application Document APP-132**).
- Consultation Report: Appendix 5 Preferred Route Consultation (**Application Document AS-012**);
- Consultation Report (**Application Document AS-013**); and
- Scoping Report (**Application Document AS-019**).

24.2.2 Table 24.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).



## 24.3 Key Issues

Table 24.1 Relevant Representation Key Issues

Key Issue	Response to Relevant Representation
<p><b>Land rights over existing pipeline</b></p>	<p><b>Land rights over existing pipeline</b></p> <p>24.3.1 The decommissioning of the existing pipeline would be carried out in accordance with the requirements of the Pipeline Safety Regulations 1996. No additional consents or rights are required to undertake this work and it is not included in the scope of the Project. For further information regarding the land rights over the existing pipeline please see Sections 7 and 8 of this document.</p>
<p><b>Consultation and alternatives to the preferred corridor to avoid Council's land</b></p>	<p><b>Relevant representation raised an issue relating to the adequacy of consultation in relation to council land impacts.</b></p> <p>24.3.2 Section 42 of the 2008 Act sets out the duty to consult in relation to Nationally Significant Infrastructure Projects (NSIPs). The Applicant has complied with the requirements of the 2008 Act as set out in the Consultation Report (<b>Application document AS-013</b>).</p> <p>24.3.3 The Consultation Report (<b>Application Document AS-013</b>) details the consultation and engagement that has been carried out both under Part 5 of the 2008 Act (as amended) and on a non-statutory basis, the feedback received, how the Applicant has had regard to the feedback and how the feedback has influenced the proposed development which is the subject of the application for development consent. Consultation and engagement included Spelthorne Borough Council, and this was confirmed in the Council's Adequacy of Consultation response to the Planning Inspectorate. The Council stated:</p> <p><i>'I am writing on behalf of Spelthorne Borough Council, one of the host authorities for the project. I can confirm we were invited to comment on the draft Statement of Community Consultation in July 2018 and were consulted on the scheme itself throughout the pre-application stage, from the initial route corridors to the design refinements and final route. Spelthorne is satisfied that the Consultation Report is an accurate account of the extensive engagement</i></p>



Key Issue	Response to Relevant Representation
	<p><i>undertaken by the developer and that the borough and its communities have been consulted in accordance with statutory duties.</i> (see <b>Adequacy of Consultation Response AoC-018</b>).</p>
<p><b>Consideration of alternatives</b></p>	<p><b>What alternatives have been explored to avoid the Council's land</b></p> <p>24.3.4 Section 4.4 of Part 4 of NPS EN-1 sets out the approach for an applicant to follow relating to the consideration of alternatives. In addition, Paragraphs 2.19.7-2.19.10 of NPS EN-4 set out the approach to be taken in route selection for NSIPs that are oil and gas pipelines. The Applicant has followed this approach. Route selection is discussed in detail within the ES Chapter 4 (<b>Application Document APP-044</b>).</p> <p>24.3.5 The Applicant has followed the planning policy advice to consider alternative routes for the replacement pipeline as set out in paragraph 4.4.7 of ES Chapter 4 (<b>Application Document APP-044</b>), which states: <i>'To enable the identification of a preferred pipeline corridor (Stage 1) and a pipeline route within the corridor (Stage 2), a number of project objectives and guiding principles were established, against which all options could be objectively reviewed'</i>.</p> <p>24.3.6 The corridor creation criteria listed in ES Chapter 4, Table 4.1 (<b>Application Document APP-044</b>) were aimed at avoiding a wide variety of potential constraints. However, <i>'it was recognised that whilst avoidance of all constraints along a route is preferable, it would not be possible due to the length of the entire route.'</i> The use of these criteria helped to create multiple corridors for the replacement pipeline and also assisted in identifying the need for specialised construction techniques (see paragraph 4.5.12 of ES Chapter 4 <b>Application Document APP-044</b>).</p> <p>24.3.7 Paragraph 4.6.2 of ES Chapter 4 (<b>Application Document APP-044</b>) states: <i>'Key considerations for development of the pipeline route, in addition to the project objectives and guiding principles, comprise:</i></p> <ul style="list-style-type: none"> <li>• <i>avoiding or reducing effects to environmentally sensitive areas, e.g. SSSI, SAC, ancient woodland;</i></li> <li>• <i>reducing impacts to residential areas, farmhouses and businesses;</i></li> <li>• <i>ensuring that the routeing took account of constraints imposed by major infrastructure crossings (e.g. motorways, trunk roads, canals, rivers and railways);</i></li> <li>• <i>reducing crossing and diversions of other services;</i></li> </ul>



Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• <i>avoiding steep gradients and side slopes where practicable; and</i></li> <li>• <i>avoiding difficult geological features and unsuitable ground conditions where practicable’.</i></li> </ul> <p>24.3.8 The Applicant has not given any special status to whether land is council-owned in and of itself in its development of the route. The Applicant has engaged with the Council throughout the project both as a local planning authority and as a landowner and the Council has not previously raised any concerns regarding the route or the impact on council-owned land.</p>
<p><b>Impact on use of Council’s land such as open space</b></p>	<p><b>The Council’s Relevant Representation raises issues relating to council owned Open Space laid out as public parks and areas for public recreation. Seeking confirmation that the land will be available to the owners and users as before including access for maintenance.</b></p> <p>24.3.9 The Applicant has carried out an Open Space Assessment in order to understand the potential impact of the project on designated public open spaces and sports pitches including those in Spelthorne Borough. The outcome of the assessment is reported in Chapter 16 of the Planning Statement (<b>Application Document APP-132</b>) and identifies that while there would be impacts on open spaces during construction of the replacement pipeline, these can be managed through the proposed Code of Construction Practice (<b>Application Document APP-128</b>). For example, the use and enjoyment of Fordbridge Park during construction would be managed by commitment OP3 which states</p> <p><i>‘Principal pedestrian footpaths within Fordbridge Park crossing the working area would be managed with access only closed for short periods while construction activities occur. Additional signage for diversions on to alternative existing paths would be utilised as appropriate.’</i></p> <p>24.3.10 The Applicant had adopted other project-wide commitments contained within the REAC to manage the construction impacts, such as noise and vibration, managed through commitment G98 in the CoCP (<b>Application Document APP-128</b>) which states</p> <p><i>‘Noise and vibration from construction plant and machinery impacts would be mitigated by adopting measures in the following hierarchy:</i></p>





Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• <i>control at source – for example the selection of quieter equipment;</i></li> <li>• <i>the choice of location for equipment on site;</i></li> <li>• <i>control of working hours; and</i></li> <li>• <i>the provision of acoustic enclosures around equipment or barriers around work sites.’</i></li> </ul> <p>24.3.11 The need for the scheme is established in Chapter 2 Need Statement of the Planning Statement, (<b>Application Document APP-132</b>) and is underpinned by the NPS EN-1 Part 5 Section 5.10 paragraph 5.10.6. The justification for the extent of the compulsory acquisition powers sought is set out in the Statement of Reasons (<b>Application Document APP-029</b>).</p> <p>24.3.12 The compulsory acquisition of land and rights in land is necessary to deliver this pipeline development. The rationale for the extent of the required rights is described above with the Order Limits drawn with the intention of avoiding any unnecessary interference with, or extinguishment of third-party rights. The Applicant has, therefore, taken a proportionate approach to the proposed acquisition mindful of the impact on affected landowners (see paragraph 7.4.2 of the Statement of Reasons <b>Application Document APP-029</b>).</p> <p>24.3.13 The Applicant seeks to acquire the minimum rights necessary to ensure long-term fuel supply security. The pipeline would be located within a permanent easement and permanent above ground infrastructure such as valves and Cathodic Protection Cabinets would require permanent acquisition of the land on which they sit. Within Spelthorne there is only one valve location proposed which is on Ashford Road and does not impact on the Council’s designated Open Space. The expected short-term activities such as those during construction, require only temporary rights. These have been identified (see paragraph 7.4.3 of the Statement of Reasons <b>Application Document APP-029</b>).</p> <p><b>Impact on the Council’s special category land (Section 132)</b></p> <p>24.3.14 The Applicant has set out the criteria by which it has identified and selected the route for the replacement pipeline. This is detailed in ES Chapter 4 Design Evolution (<b>Application Document APP-044</b>). The Council has been engaged throughout this selection process and has taken part in the non-statutory and statutory consultations as reported in the Consultation Report (<b>Application Document AS-13</b>). The Applicant has undertaken an Open</p>



Key Issue	Response to Relevant Representation
	<p>Space Assessment to assess the potential impact of the project on designated public open spaces used by the public for recreation and sport. This is reported in Chapter 16 of the Planning Statement (<b>Application Document APP-132</b>).</p> <p>24.3.15 Paragraphs 10.5.1 to 10.5.5 from the Statement of Reasons (<b>Application Document APP-029</b>) details how the tests in Section 132 are satisfied for special category land (including open space):</p> <p><i>‘As noted above s.132(3) of the 2008 Act (as amended) applies if the Order Land, when burdened with the order right, would be no less advantageous than it was before to the persons in whom the land was vested, other persons, if any, entitled to rights of common or other rights over than land and the general public. Once the works to construct the pipeline are complete the land would be available to the owners, users, and the public to use as before. Although there would have been temporary interference to the use of the land, which in some cases is simply for access, in the longer term the open space, common or allotment would be capable of being continued as before. Access to the land would not be affected ....., the existing use of the land will not change as a result of the project.</i></p> <p><i>It is clear that the open space, common and allotment land, when burdened with the rights sought under the DCO, would be no less advantageous to the persons in whom it is vested and to any persons entitled to rights over the land, or the public’s enjoyment of that land. Accordingly, the test in s.132(3) is satisfied and the DCO is not therefore subject to Special Parliamentary Procedure.’</i></p>
<p><b>Maintenance rights will adversely affect the management of the Council's estate</b></p>	<p><b>The DCO rights enable the Applicant to take entry to the land for the purposes of maintaining, repairing, replacing the pipeline etc. in perpetuity which may involve the opening up of the land and excluding the users for an undetermined period of time without notice</b></p> <p>24.3.16 The Applicant sent out offers for easement options to all relevant landowners and occupiers in three tranches between 19 January 2019 and 22 March 2019; active negotiations are ongoing. Concurrent to this, the Applicant has also been negotiating with landowners for the acquisition of the land identified for Valve 14. Valve 14 is located on highway land and the Applicant is in discussions with Surrey County Council.</p> <p>24.3.17 There has been ongoing engagement directly with all affected persons with an interest in land, and landowners and occupiers since the launch of the project and all have had opportunities to feedback on the routing and siting</p>



