

From: [REDACTED]
To: [Jones, Hefin](#)
Cc: [REDACTED]
Subject: SLP: Turfhill Park
Date: 20 February 2020 17:32:00
Attachments: [REDACTED]
Importance: High

Dear Hefin,

Ahead of the ISHs in Farnborough, we are submitting a paper questioning and at variance with some aspects of the Applicant's earlier responses to the ExA questions that we still believe require adequate explanation. This is accompanied by a copy of the latest SARG map of the area for information purposes.

In addition to this, we are also aware that we will need to question/refute some of responses on the Applicant's Deadline 5 submission 8.68 that has now been published.

Not only do we take issue with the actual content of many of their responses to the numerous so called "assertions" made by Heronscourt and Colville Gardens Residents Associations in this latest document but also to the dismissive manner in which the Applicant is addressing the latter stages of this Examination. From the outset and including the pre-examination period, some of the most affected residents have been unable to engage in a satisfactory dialogue with the Applicant and have had to rely solely on the ExA to elicit information from them once the Inspectorate became involved.

Should our response to 8.68 above be a Deadline 6 topic for 5th March or something we should address as soon as possible?

For the current submission and on this occasion, this email and attachments is submitted to the Team rather than to Mr Allan since we do not know how it fits in with your examination process or timetable. We know you will be able to table or use it as necessary.

Thanks for your continued assistance. Looking forward to catching up with you and the Team next week!

With best regards,

Kaye Squires

HCRA
CGRA

The SLP – Heronscourt & Colville Gardens Residents Associations responses to the ExA' s Questions of the 12th December by Natural England and of the 13th January 2020 by the Applicant

Natural England's Response letter dated 30th January 2020

A3 & A4

It is clear from Natural England's (NE) responses to these two questions, that whilst there are issues of concern about using F1c, no discussions were held to mitigate these issues as the Applicant never presented F1c as an option, having already decided to follow F1a.

A5

Again, it is clear that mitigation of any sand lizards straying from their release area towards F1c was never considered by the Applicant.

A6

NE's statement about the route through Chobham Common seems to be at odds with the Applicants aerial photo of the site which indicates the considerable presence of sand lizards largely on the route of the existing pipeline and therefore the need for it to apply for a license from NE to manage them.

The Applicants Document 8.43 Responses to the ExQ2

TH 2.2 1.1 & 1.2

It is known that SHBC has already discredited the views of the Surrey Heath Open Space Officer.

TH 2.2 1.5

The Applicant states incorrectly that the F1a route would avoid direct impact on residential properties. It obviously did not consider the impact of tree removals on flood risk, noise, pollution and the value of the amenity to the Community.

TH 2.2 1.7

It is hard to believe that there was any consideration of the potential impact of tree removal, as this section was not even included in the Arboricultural survey that was carried out. It is as though it has never existed.

TH 2.2 1.8

Since this was written, the Applicant is now stating in its document 8.48, that this Compound will now service not only 5E but 5D and 5F. It is not clear how much this will increase the size of the Compound, how many more trees will be felled but also by how much this will increase the traffic load on the Guildford Road.

TH 2.2 1.10

Without detailed comparative studies of all of the respective impacts of the two routes, it is hard to understand how the Applicant could come to the conclusion that F1a was the preferred route.

TH 2.4 1.2

The Applicant makes mention that only 17 of the surveyed trees would be removed on F1a. It makes no mention of the 100 or so, of lesser diameter than 250mm that will be removed, nor any mention of any trees being affected on the Folly or Guildford Road sections. It also ignores the substantial damage that will be done to the roots of another 70/80 mature trees which border either side and extend across the Order Limits of F1a+, possibly rendering them unsafe.

It is curious to note that in Application Document 8.24 Rev 1.0, the Applicant will be carrying out a tree survey to BS 5837 in Queen Elizabeth Park, the same standard as that for Turfhill Park, but stating that they will be including individual trees of 75mm diameter as is required by this standard.

Why is this different to Turfhill? Could it be that the Applicant wishes to obscure the reality of the situation.

The ecological value of the general area of F1c is higher value than F1a, however the reality is the vast majority at the Order Limits of F1c, is as stated by the Applicant, bare ground used as an access track with linear strips dominated by gorse, which is not suitable habitat for sand lizards. In the Applicant's Scoping Report Chapter 7 para 7.4.188 referring to F1c, 'the magnitude of change to reptile habitat would be negligible ...and as such, proposes this to be scoped out'.

TH 2.5 1.5/1.6

The Applicant has addressed this issue by scheduling construction from October through to January and has stated that 'for nesting birds, the potential for significant disturbance is of negligible magnitude and negligible significance' (Volume 6 Chapter 7 para 7.5.233).