Key Issue	Response to Relevant Representation
	<p>of the scheme as it affects them in order to try to avoid the need for compulsory acquisition (see paragraph 7.3.3 of the Statement of Reasons <b>Application Document APP-029</b>).</p> <p>24.3.18 The presence of the buried pipeline on the Council’s land would not interfere with the use of that land for public recreation. The maintenance of the land above the pipeline would not be restricted with the exception of details in the deed such as the restriction on permanent structures, excavation activities or planting of trees over the pipeline or within the 3m easement either side of the pipeline and not over the whole Order Limit. There is no evidence that the use of the land would be ‘severely constrained’.</p> <p>24.3.19 The Applicant has operated and maintained the existing pipelines in the Council’s land for the past 50 years. The Council has not expressed previous concerns as to how maintenance activities are carried out and these have been without issue and to the satisfaction of the Council. The replacement pipeline would be operated and maintained in the same way. The Applicant would provide notice of future planned maintenance with the Council as landowner prior to entering the land. The only exception to this would be in the unlikely case of an emergency, when the Applicant would enter the land without notice to address the urgent issue.</p>
<p><b>The amenity of the council’s land</b></p>	<p><b>Impact on peaceful enjoyment and use of the Council's land let to third parties which would be adversely affected by the scheme</b></p> <p>24.3.20 The route of the proposed replacement pipeline and the existing pipeline run through the same open spaces in Spelthorne Borough. The Applicant is unable to route the replacement pipe within the same easement because the existing pipeline runs alongside two other pipelines within the easement and there is no space for an additional pipeline and also the existing rights would not allow for an additional pipeline. The existing aviation fuel pipeline needs to remain in use until the replacement pipeline is constructed and commissioned, at which point the existing pipeline would be decommissioned. Therefore, the replacement pipeline requires its own easement within the proposed Order Limits.</p> <p>24.3.21 The route within public open spaces in Spelthorne Borough impacts on Chertsey Bridge Road, alongside the existing pipeline; Fordbridge Park, alongside the existing pipeline; and Woodthorne Road, alongside the existing pipeline. The existing pipeline does not impact adversely on the peaceful enjoyment of the land and once installed, neither would the replacement pipeline. The Applicant acknowledges there would be short-term temporary impacts</p>



Key Issue	Response to Relevant Representation
	<p>on the land during construction and has adopted measures detailed in ES Chapter 16 and found listed in the REAC to manage these impacts (<b>Application Document APP-056</b>).</p>
<p><b>Land rights over pipeline</b></p>	<p><b>Acquisition of ‘permanent rights’ over the affected land is disproportionate as the pipeline has a design life</b></p> <p>24.3.22 The Statement of Reasons in Volume 4 of the Applicant’s application documents provides details on how the Applicant is seeking to assemble the land and associated rights over land in the Council’s ownership included in the draft DCO (see <b>Application Documents AS-059 and APP-029</b>). The Statement of Reasons provides an overview of the reasons for requesting that the Secretary of State grant powers of compulsory acquisition pursuant to Section 122 of the 2008 Act.</p> <p>24.3.23 The need for the scheme is established in Chapter 2 Need Statement of the Planning Statement (<b>Application Document APP-132</b>) and the justification for the extent of the Compulsory Acquisition Powers sought is set out in the Statement of Reasons (<b>Application Document APP-029</b>).</p> <p>24.3.24 The compulsory acquisition of land and rights in land is necessary to deliver this pipeline development. The rationale for the extent of the required rights is described above with the Order Limits drawn with regard to avoiding any unnecessary interference with or extinguishment of third-party rights. The Applicant has, therefore, taken a proportionate approach to the proposed acquisition mindful of the impact on affected landowners (see paragraph 7.4.2 of the Statement of Reasons <b>Application Document APP-029</b>).</p> <p>24.3.25 Permanent land rights are proportionate with the expected life of the scheme and the investment required but for short-term activities such as those during construction, temporary rights have been identified (see paragraph 7.4.3 of the Statement of Reasons <b>Application Document APP-029</b>). Easements or long leases are the standard property rights used in relation to oil pipelines and they are binding on future owners or occupiers of the land. Please refer to Section 7 regarding extinguishment of rights once a pipeline is decommissioned. In addition, it should be noted that under the terms of a voluntary deed, the Applicant offers a right to reposition the pipeline at the Applicant’s expense in order to allow for subsequent development of the land.</p> <p>24.3.26 Permanent easements for the pipeline are sufficient for the pipeline once laid as opposed to acquiring land outright, however for the Pigging Station, Valves and Pressure Transducer, compulsory acquisition is necessary to secure</p>



Key Issue	Response to Relevant Representation
	<p>the land for the purpose of constructing and maintaining above ground facilities and which require exclusive occupation (see paragraph 7.4.4 of the Statement of Reasons <b>Application Document APP-029</b>).</p>
<p><b>Security and interface with the general public</b></p>	<p><b>Security and interface with existing users of the open space and the general public</b></p> <p>24.3.27 The Applicant is aware of the potential conflict between construction activity and public access to open spaces for recreation purposes. The Applicant has assessed the potential for this conflict and adopted measures to manage this issue. For example:</p> <p>Commitment G79 in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>) states <i>‘Pedestrian access to and from residential, commercial, community and agricultural land uses would be maintained throughout the construction period. Vehicle access would be maintained where practicable. This may require signed diversions. The means of access would be communicated to affected parties at least two weeks in advance’</i>; and</p> <p>Commitment G85 of ES Chapter 16 (<b>Application Document APP-056</b>) outlines the project commitment to security. G85 states <i>‘Working areas would be appropriately fenced. The choice of fencing would be decided following a risk assessment, relevant to the work location. Specific areas such as compounds may require additional security measures such as lighting, security guards or CCTV. For some locations the fence used may also serve to provide acoustic and visual screening of the work sites and reduce the potential for disturbance of users in the surrounding areas. Provision of additional fencing on a site by site basis may be used to reduce the potential for impacts on wildlife and trees. Fencing would be regularly inspected and maintained and removed as part of the demobilisation unless otherwise specified.’</i></p> <p>24.3.28 Within Fordbridge Park, the project has adopted commitment OP03 to manage the potential conflict between the construction works and park users, as set out in the CoCP (<b>Application Document APP-128</b>), which states <i>‘Principal pedestrian footpaths within Fordbridge Park crossing the working area would be managed with access only closed for short periods while construction activities occur. Additional signage for diversions on to alternative existing paths would be utilised as appropriate’</i>.</p>



Key Issue	Response to Relevant Representation
<p><b>Impractical legal documents</b></p>	<p><b>The legal documents are impractical and therefore cannot be considered until significant drafting is agreed</b></p> <p>24.3.29 There has been ongoing engagement directly with all affected persons with an interest in land (PILs) and landowners and occupiers since the launch of the project and all have had opportunities to provide feedback on the routeing and siting of the scheme as it affects them (see paragraph 7.3.3 of the Statement of Reasons <b>Application Document APP-029</b>).</p> <p>24.3.30 Although authorisation is sought for rights of compulsory acquisition, it is the Applicant's preference to seek to negotiate acquisition of land and rights in land through voluntary agreements in the first instance so that if the DCO is confirmed, the Applicant can rely on either the powers of compulsory acquisition or voluntary agreements (see paragraph 7.3.4 of the Statement of Reasons <b>Application Document APP-029</b>). The Applicant would not exercise compulsory acquisition where it can proceed under voluntary agreement. This approach is in accordance with paragraph 25 of the Guidance related to procedures for compulsory acquisition of land produced by the Department for Communities and Local Government (as updated September 2013) which recognises that for long linear schemes it is not practicable to acquire each plot of land by agreement and it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset.</p> <p>24.3.31 The Applicant only requires limited permanent compulsory acquisition rights (the easement strip protecting the pipe as laid and some access rights) and construction can be conducted under temporary possession powers without the need for compulsory acquisition. Order Limits have been adopted to enable the Applicant to ensure that the correct areas of land are identified for the construction works. In defining the areas for permanent acquisition within the Order Land, varying Limits of Deviation have been applied to the Works Plans (<b>Application Documents APP-012 to APP-014</b>). The need for an easement strip extending three meters either side of the as-laid pipeline is to provide sufficient space for safe working access and maintenance during operation of the pipeline. This is standard industry practice and reflects regulatory requirements for pipeline safety.</p> <p>24.3.32 Further details relating to this issue can be found in Section 8 of this document.</p>



Key Issue	Response to Relevant Representation
<p><b>Route along Ashford Road</b></p>	<p><b>Ashford Road pipeline route</b></p> <p>24.3.33 The Applicant's Preferred Route Consultation (first statutory consultation) took place between 6 September and 19 October 2018. Section 42 (specified parties), Section 47 (local community) and Section 48 (notices) of the 2008 Act set out the duty to consult in relation to NSIPs. The Applicant has complied with the requirements of the 2008 Act (see the Applicant's Consultation Report <b>Application Document AS-013</b>).</p> <p>24.3.34 The consultation responses from the first statutory consultation included the following:</p> <ul style="list-style-type: none"> <li>• there were issues raised concerned with the impacts of sub-option H1b on narrow residential roads, parking, and facilities, such as local schools and churches (Section 5.20, pages 192-4 of the Consultation Report <b>Application Document AS-013</b>);</li> <li>• H1a was favoured by respondents to the consultation, with 90% of those who expressed a preference favouring it (section 9 of Appendix 5.24 of the Consultation Report <b>Application Document AS-012</b>);</li> <li>• there were issues raised concerned with the proposal to place the H1a sub-option between the reservoir embankment and the River Ash, citing implications for the safety of the reservoir structure (pages 192-4 of the Consultation Report <b>Application Document AS-013</b>), in particular from Thames Water who added that there would be significant technical challenges in constructing the H1a sub-option and that the presence of a pipeline in this area might affect their ability to deal with emergency situations with the reservoir (page 86 of Appendix 5.24 of the Consultation Report <b>Application Document AS-012</b>); and</li> <li>• there was also an alternative route proposed along Ashford Road by four members of the public, in place of the two proposed sub-options.</li> </ul> <p>24.3.35 Following ongoing engagement with landowners and consultation feedback, the Applicant deselected sub-option H1b. H1a was favoured by local residents and met the Applicant's preference to install on private land away from public roads. However, following consultation feedback, in particular from Thames Water, the Applicant reviewed the engineering challenges around sub-option H1a and it was deselected as assessment showed that it would be a safety risk to install the pipeline in this area (Appendix 6.2 of the Consultation Report <b>Application Document APP-037</b>). The factors considered were:</p>



Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• installing near the toe (bottom) of the reservoir embankment risks compromising its stability, and pushes construction towards the overhead power lines;</li> <li>• installing in the area below the overhead power lines poses an increased safety risk; and</li> <li>• there simply isn't enough space to safely install the replacement pipeline between the high-pressure gas main and other underground utilities.</li> </ul> <p>24.3.36 The Applicant carried out a review of the options available in this section of the route and proposed a new option along Ashford Road. This route was clearly materially different from the previous options considered, therefore, the Applicant included this new route option in a targeted Design Refinement Consultation. The Design Refinements Consultation (second statutory consultation) took place from 21 January to 19 February 2019. The Design Evolution is detailed in Chapter 4 of the ES (<b>Application Document APP-044</b>). The proposed route along Ashford Road did not introduce any new impacts for the project, there are other areas where the replacement pipe is to be installed within a street, and therefore there was no need to update the Preliminary Environmental Impact Report (PEIR). The ES has assessed any location specific impacts from the route along Ashford Road and good practice measures to manage the impact of construction are found in the REAC and Code of Construction Practice.</p> <p>24.3.37 The Applicant selected the refined route along Ashford Road as part of the final route submitted as part of its application for development consent and is confident that the final route is less likely to impact on nearby homes and residents when compared to the previous option.</p> <p>24.3.38 The Council was fully engaged with this process and responded to the adequacy of consultation to the Examining Authority as follows:</p> <p><i>'I am writing on behalf of Spelthorne Borough Council, one of the host authorities for the project. I can confirm we were invited to comment on the draft Statement of Community Consultation in July 2018 and were consulted on the scheme itself throughout the pre-application stage, from the initial route corridors to the design refinements and final route. Spelthorne is satisfied that the Consultation Report is an accurate account of the extensive engagement undertaken by the developer and that the borough and its communities have been consulted in accordance with statutory duties.'</i> (<b>Application Document AoC-018</b>).</p>





Key Issue	Response to Relevant Representation
	<p>24.3.39 The Applicant took into account consultation feedback regarding the proposed compound on Ashford Road and removed it from the final route (Appendix 7.3 of the Consultation Report <b>Application Document APP-038</b>).</p> <p>24.3.40 Refer to Sections 11 and 12 of this document for further detail on Ashford Road and Celia Crescent/ Fordbridge Park.</p>
<p><b>Effects on Ashford Road in terms of residential amenity and road traffic during the construction process</b></p>	<p><b>Impact of construction of the residential amenity of residents living in Ashford Road</b></p> <p>24.3.41 The Applicant proposed to use open cut trench construction along Ashford Road with a trenchless crossing point from south of the Staines Reservoir Aqueduct on Ashford Road, under Kingston Road in to Fordbridge Park.</p> <p>24.3.42 The Applicant is aware of the concerns of local residents and businesses and has taken account of the principles of ‘Considerate Construction’ in the CoCP. The application includes good practice measures and construction commitments to manage the impacts of construction of the replacement pipeline so as to reduce the inconvenience to local residents, particularly where the construction works are to be undertaken within a highway. These are listed below and can be found in ES Chapter 16 Table 16.2 of <b>Application Document APP-056</b>.</p> <p><b>Traffic</b></p> <p>24.3.43 The Applicant has assessed the impact of construction, including street works, on local traffic through the Traffic Assessment and has concluded that there are not significant effects that result from the project. The work to install the pipeline along the road would move along in small sections and would not require a complete road closure. There would always be at least one lane of the road open to traffic in each direction, managed using traffic management measures, such as traffic light controls. See Appendix 7.3 of the Consultation Report (<b>Application Document APP-038</b>). The Applicant has been in discussions with Surrey County Highway Authority with regard to the impact of the proposed street works to install the replacement pipeline. The Applicant also proposes the following commitments to manage the impact of the project on the road network:</p> <ul style="list-style-type: none"> <li>• Commitment G110 – <i>A Construction Traffic Management Plan (CTMP) would be produced. The project would then implement measures within the CTMP.</i></li> <li>• Commitment G26 – <i>Construction traffic movements would be kept to the minimum reasonable for the effective and safe construction of the project.</i></li> </ul>



Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• Commitment G111 – The CTMP would consider the traffic generated by construction vehicles and how the project would manage the diversions and closures within the highway network (provided for under the development consent). The CTMP could also:           <ul style="list-style-type: none"> <li>➢ <i>show the location of construction compound(s), access routes, site boundaries, entry/exit points;</i></li> <li>➢ <i>develop measures to promote safe access to and from site;</i></li> <li>➢ <i>detail each road crossing including the technique for installing the pipeline, access points and traffic management requirements;</i></li> <li>➢ <i>define routes that would be taken by Heavy Goods Vehicles (HGVs), light vehicles (including Light Goods Vehicles with a gross weight less than 3.5 tonnes) and other site traffic;</i></li> <li>➢ <i>make drivers aware of designated access routes;</i></li> <li>➢ <i>provide appropriate temporary signage directing HGV drivers to relevant construction compounds;</i></li> <li>➢ <i>show the location of temporary road closures including temporary diversion routes agreed with the relevant highway authority;</i></li> <li>➢ <i>manage Abnormal Indivisible Loads;</i></li> <li>➢ <i>provide proof of concept for the proposed measures, for example large vehicle swept path analysis at pinch points on the public highway;</i></li> <li>➢ <i>provide a Travel Plan for transport of the construction workforce; and</i></li> <li>➢ <i>provide measures for the monitoring of the CTMP and details of appropriate actions in the event of a non-compliance.</i></li> </ul> </li> </ul>



Key Issue	Response to Relevant Representation
	<p><b>Air quality</b></p> <p>24.3.44 Air quality was assessed within ES Appendix 13.2 (<b>Application Document APP-120</b>). This concluded that the air quality effects from construction traffic, including diversions, on human and ecological receptors in rural and urban areas was considered to be not significant.</p> <p>24.3.45 The project does recognise that during construction there may be some temporary impact on air quality in the form of dust and therefore there are a number of project commitments have been made to reduce impacts on air quality (dust) including Commitment G30 which states:</p> <p><i>‘A dust management plan would be produced, including the following measures to be implemented where relevant:</i></p> <ul style="list-style-type: none"> <li>• <i>control runoff of water or mud to reduce the spread of particulates that could subsequently be disturbed and become airborne;</i></li> <li>• <i>return subsoil and topsoil at the earliest suitable time of year after construction has been completed;</i></li> <li>• <i>manage earthworks and exposed areas or soil stockpiles to prevent wind borne dust. Use methods such as covering, seeding or using water suppression;</i></li> <li>• <i>limit de-compaction of the sub-soil in windy conditions during reinstatement;</i></li> <li>• <i>construct compound access points to the public highway with temporary hard surfacing;</i></li> <li>• <i>enforce an appropriate speed limit for vehicles travelling on site to limit dust generation;</i></li> <li>• <i>make an adequate water supply available for effective dust/particulate matter suppression/mitigation;</i></li> <li>• <i>protect sand and other aggregates from drying out;</i></li> <li>• <i>limit drop heights when loading and unloading materials from vehicles including pipes and excavated materials;</i></li> <li>• <i>control the number of handling operations to ensure that dusty material is not moved or handled unnecessarily;</i></li> <li>• <i>where there is a risk of dust nuisance when using cutting, grinding or sawing equipment, use in conjunction with suitable dust suppression techniques;</i></li> </ul>



Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• <i>keep equipment readily available to clean any dry spillages;</i></li> <li>• <i>clean up spillages as soon as reasonably practicable after the event using wet cleaning methods;</i></li> <li>• <i>limit dry sweeping of large areas;</i></li> <li>• <i>no bonfires or the burning of waste materials;</i></li> <li>• <i>provide adequate wheel washing facilities at access points on to the public highway;</i></li> <li>• <i>deploy water assisted road cleaners on public roads when necessary to prevent excessive dust or mud deposits; sheet vehicle loads during the transportation of loose or potentially dusty material or spoil; and</i></li> <li>• <i>undertake inspections to monitor dust and record results in the inspection log. The frequency of inspections to be increased when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.'</i></li> </ul> <p><b>Noise and vibration</b></p> <p>24.3.46 The Applicant has also submitted a Noise and Vibration Technical Note (<b>Application Document APP-121</b>) which concludes at paragraph 8.1.1 that there are <i>'No significant effects identified for the following activities:</i></p> <ul style="list-style-type: none"> <li>• <i>noise and vibration due to traffic on the public highway during installation;</i></li> <li>• <i>vibration from compaction, piling and drilling activity during installation; and</i></li> <li>• <i>noise and vibration due to operation.'</i></li> </ul> <p>24.3.47 A number of receptors may still experience adverse noise impacts during construction, even with the application of good practice measures. Therefore, the Applicant has adopted further measures to manage the potential temporary impact from the construction of the replacement pipeline. These include:</p> <p>Commitment G98 states: <i>'Noise and vibration from construction plant and machinery impacts would be mitigated by adopting measures in the following hierarchy:</i></p> <ul style="list-style-type: none"> <li>• <i>control at source – for example the selection of quieter equipment;</i></li> </ul>



Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>• <i>the choice of location for equipment on site;</i></li> <li>• <i>control of working hours; and</i></li> <li>• <i>the provision of acoustic enclosures around equipment, or barriers around work sites’.</i></li> </ul> <p>24.3.48 A Noise and Vibration Management Plan would be produced. This is commitment G100 of Chapter 16 from the ES (<b>Application Document APP-056</b>) states: <i>‘The Noise and Vibration Management Plan would include the following details in relation to the project within the relevant local authority area:</i></p> <ul style="list-style-type: none"> <li>• <i>description of works pursuant to DCO;</i></li> <li>• <i>scheme of work;</i></li> <li>• <i>programme;</i></li> <li>• <i>working hours;</i></li> <li>• <i>plant noise and vibration data;</i></li> <li>• <i>receptors at risk of &gt;1.0mm/s peak particle velocity and a protocol for providing prior warning and explanation;</i></li> <li>• <i>best practicable means (BPM) measures where applicable (as defined in Section 72 of CoPA 1974 for the control of noise and vibration);</i></li> <li>• <i>predicted noise and vibration levels; and</i></li> <li>• <i>BPM justification for short-term higher noise/vibration levels or out of hours working and community communication details.’</i></li> </ul>
<p><b>Trees along Ashford Road</b></p>	<p><b>Trees along Ashford Road</b></p> <p>24.3.49 The Applicant has carried out an arboricultural assessment of the trees and woodland on Ashford Road. The Applicant has found no evidence of ancient woodland at this location. The Applicant is aware of three veteran trees in Ashford Road were recently added to the inventory. Potential veteran trees were identified, measured and the potential root protection areas were calculated. This information would inform the future detailed alignment routeing</p>



Key Issue	Response to Relevant Representation
	<p>to avoid root protection areas of ancient woodland and potential ancient woodland and ancient and veteran trees where practicable. Where this is not practicable, the Applicant would identify specific measures to further mitigate these areas during construction. Additional information relating to the project's approach to trees can be found in Section 3 of this document.</p> <p>24.3.50 The project has made a number of commitments which are aimed at reducing the impact on trees and vegetation as a result of the construction of the project Further commitments set out within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>) that relate to trees, include:</p> <ul style="list-style-type: none"> <li>• Commitment G65 states <i>'Working widths would be reduced in specific locations where trees or hedges are present. Where notable trees would be retained within or immediately adjacent to the Order Limits, the trees and their root protection areas would be protected where they extend within the Order Limits and are at risk. This would be by means of fencing or other measures'</i>.</li> <li>• Commitment G87 states <i>'Vegetation clearance, retention, protection and replanting/ reinstatement drawings would be produced prior to the construction phase. The contractor(s) would implement these plans including agreed mitigation where practicable'</i>.</li> <li>• Commitment G88 states <i>'Where possible, reinstatement of vegetation would generally be using the same or similar species to that removed (subject to restrictions for planting over and around pipeline easements)'</i>.</li> <li>• Commitment G91 states <i>'The contractor(s) would retain vegetation where practicable and in accordance with, as a minimum, the vegetation retention drawings'</i>.</li> <li>• Commitment G93 states <i>'Hedgerows, fences and walls would be reinstated to a similar style and quality to those that were removed, with landowner agreement'</i>.</li> <li>• Commitment G98 states <i>'Where woodland vegetation is lost and trees cannot be replaced due to the restrictions of pipeline easements, native shrub planting approved by the Applicant would be used as a replacement'</i>.</li> </ul> <p>24.3.51 The Applicant has undertaken Arboricultural Surveys on site following the survey methodology set out within Appendix 3 of the Scoping Report (<b>Application Document AS-019</b>). Paragraph 4.2.1 states that the aim of the arboricultural surveys was <i>'to capture tree data on woodlands, veteran/ ancient trees and notable/ mature trees</i></p>



Key Issue	Response to Relevant Representation
	<p><i>that are likely to be lost or affected by the Project. The approach ensures an efficient and pragmatic approach to tree data collection, to provide category and definition criteria together with information to provide adequate tree protection during the construction phases’.</i></p> <p>24.3.52 The Applicant has undertaken site surveys in key areas in accordance with BS5837:2012 <i>Trees in relation to design, development and construction</i>. The results of this survey work would be used to inform the future detailed alignment routeing around root protection areas.</p>
<p><b>Effects on Fordbridge Park and residents of Celia Crescent during construction</b></p>	<p><b>Construction effects on Fordbridge Park and residents of Celia Crescent</b></p> <p>24.3.53 The Applicant has selected a route to cross the Staines bypass (TC 039) and Kingston Road/ Ashford Road (TC 038) by using trenchless construction techniques. This requires space for a pit at either side of the crossing point and a ‘stringing out’ area for the pipe to be welded ready for construction in the trenchless void. The preferred location for these crossings includes Fordbridge Park and Woodthorne Road open spaces. The Applicant is seeking to reduce the impact of the construction work and, therefore, has identified an access point for the Staines By-pass trenchless crossing pit from Celia Crescent.</p> <p><b>Access</b></p> <p>24.3.54 The Applicant’s Order Limits include the access to Fordbridge Park from Celia Crescent in order to allow for the delivery of materials, plant and machinery and the work team to access the site of the proposed trenchless crossing for the Staines Bypass. This access is necessary to reduce the potential impact of the works on the rest of Fordbridge Park during the trenchless construction. The vehicles using Celia Crescent would include the delivery of plant, materials and machinery at the commencement of the trenchless work, access for the work team on a daily basis and the removal of the plant and machinery once the trenchless construction is completed. The details of the access arrangements would be agreed with the Highway Authority (Surrey County Council) through the Construction Traffic Management Plan (CTMP).</p> <p><b>Amenity of residents in Celia Crescent during construction</b></p> <p>24.3.55 The Applicant does not propose any construction to take place in Celia Crescent. The Order Limits are contained within Fordbridge Park and are designed to allow access to the park only.</p>



Key Issue	Response to Relevant Representation
<b>Access to and from the Council's White House Depot at Ashford Road during construction</b>	<b>White House Council Depot, Ashford Road</b> 24.3.56 The Applicant is aware of the need to maintain access to the White House Depot and this has led to the proposed trenchless crossing of the Ashford Road and Kingston Road to ensure that this busy interchange including the access to the White House Depot is maintained. The details of the proposed trenchless crossing (TC038) are shown on the General Arrangement Plans, Sheet numbers 51 and 52; and 120 and 124 ( <b>Application Document APP-014</b> ). There would be traffic management in place where the open cut works take place along Ashford Road itself to manage the impact of the works on the road network.





## 25 Surrey County Council RR-281

### 25.1 Overview

25.1.1 This document contains the Applicant's responses to the Relevant Representations (RR-281) that have been made by Surrey County Council (SCC).

### 25.2 Application Documents

25.2.1 The following application documents are relevant to this response:

- Draft Development Consent Order (**Application Document AS-059**);
- Chapter 3 of the Environmental Statement (ES), Project Description (**Application Document APP-043**);
- Chapter 11 of the ES, Soils and Geology (**Application Document APP-051**);
- Chapter 14 of the ES, Major Accidents (**Application Document APP-054**);
- Chapter 16 of the ES, Environmental Management and Mitigation (**Application Document APP-056**);
- Appendix 9.5 of the ES, Archaeological Mitigation Strategy (**Application Document APP-113**); and
- Flood Risk Assessment (**Application Document APP-134**).

25.2.2 Table 25.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**), please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order (DCO).



## 25.3 Key Issues

Table 25.1 Relevant Representation Key Issues

Key Issue	Response to Relevant Representation
<p><b>Highways</b></p>	<p><b>DCO and the management and coordination of activities on the county’s highways</b></p> <p>25.3.1 The Council, in their Relevant Representation seeks reassurance that the DCO would not disapply elements of the <i>New Roads and Street Works Act 1991</i> and the <i>Traffic Management Act 2004</i>. Or if they do disapply, then there is suitable wording within the DCO to replicate the requirements of these Acts. This would aid the Council’s ability to manage and coordinate activities on the Highways, to ensure they are safely executed and the specification for the reinstatement of openings in Highways is complied with as required.</p> <p>25.3.2 Discussions are ongoing between the Applicant and SCC regarding the requirement for the powers sought under the draft DCO, its interaction with existing legislation and SCC’s permit scheme. The Applicant will provide an update on these discussions as the examination progresses.</p>
<p><b>Lead Local Flood Authorities (LLFA) and Flood Risk Report</b></p>	<p><b>Flood risk and mitigation measures</b></p> <p>25.3.3 The Council has confirmed in its Relevant Representation they are generally satisfied with the approach taken and the mitigation measures presented in the Flood Risk Report. It was noted there are a few specific locations and mitigations where the Council require further consideration and which the Applicant is assessing.</p> <p>25.3.4 A Flood Risk Assessment (FRA) was submitted as part of the application documents (<b>Application Document APP-134</b>). Meetings with relevant statutory authorities were undertaken which included Surrey County Council as a LLFA responsible for local sources of flooding (see paragraph 6.2.1 of <b>Application Document APP-134</b>).</p> <p>25.3.5 The conclusion of the assessment of risk to and from the project during the construction phase has identified the need for the implementation of mitigation measures to address the potential for the project to exacerbate flood risk (see paragraph 13.1.4 of <b>Application Document APP-134</b>). The Applicant is in discussions with the Council to resolve the location specific issues mentions in this relevant representation and the outcome of these discussions would be reported through the Statement of Common Ground with the Council. A summary of the proposed</p>



Key Issue	Response to Relevant Representation
	<p>mitigation measures is included in Table 13.2 of the FRA (<b>Application Document APP-134</b>). The mitigation measures are also contained in the REAC, in ES Chapter 16 (<b>Application Document APP-056</b>).</p> <p>25.3.6 The REAC in ES Chapter 16 (<b>Application Document APP-056</b>) contains commitments that relate to flood risk, including:</p> <ul style="list-style-type: none"> <li>• <i>‘Commitment G124: All construction activities within Flood Zone 3 would be undertaken in a manner that reduces any significant increase in flood risk. This may include providing suitable breaks within spoil piles.</i></li> <li>• <i>Commitment G126: Where new or additional surfacing is required on any access tracks and compound areas, these would be permeable surfaces where ground conditions allow.</i></li> <li>• <i>Commitment G127: The contractor(s) would subscribe to the Environment Agency’s Floodline service which provides advance warning of potential local flooding events. The contractor(s) would implement a suitable flood risk action plan which would include appropriate evacuation procedures should a flood occur or be forecast.</i></li> <li>• <i>Commitment G128: The contractor(s) would comply with all relevant consent conditions or DCO provisions regarding dewatering and other discharge activities. This would particularly be with regard to volumes and discharge rates and would include discharges to land, waterbodies or third-party drains/sewers.</i></li> <li>• <i>Commitment G130: The CEMP would follow the principles set out in the Outline CEMP and would set out the water mitigation and management measures and where they would need to be used. These measures would include, but not be restricted to, the following:</i> <ul style="list-style-type: none"> <li>➢ <i>details of when dewatering would be likely;</i></li> <li>➢ <i>measures to segregate construction site runoff from natural catchment runoff;</i></li> <li>➢ <i>details of measures to attenuate runoff rates before discharging at controlled rates to receiving watercourses;</i></li> <li>➢ <i>design of any holding or settlement lagoons or other treatment system required prior to discharge to the environment;</i></li> <li>➢ <i>details of mitigation measures for all work or compound areas located within flood risk areas;</i></li> </ul> </li> </ul>