TH 2.6 1.3

It is agreed that the habitat across the centre of Turfhill is suitable for sand lizards, however the Order Limits of F1c are not. Contrary to the Applicant's earlier statements that sand lizards had spread throughout the Park, the latest SARG sightings report and confirmed by the Applicant's map at 2.7 ii), only a single sand lizard has been recorded south of the access track well away from the Order Limits, which extend northwards from the centre line of F1c.

The fact that it has crossed and not remained in the area of F1c, confirms the total unsuitability of F1c for sand lizards occupation. Having checked the latest SARG records of sand lizard sightings, this solitary male is the only one to have made this journey. It is notable that apart from this single one, the concentration all other sightings, remain in the direct vicinity and slightly north of the Release Area.

The latest SARG mapping of sand lizards in Turfhill Park, is attached.

TH 2.6 1.4

As evidenced above, It is extremely unlikely that any sand lizards migrating from their release site would find any suitable habitat along the Order Limits of F1c and therefore be exposed to any disturbance during construction. And as construction is during their hibernation period, there would be none making the journey across F1c, so presumably no need or opportunity to trap and translocate them.

However, if concern still remains, the task of mitigating any movement of these creatures, now that their actual locations are known, would seem to be a relatively simple one.

Mitigation would seem to be limited only to fencing off the northern edge of the Order Limits for a relatively short distance along the route adjacent to the Release Area and the single small area, south of the Order Limits.

The cost and maintenance of this must pale into insignificance compared to all of the complexity of negotiating extensive tree root patterns extending well into F1a from both sets of bordering trees, the Affinity Water main and all of the extra costs involved by routing through F1a+.

The Applicant implied in its response to the ExA's Action 34, paras 3 and 4 for Deadline 3, that the extent and cost of the programmes for mitigating damage to sand lizard habitat was the predominant reason for abandoning this route in favour of F1a+, an implication made without any knowledge of their actual whereabouts and now obviously seriously flawed.

TH 2.7 1.1

It would seem that by using F1c, with the removal of the shrubs and thick gorse which border most of this route, it would further the objectives set out in the Surrey Heath Management Plan, not work against it.

TH 2.7 1.3

Responded to under TH 2.6 1.3 above.

TH 2.7 1.7

Whilst it is not disputed that the general area of F1c contains more habitat suitable for sand lizards than F1a, the specific area, the Order Limits, does not. As has been mentioned in previous submissions, the ground conditions, the dense borders of gorse and the daily movements along the track are all contrary to what sand lizards require.

However, suitable heathland does run beyond the northern gorse lined border of F1c and by removing the bordering shrubs and gorse during construction north of the track, it would help to expand that existing heathland for them.

This would leave the dense strips of gorse on the southern side of the track available for the return of migrating nesting birds.

It is well understood that the Applicant does not want to risk breaking the Habitat Directive 92/43/EEC by going through such areas unnecessarily, however it is understood that in certain situations where there is justifiable cause, this can be allowed, as has been the case of Chobham Common

The Applicant believes that F1a+ is a viable option but given all of the emerging difficulties with that route, the case for F1c is a justifiable cause.

A better option for all parties is the alternative route proposed, to which the Applicant persistently refuses to respond.

TH 2.8

Affinity Water has responded and affirmed that it is concerned about the proximity of an hydrocarbons pipeline in the vicinity of its plastic water main and that its easements must be respected.

It is difficult to see how either of those two concerns can be met by the Applicant.

Without knowledge of the actual route of the water line along F1a, which is due to be available after March 6th, by making some basic assumptions for the most favourable routing of this line, as below, then it becomes apparent, even then, how difficult it will be

for the contractor to either keep within the legal Order Limits of 15 metre or not encroach on Affinity's easements.

On the assumptions that;

- F1a is absolutely straight with no bends
- the water main is laid precisely 3 metres from the northern fence line all along F1a (Affinity Water indicated that this is approximately where they would expect it to be)
- its trench and southern easement extends a further 3.5 metres into F1a
- the Applicants line has a 3 metre easement from the southern boundary of the Order Limits
- the Contractor lays the fuel line precisely alongside the southern easement
- the Applicants trench and northern easement extends a further 4 metres into F1a,

which leaves 1.5 metres of separation between the two pipeline easements and an hydrocarbons pipeline at the very best, within 4.5 metres of the plastic water main.