Key Issue	Response to Relevant Representation
	<ul style="list-style-type: none"> <li>➤ <i>where construction activities would be located, preferably outside of the floodplain; and</i></li> <li>➤ <i>details of any water abstraction and discharge points relating to the works’.</i></li> <li>• <i>Commitment G185: Temporary haul and access road construction material within Flood Zone 3 and areas of High and Medium Risk of Flooding from Surface Water (RoFSW) would be removed at the end of the construction phase and the ground surface would be reinstated to pre-project levels.’</i></li> </ul>
<p><b>Archaeological Mitigation Strategy</b></p>	<p><b>Archaeological Mitigation Strategy</b></p> <p>25.3.7 The Council has raised in their Relevant Representation that they are generally satisfied with the archaeological preliminary information gathering stages. Subsequent discussions have taken place between the applicant and the council who now express that they are satisfied with the scope of the preliminary archaeological mitigation strategy. The Applicant confirms that under the Archaeology Mitigation Strategy (AMS) secured through requirement 11 of the DCO, individual written schemes of investigation (WSI) for specific sites would be agreed with the relevant County Archaeologist.</p> <p>25.3.8 ES Appendix 9.5 contains the AMS (<b>Application Document APP-113</b>). The AMS has been produced to support the application for development consent and the accompanying ES.</p>
<p><b>Emergency Planning and pipeline incidents</b></p>	<p><b>Pipeline incident planning and statutory responsibility for the Major Hazards Pipeline Plan</b></p> <p>25.3.9 The Council has raised in their Relevant Representation, engagement between the Council and the Applicant to ensure multi-agency measures are in place to respond to pipeline incidents and to confirm the statutory responsibility for the Major Hazards Pipeline Plan.</p> <p>25.3.10 Chapter 14 of the ES (<b>Application Document APP-054</b>) states:</p> <p><i>‘Pipelines are considered one of the safest modes of transport for conveying hazardous substances. The likelihood of failure in a fuel pipeline in the UK is extremely low. The pipeline would be operated in accordance with strict and comprehensive standard operating procedures (SOPs).</i></p>



Key Issue	Response to Relevant Representation
	<p><i>The design includes the following aspects: an easement strip extending 3m to either side of the pipeline – no building or below ground activity would be permitted within this area without prior approval, which would protect the pipeline from damage; and industry standard pipeline marker posts at all road crossings and boundaries (plus additional markers along the route to enable aerial identification), minimising the risk of inadvertent disturbance of the buried pipeline.</i></p> <p><i>Regular inspections of the pipeline and valves would also be undertaken:</i></p> <ul style="list-style-type: none"> <li>➤ <i>pipeline route patrols by vehicle/on foot in discrete areas, typically on a weekly basis;</i></li> <li>➤ <i>inspections of valves, typically on a monthly basis; pipeline route helicopter inspections, typically every other week;</i></li> <li>➤ <i>pipeline route walkover inspections, typically completed in the winter months every two years;</i></li> <li>➤ <i>testing and inspection of the cathodic protection system; and</i></li> <li>➤ <i>a programme of pipeline cleaning and inspection.'</i></li> </ul> <p>25.3.11 In addition, it is important to note that paragraph 14.2.2 of ES Chapter 14 (<b>Application Document APP-054</b>) states <i>'The proposed replacement pipeline does not meet the hazard thresholds to fall under the remit of Control of Major Accident Hazards Regulations 2015 (COMAH), and similarly does not classify as a Major Accident Hazard Pipeline (MAHP) under the Pipelines Safety Regulations (PSR) 1996'.</i></p> <p>25.3.12 The PSR 1996 defines a 'Major Accident Hazard Pipeline' (MAHP) as one which <i>'conveys a dangerous fluid and which has the potential to cause a major accident'</i>. Under these regulations, aviation fuel is not considered to be a dangerous fluid and the proposed pipeline does not classify as a MAHP (see ES Chapter 14 paragraph 14.3.34 of <b>Application Document APP-054</b>).</p> <p>25.3.13 ES Chapter 3 (<b>Application Document APP-043</b>) provides a full description of the project. In the context of both 'vulnerability to' and 'potential to cause' a major accident or disaster, the project design complies with the PSR 1996, which require the management of potential hazards to reduce accidents and disaster risk to an acceptable level (see ES Chapter 14 paragraph 14.4.4 of <b>Application Document APP-054</b>).</p>



Key Issue	Response to Relevant Representation
<p><b>Minerals and waste resources</b></p>	<p><b>Mineral and waste resources in Surrey</b></p> <p>25.3.14 The Council has raised in their Relevant Representation their satisfaction with the general route of the proposed pipeline as it has the lowest impact on mineral and waste resources in Surrey.</p> <p>25.3.15 ES Chapter 11 includes an assessment on soils, geology, minerals, and land contamination (see ES Chapter 11 <b>Application Document APP-051</b>).</p> <p>25.3.16 Paragraph 11.5.10 of ES Chapter 11 <i>‘Three high value Preferred Areas for mineral development were identified as potentially being affected by the project. All within Section H, these are: Queen Mary Reservoir; Manor Farm (including the gravel conveyor under Ashford Road); and Homers Farm’</i> (ES Chapter 11 <b>Application Document APP-051</b>).</p> <p>25.3.17 The Applicant has selected a route that does not impact adversely on these major mineral sites. In the case of Queen Mary Reservoir and Manor Farm, the preference to avoid these mineral sites led, in part, to the deselection of Options H1 a and H1b and the identification and adoption of the route along Ashford Road. Engagement has been undertaken with the relevant parties to understand the proposed operations at these sites. These discussions are ongoing as part of the landowner agreements to enable continued operation of the sites during construction, in particular the interaction between the project and the proposed underground conveyor under Ashford Road. (see ES Chapter 11 paragraph 11.5.11 of <b>Application Document APP-051</b>).</p> <p>25.3.18 ES Chapter 16 (<b>Application Document APP-056</b>) also contains Commitment G75 which states: <i>‘Where the route passes through areas where there are active Environmental Permits (for example authorised landfill sites), the contractor(s) would work with the permit holder to comply with the permit requirements. This could include:</i></p> <ul style="list-style-type: none"> <li>• <i>seek agreement from permit holders and regulators to allow works to proceed;</i></li> <li>• <i>reinstatement of surface restoration materials;</i></li> <li>• <i>reinstatement of artificial geological barriers (where present); and</i></li> <li>• <i>if applicable to site, work in accordance with relevant quality assurance procedures’.</i></li> </ul>



## 26 Surrey Heath Borough Council RR-093

### 26.1 Overview

26.1.1 This document contains the Applicant's responses to the Relevant Representations (RR-093) that have been made by Surrey Heath Borough Council.

### 26.2 Application Documents

26.2.1 The response to the relevant representation made by Surrey Heath refers to the following Application documents:

- Draft Development Consent Order (**Application Document AS-059**);
- Chapter 4 Design Evolution of the ES (**Application Document APP-044**);
- Chapter 7 Biodiversity of the ES (**Application Document APP-047**);
- Chapter 10 Landscape and Visual of the ES (**Application Document APP-050**);
- Chapter 16 Environmental Management and Mitigation of the Environmental Statement (ES) (**Application Document APP-056**);
- Appendix 2.1 Environmental Legislation and Policy of the ES (**Application Document APP-073**);
- Appendix 7.10 of the ES is the Great Crested Newt Factual Report (**Application Document APP-091 (a)**);
- Appendix 7.13 to 7.15 containing EPS Licence Applications (**Application Document APP-094 to APP-100**);
- Habitats Regulations Assessment (**Application Documents APP-130 and APP-131**);
- Planning Statement (**Application Document APP-132**);
- Consultation Report (**Application Document AS-013**);
- Scoping Report (**Application Document AS-019**); and
- Additional submission from Natural England (**Additional Submission AS-030**).

26.2.2 Table 26.1 below contains references to specific commitments set out in the Register of Environmental Actions and Commitments (the 'REAC') (**Application Document APP-056**) please refer to the corresponding column in the REAC for details on how the commitment would be secured through the requirements and provisions of the Development Consent Order.



## 26.3 Key Issues

Table 26.1 Response to Key Issues

Key Issue	Response to Key Issue
<p><b>Potential impacts on the Thames Basin Heaths Special Protection Area (SPA), St Catherines Road Suitable Alternative Natural Greenspaces (SANG) and Windlemere SANG.</b></p>	<p><b>Thames Basin Heaths Special Protection Area, St Catherines Road SANG and Windlemere SANG</b></p> <p>26.3.1 The proposed replacement pipeline crosses both the Thames Basin Heaths Special Protection Area (SPA) and the SANGs designated by the Local Authority to mitigate the impact of residential development on the SPA. The Applicant assessed the impact of the project on open spaces and SANGs against the policy advice in NPS EN-1 paragraphs 4.3.1 and 5.3.9; and NPS EN-4 paragraphs 2.21.1 to 2.21.3 (see Planning Statement <b>Application Document APP-132</b>). The impact on the SPA is addressed in the Habitats Regulations Assessment (HRA) (<b>Application Documents APP-130 and APP-131</b>).</p> <p>26.3.2 The Applicant has considered, assessed and reported in the HRA, the impact of construction works of the project in the SANGs and the potential displacement of people into the SPA. The Conservation Objectives are defined by Natural England and the relevant SPA Conservation Objectives are described in Section 5.5 of the HRA (See <b>Application Documents APP-130 and APP-131</b>).</p> <p>26.3.3 The Applicant has also worked with Natural England extensively on the project and has sought its advice on the HRA potential impacts of the project on the Thames Basin Heaths SPA. EN-1 requires an ES to set out any effects on internationally, nationally and locally designated sites of ecological importance (paragraph 5.3.3). EN-4 requires an Environmental Statement (ES) to assess the biodiversity effects of a proposed route (paragraph 2.21.3). The impact on the SPA is addressed in the HRA (<b>Application Documents APP-130 and APP-131</b>). The assessment has considered the knock-on effects of routeing through public open spaces, such as local SANGs and any transferred impact on to the Thames Basin Heaths SPAs. Natural England has confirmed its satisfaction with the project's HRA, which was submitted as part of the application for development consent and has not raised any issue with the HRA in their additional submission (see <b>Application Document AS-030</b>).</p>





Key Issue	Response to Key Issue
	<p>26.3.4 Within the administrative area of Surrey Heath Borough Council (SHBC) the project crosses two SANGs, one at St Catherines Road and one at Windlemere. SHBC considers that due to construction works of the project in the SANGs, this would displace users to the Thames Basin Heaths SPA, thereby having an impact on the integrity of the SPA regarding its ecological functions as defined by the European Site Conservation Objectives. The Conservation Objectives are defined by Natural England and the relevant SPA Conservation Objectives are described in Section 5.5 of the HRA (<b>Application Documents APP-130</b> and <b>APP-131</b>).</p> <p>26.3.5 The pipeline corridor and route selection processes evaluated various options based on guiding principles for the project. The project guiding principles were considered collectively and a balanced judgement made which resulted in the proposed pipeline route passing through the two SANGs, one large SANG on the old Windlemere Golf Course and a small SANG at St Catherines Road.</p> <p>26.3.6 The HRA (<b>Application Document APP-130</b>) assesses the impact on the Thames Basin Heaths SPA. It states in the HRA Part 1 on page 3 that (Executive Summary): <i>'The short duration and limited extent of works within affected Suitable Alternative Natural Greenspaces (SANGs) is considered to reduce the risk of significant levels of recreational displacement to the SPA. Information presented in this report about each SANG impacted by the project and the presence of alternative unaffected spaces within 5km of affected sites further establishes a low risk of significant recreational displacement occurring. Any effects experienced are anticipated to be minor as the relative impact of a marginal increase in visitor numbers to existing footpaths on the SPA would be small. As such, no impacts are predicted that could result in an adverse effect to the site's integrity'</i>.</p> <p>26.3.7 However, the Applicant is aware of SHBC's concern that construction activity could impact on both of the borough's SANGs/ open spaces simultaneously. Although it is too early to make a commitment about the schedule of construction activity as the Applicant is yet to appoint a contractor and define the phasing for construction, the Applicant would continue to engage with SHBC regarding the construction timings and this would be recorded in the Statement of Common Ground.</p>



Key Issue	Response to Key Issue
	<p>26.3.8 The Applicant is aware of the SHBC’s practical concerns regarding the continued use of the two areas of SANG land at St Catherines Road and Windlemere during construction. It is understood that the Windlemere SANG is large enough to be able to absorb the scale of construction activity. However, the St Catherines Road SANG is only 1.6ha and, therefore, the impact of construction is potentially more significant. The Order Limits in St Catherine’s Road SANG take the form of three elements:</p> <ul style="list-style-type: none"> <li>• the corridor for the pipeline itself – it is proposed to adopt a narrow working open cut construction methodology secured through NW20 in the REAC (<b>Application Document APP-056</b>);</li> <li>• there is a stringing out area for pipe – should it be necessary to use a trenchless construction technique in St Catherines Road to the south, this area would be necessary to lay pipe on the surface of the ground on rollers in preparation for pulling through the drill. The Applicant would prefer to use an open cut methodology and close St Catherines Road during construction, therefore, not requiring this stringing out area; and</li> <li>• a temporary construction compound to support the construction works in St Catherines Road, the SANG and Frith Hill.</li> </ul> <p>26.3.9 The Applicant can confirm that the project would not preclude the continued use of the SANG or Frith Hill during construction for recreation activity.</p> <p>26.3.10 Taking each SANG in turn, the HRA (<b>Application Document APP-130</b>) identifies the following:</p> <ul style="list-style-type: none"> <li>• <u>St. Catherines Road SANG</u>. Within 1km of the SANG there is open-access woodland at Frimley Fuel Allotments and Frith Hill. This extensive area of woodland would likely be suitable alternative locations for any small amount of recreational displacement from the SANG for the short duration of construction (See paragraph 5.8.22 of the HRA <b>Application Document APP-130</b>).</li> <li>• <u>Windlemere SANG</u>. It is reasonable to assume that the unaffected area of SANG would be sufficient to absorb any displaced recreational activity. In addition, the 5.5ha West End Recreation Ground is an area of common land approximately 410m from Windlemere SANG that may also act as a receptor for</li> </ul>



Key Issue	Response to Key Issue
	<p>any displaced recreational activity for the short duration of construction (See paragraph 5.8.23 of the HRA <b>Application Document APP-130</b>).</p> <p>26.3.11 The Applicant's current intention is to use open-cut trench techniques in this location, which are faster than trenchless techniques for installing the pipeline. The Applicant would ensure crossing points are provided so that the SANGs are useable during construction and would not prevent its use by the community, see commitment OP04: <i>'Principal pedestrian routes within SANGs crossing the working area would be managed with access only closed for short periods while construction activities occur. Additional signage for diversions on to alternative existing paths would be utilised as appropriate. This would be secured through the CoCP and secured through Requirement 5 of the DCO.'</i></p> <p>26.3.12 The Applicant remains in discussion with SHBC regarding their concerns about the potential impact of the construction of the pipeline in St Catherines Road SANG in particular and this would be reported through the Statement of Common Ground.</p> <p>26.3.13 In conclusion, given the above, it is anticipated that visitors would typically continue to make use of the respective SANGs during the construction period and any displacement of recreation activity to the SPA is expected to be very low (see paragraph 5.8.28 of the HRA <b>Application Document APP-130</b>). It is therefore considered that the displacement of recreational activities associated with the construction phase of the project would not lead to adverse effects on the integrity of the SPA or its ecological functions as defined by the Conservation Objectives (see paragraph 5.8.29 of the HRA <b>Application Document APP-130</b>).</p> <p>26.3.14 For the purposes of undertaking an appropriate assessment, the competent authority must consult the appropriate nature conservation body and have regard to any representations made by that body. The appropriate nature conservation body is Natural England (NE) in relation to the HRA. NE in their submission to the Planning Inspectorate stated: <i>'Natural England have no serious concerns with this application and will not be objecting to it (See <b>Additional Submission AS-030</b>) and did not raise SANGs</i></p>



Key Issue	Response to Key Issue
	<p>as an issue. The conclusion is, therefore, that the HRA is sound and an acceptable assessment of the impact on the SPA.</p>
<p><b>Local road network disruption to the Red Road, Lightwater</b></p>	<p><b>Short-term road disruption to Red Road, Lightwater</b></p> <p>26.3.15 The Applicant's current estimate is that construction in the Red Road and Turf Hill area may take approximately six months. However, the 500m section to the rear of the residential properties in Heronscourt and Colville Gardens is estimated to take around three months. Prior to construction, the Applicant would provide residents and users of Turf Hill with more details of the timings of works, through the Community Engagement Plan (commitment G31) which states: '<i>A proportionate Community Engagement Plan would be produced and implemented</i>', in ES Chapter 16 Table 16.2 (<b>Application Document APP-056</b>). There is a commitment to deliver this plan through the Code of Construction Practice and through the Construction Environmental Management Plan.</p> <p>26.3.16 The NPS EN-1 Part 4 Section 4.2 sets out the need for the application to consider construction and operational impacts both in the immediate construction period and into the longer term, post completion and during operation.</p> <p>26.3.17 The project would generate relatively low levels of traffic movements and the Applicant would prepare a construction traffic management plan to manage the potential minor impact of the construction of the replacement pipeline, which would be submitted to Surrey County Council as Highway Authority for approval. See commitment G110 which states: '<i>A Construction Traffic Management Plan (CTMP) would be produced. The contractor(s) would then implement measures within the CTMP,</i>' as detailed in ES Chapter 16 Table 16.2: Good Practice Measures (<b>Application Document APP-056</b>).</p> <p>26.3.18 A detailed response to the Relevant Representations regarding Turf Hill is contained in Section 9 of this document.</p>



Key Issue	Response to Key Issue
<p><b>Great Crested Newts in Windlemere SANG</b></p>	<p><b>Great crested newts in Windlemere SANG</b></p> <p>26.3.19 The Applicant can confirm that the great crested newt (GCN) ponds on Windlemere SANG are only inside the Order Limits in order to allow for the release of GCN in these locations as part of the project's environmental mitigation. More details can be found in the GCN Factual Report (<b>Application Document APP-091 (a)</b>).</p> <p>26.3.20 The Applicant has also submitted draft EPS licences as part of the application for Development Consent (<b>Application Documents APP-094 to APP-100</b>). Natural England issued Letters of No Impediment (LONI) in respect of these draft EPS licences in April and May 2019, stating it is satisfied that the draft EPS licence applications demonstrate that the legal tests are capable of being met prior to the start of construction. The LONI can be found at the front of each of the draft EPS licences in <b>Application Documents APP-094, APP-095, APP-096 and APP-100</b>.</p> <p>26.3.21 Commitment G43 in ES Chapter 16 (<b>Application Document APP-056</b>) states '<i>All proposed works would be undertaken in accordance with relevant legislation and, where necessary, would be approved by Natural England via derogation licensing (e.g. European Protected Species [EPS] mitigation licence and badger sett licence). The Contractor(s) would comply with relevant protected species legislation with regards to badgers, bats, dormice, otters, water voles, sand lizards, great crested newts and Schedule 1 birds. Appropriate licences would be obtained where necessary from Natural England for all works affecting protected species as identified by the ES and through pre-construction surveys. All applicable works would be undertaken in accordance with the relevant mitigation requirements and conditions set out in those licences</i>'. See Table 16.2 of ES Chapter 16 (<b>Application Document APP-056</b>).</p> <p>26.3.22 For the purposes of undertaking an appropriate assessment, the competent authority must consult the appropriate nature conservation body and have regard to any representations made by that body. The appropriate nature conservation body is NE in relation to the HRA. NE in their submission to the Planning</p>