However, these best case assumptions are known to be flawed as;

- from viewing F1a from the Guildford Road, it is apparent that it bends significantly to the right and is out of sight about halfway along its length.
- it is obvious that at the Guildford Road end, the water main enters some 8/10 metres on the southern side of F1a and therefore has to move over towards the fence line somewhere along its early length.
- it is unlikely that this line will have been laid precisely 3 metres away from the fence line in the late 1970, all along its length.
- it is unlikely that the Applicants contractor can lay its pipeline with only 1.5 metres of error margin between the two easements given it has to negotiate extensive root structures all along the route from bordering trees.

Given all of the above, it is therefore very unlikely that the Contractor could stay within the Order Limits or not encroach on Affinity's easements or avoid having this fuel line in very close proximity to the plastic water main .

This is a real concern and the fact that the Applicant has delayed the programmed survey of the water main route in Turfhill Park from February 12th to March 6th, ("due to the previous works along Red Road taking longer than anticipated."), this extremely important information which will have a major impact on the decision to continue with F1a+, will again not be available for the ISH hearings!

HCRA

CGRA



ARGWEB Committee GIS for SARG

All records

Steve Langham

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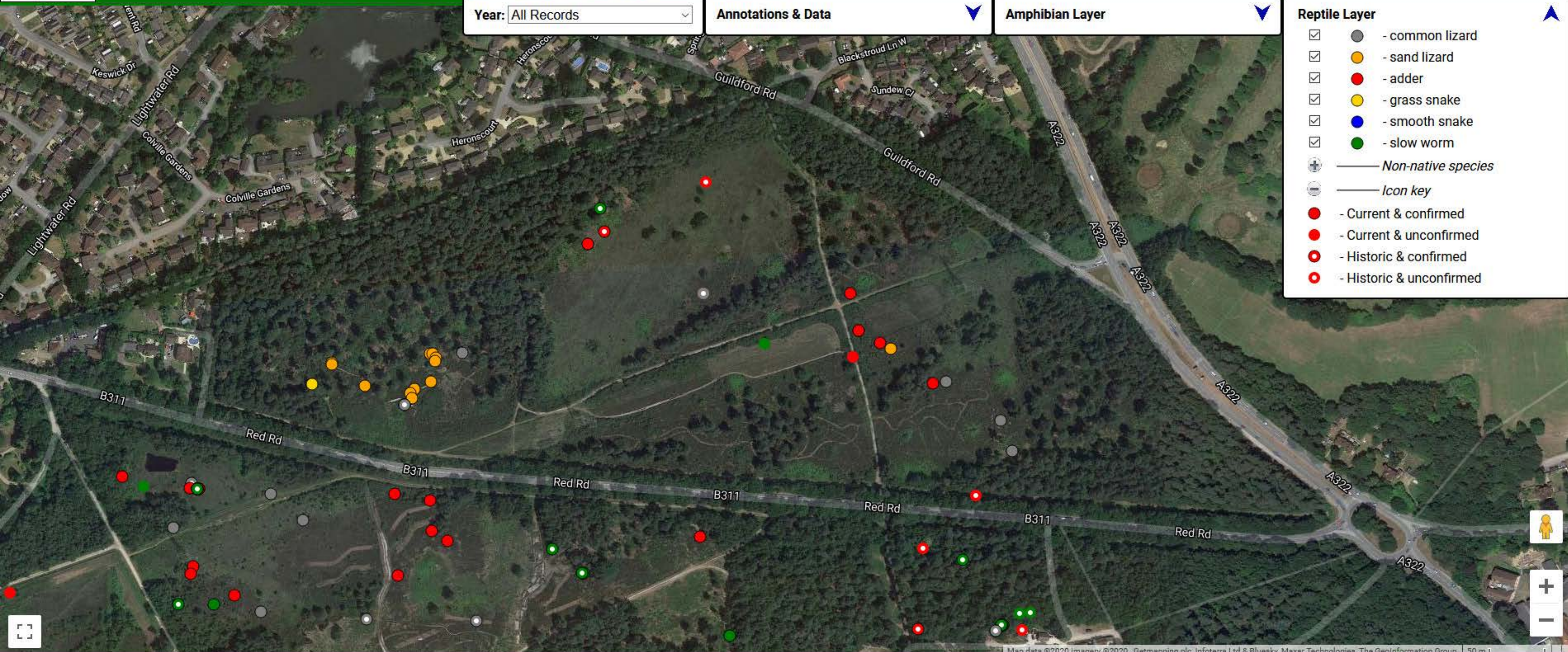
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Annotations & Data

Amphibian Layer

Reptile Layer

- common lizard
- sand lizard
- adder
- grass snake
- smooth snake
- slow worm
- Non-native species
- Icon key
- Current & confirmed
- Current & unconfirmed
- Historic & confirmed
- Historic & unconfirmed



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- Back to Menu
- Aerial
- Terrain
- OSGB
- Monad Grid
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- Grid reference
- X