Key Issue	Response to Key Issue
	<p>Inspectorate stated: <i>'Natural England have no serious concerns with this application and will not be objecting to it'</i> (<b>Additional Submission AS-030</b>).</p>
<p>Potential impacts on <b>trees</b> and seeking to ensure a <b>net gain</b> in the Borough.</p>	<p><b>Trees and net gain</b></p> <p>26.3.23 Sections 5.3 and 5.9 of the NPS EN-1, and section 2.21 of the NPS EN-4, set out Government policy regarding biodiversity and landscape and visual impacts that are relevant to the construction of the project.</p> <p>26.3.24 The Applicant recognises the benefits of trees and the wider value trees provide to the environment in terms of providing habitat and visual screening. This is assessed within the ES in particular, ES Chapter 7 Biodiversity (<b>Application Document APP-047</b>) and ES Chapter 10 Landscape and Visual (<b>Application Document APP-050</b>).</p> <p>26.3.25 The Applicant has undertaken arboricultural surveys following the survey methodology set out within Chapter 4 Appendix 3 of the Scoping Report (<b>Application Document AS-019</b>), which is in accordance with British Standard BS 5837:2012 <i>Trees in relation to design, development and construction</i>. The results of this survey work would be used to inform the future detailed alignment to route around the root protection areas of designated trees, where practicable.</p> <p>26.3.26 Further commitments set out within the REAC in ES Chapter 16 (<b>Application Document APP-056</b>) that relate to trees, include the following:</p> <ul style="list-style-type: none"> <li>• Commitment G87 states <i>'Vegetation clearance, retention, protection and replanting/ reinstatement drawings would be produced prior to the construction phase. The contractor(s) would implement these plans including agreed mitigation where practicable'</i>;</li> <li>• Commitment G91 states <i>'The contractor(s) would retain vegetation where practicable and in accordance with, as a minimum, the vegetation retention drawings'</i>;</li> </ul>



Key Issue	Response to Key Issue
	<ul style="list-style-type: none"> <li>• Commitment G93 states '<i>Hedgerows, fences and walls would be reinstated to a similar style and quality to those that were removed, with landowner agreement</i>'; and</li> <li>• Commitment G98 states: '<i>Where woodland vegetation is lost and trees cannot be replaced due to the restrictions of pipeline easements, native shrub planting approved by Esso would be used as a replacement</i>'.</li> </ul> <p>26.3.27 As a good neighbour and responsible operator, the Applicant is actively engaged in agreeing a voluntary Environmental Investment Programme (EIP) to invest in the local area should the DCO be granted. This programme is separate to the mitigation of the project's impacts as assessed in its ES and which are set out in the REAC and secured through the DCO. The EIP is therefore a voluntary programme that remains outside the DCO process and is not limited to the DCO Order Limits. The EIP comprises a range of activities along the replacement pipeline route to carry out localized environmental improvements and enhance local biodiversity, within environmentally designated sites and/ or areas of social/ community importance over and above what is required to mitigate the project as part of the application for development consent. The Applicant would continue to engage with SHBC on the voluntary EIP. It should be noted that there is no mandatory requirement to deliver an overall ecological biodiversity enhancement (what has been termed 'net gain') for a NSIP. It is understood that net gain would form part of the UK Government's forthcoming Environment Bill however the UK Government's position is that NSIPs would be exempt (<i>Net gain: Summary of responses and government response</i>, Department for Environment, Food &amp; Rural Affairs, July 2019).</p>
<p><b>Location of the pipeline in Turf Hill</b></p>	<p><b>Route selection in Turf Hill</b></p> <p>26.3.28 A detailed response to the Relevant Representations regarding Turf Hill is contained in Section 9 of this document.</p>



## **27 References**

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Natural England (2015). Hazel or common dormice: surveys and mitigation for development projects. Standing advice for local planning authorities to assess the impacts of development on hazel dormice. Accessed January 2019. <https://www.gov.uk/guidance/hazel-or-common-dormice-surveys-and-mitigation-for-development-projects>.



## Appendix 1: Matrix of Relevant Representations mapped to themes

Appendix 1: Table 1.1 Matrix of Relevant Representations mapped to themes

EXA Reference Number	Name	Biodiversity/Ecology	Trees	Open Space	Managing Construction Impacts	Traffic and Access	Decommissioning of existing and replacement pipeline	Landowner Concerns/Easement - Compulsory Acquisition	Turf Hill	Queen Elizabeth Park	Ashford Road	Celia Crescent/ Fordbridge Park	Consultation	Need for the project/Climate change	Heathrow	Protective Provisions
RR-001	Alan Parker															
RR-002	Andrew Swanson					Y										
RR-003	Celia Crescent Residents Group (TW15)											Y				
RR-004	Darren Coombs															
RR-005	Dr. John Upham							Y								
RR-006	Elaine Edwards															
RR-007	Andy Grieves								Y							
RR-008	Mr Kaye R Squires								Y							
RR-009	Mary Adler															
RR-010	Savills (UK) Ltd															
RR-011	Stephen English				Y	Y								Y		
RR-012	Yusef Mamoojee							Y								
RR-013	Clive Hepworth Thompson								Y							
RR-014	Howard Glass															
RR-015	David Dixon	Y			Y											
RR-016	North Surrey Green Party													Y	Y	
RR-017	Clive Moulding					Y										
RR-018	Eleanor Winslet													Y	Y	
RR-019	Alan Blackham								Y							
RR-020	NATS LTD															
RR-021	Rebecca Swain													Y	Y	
RR-022	Richard Worthington								Y							
RR-023	The Hood Estate				Y											
RR-024	Timothy Rix								Y							
RR-025	St Hilda's Ashford															



EXA Reference Number	Name	Biodiversity/Ecology	Trees	Open Space	Managing Construction Impacts	Traffic and Access	Decommissioning of existing and replacement pipeline	Landowner Concerns/Easement - Compulsory Acquisition	Turf Hill	Queen Elizabeth Park	Ashford Road	Celia Crescent/ Fordbridge Park	Consultation	Need for the project/Climate change	Heathrow	Protective Provisions
RR-026	We're in the Garden/ Wesson Fencing					Y		Y								
RR-027	Maura Clark								Y							
RR-028	Helen Glenn															
RR-029	Michael Warner								Y							
RR-030	New Forest District Council															
RR-031	Southern Water Services Limited															Y
RR-032	Andrew James Hemphill								Y							
RR-033	Jill Crickmay								Y							
RR-034	West London Pipeline and Storage Limited															Y
RR-035	David Barnard								Y							
RR-036	John Hudson								Y							
RR-037	John Towell								Y							
RR-038	Paul Flannery								Y							
RR-039	Derek Hammond							Y								
RR-040	Edward Paul Elmer								Y							
RR-041	Bryan Frost								Y							
RR-042	Katrina Baker							Y								
RR-043	Sherbourne Developments Ltd					Y	Y									
RR-044	Andrew McLuskey				Y											
RR-045	Tim Heys															
RR-046	Steve Lamb								Y							
RR-047	Chobham Parish Council	Y														
RR-048	James Reed				Y		Y	Y								
RR-049	Jonathan Rogers					Y		Y								
RR-050	Mr Philip Collins							Y								
RR-051	Mr Yair Ziv							Y								
RR-052	Mrs Anne Collins	Y														
RR-053	National Grid Electricity Transmission PLC and National Grid Gas															Y



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RR-054	Rob Whitney								Y					Y		
RR-055	Colville Court Residents Association Ltd								Y							
RR-056	Mrs J Shutt							Y								
RR-057	Noel Lynch											Y				
RR-058	Alfonzo Noto								Y							
RR-059	David Hayden					Y										
RR-060	Virginia Alexander															
RR-061	South Downs National Park Authority															
RR-062	Surrey Fire and Rescue Service				Y	Y										
RR-063	Wendy Jane Brooks								Y							
RR-064	David Mansfield								Y							
RR-065	Charley Howell							Y								
RR-066	Christopher Piasecki															
RR-067	Farringdon Parish Council															
RR-068	Mrs Julie Appleton				Y		Y	Y								
RR-069	Transport for London Spatial Planning															Y
RR-070	Antony Vear				Y		Y	Y								
RR-071	Clive Tosdevine - R S Hill & Sons				Y		Y	Y								
RR-072	Dawn Vear				Y		Y	Y								
RR-073	Ian Judd and Partners															
RR-074	James Mayhew				Y		Y	Y								
RR-075	Marcus Cranstone							Y								
RR-076	Michael Newell				Y		Y	Y								
RR-077	Miss Jane Clancy				Y		Y	Y								
RR-078	Sheena Judd				Y		Y	Y								
RR-079	Ashwin Hill				Y		Y	Y								
RR-080	David Mayhew				Y		Y	Y								
RR-081	Dennis Vear				Y		Y	Y								



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RR-082	Eric John Newbury				Y		Y	Y								
RR-083	Gary F Simmonds				Y		Y	Y								
RR-084	Hilton Ramseyer				Y		Y	Y								
RR-085	Mark Dunford				Y		Y	Y								
RR-086	Peter Taplin				Y		Y	Y								
RR-087	Richard Harvey				Y		Y	Y								
RR-088	Steven Gregory				Y		Y	Y								
RR-089	Lynda Ramseyer				Y		Y	Y								
RR-090	Rosemary Mostakhdemin							Y								
RR-091	The National Trust	Y	Y					Y								
RR-092	F J Roote							Y								
RR-093	Surrey Heath Borough Council					Y										
RR-094	Tariq Ahmed	Y	Y										Y			
RR-095	The Independent Educational Association Limited (IEAL)							Y								
RR-096	Victoria Gladstone															
RR-097	Deirdre Rook															
RR-098	Duncan Manuel									Y						
RR-099	Jen Rook							Y								
RR-100	James Foot															
RR-101	John Potter							Y								
RR-102	Nick Jarman on behalf of The residents of 16 Queen Victoria Court									Y						
RR-103	Ann Stephenson								Y							
RR-104	Anne Reynolds								Y							
RR-105	Ashford Road (TW18) Residents Group (inc adjacent roads)										Y					
RR-106	Gadhoke Bundini								Y							
RR-107	Charles March	Y	Y	Y												
RR-108	Clare Catt								Y							
RR-109	Dave Kelly		Y													



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RR-110	David Richardson								Y							
RR-111	David Taylor								Y							
RR-112	Elise Seurre								Y							
RR-113	Georgina Mayne								Y							
RR-114	Gillian Higgins								Y							
RR-115	Helen Gill								Y							
RR-116	Isobel Gould	Y														
RR-117	Jane Sherrard-Smith								Y							
RR-118	Jennifer Li					Y										
RR-119	Jose Oliveira								Y							
RR-120	Judy Meekings								Y							
RR-121	Katherine Legge			Y												
RR-122	Kim Bradley-Cole								Y							
RR-123	Laird G Davison								Y							
RR-124	Lenny Holdsworth		Y													
RR-125	Marjorie Roos	Y	Y													
RR-126	Melanie Kelly		Y	Y												
RR-127	Michael Charles												Y			
RR-128	Michael Lyons		Y													
RR-129	Michelle Shackleton								Y							
RR-130	Mrs C Stephenson								Y							
RR-131	Mrs Gene Clements								Y							
RR-132	P Huntley-Blecken	Y	Y										Y			
RR-133	Paige Norton-Edwards									Y						
RR-134	Rowena Evans	Y	Y										Y			
RR-135	Sarah Dover	Y	Y													
RR-136	Sharon Galliford								Y							
RR-137	Steve Fox								Y							



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RR-138	Sue Wright		Y	Y												
RR-139	Surrey Heath Tree Wardens	Y	Y													
RR-140	Terry Turner								Y							
RR-141	Todd Bradley-Cole								Y							
RR-142	Amy Holt								Y							
RR-143	Cadent Gas Limited															Y
RR-144	Chris Hannis								Y							
RR-145	Chris Hartshorn								Y							
RR-146	Ciska Paton	Y														
RR-147	Clare Davies								Y							
RR-148	Claudia Gordon								Y							
RR-149	David Griffiths		Y			Y										
RR-150	Emma-Jane LaRoche								Y							
RR-151	Mark Heard		Y											Y		
RR-152	Michelle Talbot			Y												
RR-153	Nikki Brook								Y							
RR-154	Paul McMahon	Y	Y													
RR-155	Penelope Doherty								Y							
RR-156	Rachel Blake								Y							
RR-157	Robert Shelton								Y							
RR-158	Sarah Ellis								Y							
RR-159	Sheona McMahon	Y	Y	Y									Y			
RR-160	Susan Eaver								Y							
RR-161	Tim Brooks								Y							
RR-162	Vince Roan								Y							
RR-163	William Butler					Y		Y								
RR-164	Claire Funnell								Y							
RR-165	Debbie Jackson								Y							



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RR-166	Geraint Thomas								Y							
RR-167	Joyce Harvey				Y		Y	Y								
RR-168	Julie Evans	Y	Y													
RR-169	Notcutts Limited				Y			Y								
RR-170	Paul Beard								Y							
RR-171	Public Health England															
RR-172	Spelthorne Borough Council			Y			Y	Y					Y			
RR-173	Stephen Mercer	Y	Y			Y		Y								
RR-174	The Telling Family							Y								
RR-175	Ark Data Centre Ltd							Y								
RR-176	Church Crookham Parish Council															
RR-177	Councillor Jarmila Halovsky-Yu								Y							
RR-178	Mrs J Fletcher							Y								
RR-179	Sarah Gooding													Y		
RR-180	Spelthorne Borough Council					Y					Y	Y				
RR-181	Andrew Shylan															
RR-182	Anne Jeanette Collins				Y		Y	Y								
RR-183	Bourne Education Trust															
RR-184	Brett Aggregates				Y			Y								
RR-185	Charlotte Gill		Y							Y				Y		
RR-186	Christopher John Butler				Y		Y	Y								
RR-187	Victoria Wheeler															
RR-188	D.J. Squire Property and Investment Company Limited				Y	Y	Y	Y								
RR-189	Elizabeth Ann Butler				Y		Y	Y								
RR-190	Froyle Wildlife	Y						Y								
RR-191	Heathrow Airport Limited														Y	
RR-192	Highways England															Y
RR-193	James Foot				Y		Y	Y								



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RR-194	Jan Houlberg								Y							
RR-195	Janet Gaze	Y						Y								
RR-196	Joan Lamise Denton-Thompson				Y		Y	Y								
RR-197	Julie Anne Appleton				Y		Y	Y								
RR-198	Lady Janet Diones Glover				Y		Y	Y								
RR-199	Merrick Hugh Denton-Thompson			Y				Y								
RR-200	Ministry of Defence			Y	Y			Y					Y			
RR-201	C Butler					Y		Y								
RR-202	D Greengrass															
RR-203	D Jennings					Y										
RR-204	M D Barnard							Y								
RR-205	T Glynn				Y		Y	Y								
RR-206	L Swift							Y								
RR-207	Patricia Ann Coggins				Y		Y	Y								
RR-208	Paul Due Andersen				Y		Y	Y								
RR-209	Philip Collins				Y		Y	Y								
RR-210	Roy Pearson								Y							
RR-211	Royal Mail Group Limited					Y										
RR-212	Runnymede Borough Council	Y	Y	Y	Y	Y										
RR-213	Simon Barker				Y		Y	Y								
RR-214	Stephen William Coggins				Y		Y	Y								
RR-215	Susan Foot				Y		Y	Y								
RR-216	Suzanne Pamela Andersen				Y		Y	Y								
RR-217	The Money Family							Y								
RR-218	Windlesham Parish Council								Y							
RR-219	Affinity Water Limited				Y											Y
RR-220	Aldi Stores Limited					Y		Y								
RR-221	Alexander Fraser Holdings Limited							Y								





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RR-222	Alexander McLeod Morton				Y		Y	Y								
RR-223	Antony Porter				Y			Y								
RR-224	Archaylen Property Limited							Y								
RR-225	Berkeley St Edward	Y			Y			Y								
RR-226	Blanchard Properties Limited				Y		Y	Y								
RR-227	Bloor Homes Limited							Y								
RR-228	Bridget Batten				Y			Y								
RR-229	Christopher Holmes				Y			Y								
RR-230	Claire Watters										Y					
RR-231	Colin Redman										Y					
RR-232	Deborah Ann Bonney				Y		Y	Y								
RR-233	Defence Infrastructure Organisation			Y	Y			Y					Y			Y
RR-234	Dennis Anthony Vear				Y		Y	Y								
RR-235	Diana Vear				Y		Y	Y								
RR-236	Dulce Wightman				Y		Y	Y								
RR-237	Eastleigh Borough Council															
RR-238	Elizabeth Porter				Y			Y								
RR-239	Environment Agency															
RR-240	Froyle Land Limited				Y		Y	Y								
RR-241	Giles Porter							Y								
RR-242	Harold William Gerald Wyeth				Y		Y	Y								
RR-243	Historic England															
RR-244	Ian John Neville Robertson				Y			Y								
RR-245	James Harris								Y							
RR-246	Jane Clancy				Y		Y	Y								
RR-247	Jeanette Louise Mercer				Y		Y	Y								
RR-248	Jennifer Ruby Wyeth				Y		Y	Y								
RR-249	Joanne Baines							Y								



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RR-250	Jonathan Paul Wiggins				Y		Y	Y								
RR-251	Katharine Bonathan								Y							
RR-252	Katia Malcaus Cooper								Y							
RR-253	Keith John Taylor				Y		Y	Y								
RR-254	Laura Kate Brooks								Y							
RR-255	Lynne Roberta Swift				Y		Y	Y								
RR-256	Mark Robert Gosney				Y		Y	Y								
RR-257	Mary Wood				Y		Y	Y								
RR-258	Matthew George Everly Morton				Y		Y	Y								
RR-259	MHA Fleet Limited					Y		Y								
RR-260	Michelle Redman										Y					
RR-261	D Malins				Y	Y										
RR-262	Mr E J Watts				Y			Y								
RR-263	Julian Pestell								Y							
RR-264	Mr M Fisher							Y								
RR-265	Mr M J Mary						Y	Y					Y			
RR-266	Judith Ralls	Y		Y				Y					Y			
RR-267	National Farmers' Union				Y		Y	Y					Y			
RR-268	Network Rail Infrastructure Limited															Y
RR-269	Penn Croft Farms Ltd				Y			Y								
RR-270	Portsmouth Water				Y											
RR-271	Richard James Bonney				Y		Y	Y								
RR-272	Eric John Newbury				Y		Y	Y								
RR-273	Richard Norman Smith				Y		Y	Y								
RR-274	Silvia Plascencia Posada									Y						
RR-275	Simon Porter				Y			Y								
RR-276	Siobhan Romp	Y	Y	Y										Y		
RR-277	South East Water Limited															Y



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RR-278	South Eastern Power Networks plc															Y
RR-279	Stephen Kerry Mercer				Y		Y	Y								
RR-280	Steven Gregory				Y		Y	Y								
RR-281	Surrey County Council				Y	Y		Y								
RR-282	Susan Margaret Wiggins				Y		Y	Y								
RR-283	Thames Water Utilities Limited															Y
RR-284	The Foreman Family							Y								
RR-285	The Goggin Family							Y								
RR-286	Victoria Katharine Gladstone				Y		Y	Y								
RR-287	Woodland Trust		Y													
RR-288	Alan James Styles									Y						
RR-289	Amy Murphy		Y													
RR-290	Charles Clark								Y							
RR-291	Craig E Stiles									Y						
RR-292	Jane Warner								Y							
RR-293	Rushmoor Borough Council	Y		Y	Y		Y			Y						
RR-294	Steve Heath							Y								
AS-027	Canal & River Trust															
AS-028	Forestry Commission		Y		Y											
AS-029	Michael Gove MP	Y	Y						Y							
AS-030	Natural England		Y		Y											
AS-031	NHS Hounslow Clinical Commissioning Group															
AS-032	Southern Electric Power Distribution PLC							Y								Y
AS-033	Southern Gas Networks PLC							Y								Y
AS-034	UK Power Networks							Y								
AS-035	Kaye Squires								Y							
AS-037	Kwasi Kwarteng MP										Y					
AS-038	ESP Utilities															Y



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AS-039	St Edward Homes Ltd							Y								
AS-040	Ministry of Defence							Y								
AS-063	Leo Docherty MP on behalf of Nick Jarman									Y						