

**From:** [REDACTED]  
**To:** [Southampton to London Pipeline Project](#)  
**Cc:** [REDACTED]  
**Subject:** SLP: Turfhill Park - Deadline 6 Submission  
**Date:** 04 March 2020 10:29:06  
**Attachments:** [SLP - Responses Deadline 6 Final3 2 20.docx](#)  
**Importance:** High

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Dear Mr Allen,

Further to our earlier Consultation submission dated 24<sup>th</sup> February that you confirmed was being carried over to Deadline 6, we now submit our full submission ahead of the 5<sup>th</sup> March date for that Deadline. We trust that these documents can be considered a comprehensive rebuttal of many of the Applicant's on-going allegations about our local representations.

We have also submitted additional points to the Case Team on 2<sup>nd</sup> March arising from the discussions at the Issue Specific Hearing at Farnborough where, after the hearing, the RAs and affected residents felt they required to provide the ExA with additional information on the Applicant's proposals to their Turfhill Site Specific Plan.

We are also aware, from recent discussions, that Natural England (NE), whose written and verbal input to this Examination has been cursory, despite being responsible for the diversion of the pipeline route to F1a+ by the Applicant, had advised Michael Gove that '**.....it is our advice that either route would be deliverable with the right package of avoidance and mitigation...**' We have now received a copy of the text of the letter from Natural England, a significant and important input to the Examination, and this is included at Appendix 3 for our Deadline 6 submission.

A further meeting is taking place today, 4<sup>th</sup> March, in Westminster with Mr. Gove, NE and representatives of Heronscourt Residents Association, where it is expected that the NE letter and our other important issues such as trees and water line will be raised. However, because of the timing of that meeting we anticipate that relevant points arising from the discussions may have to be submitted to the Inspectorate under separate cover and since they could be a critical part of the Examination could we seek ExA approval to include as part of the Deadline 6 response? The Applicant has already indicated that work is still to be completed in Turfhill Park and environs following the Inspectorate's requests at the latest Hearings, including;

- A full tree survey to the necessary British Standards which will give everyone the first opportunity to quantify accurately the enormity of the tree loss;
- The first survey of the Affinity Water pipeline that will inevitably affect the proposed route of the Applicant's F1a+ hydrocarbon pipeline.

With the Examination nearing its conclusion, we are conscious that there is little to be gained by continuing to protest about several aspects of the current situation including the Applicants flawed Consultation Process. However with decision time imminent we still remain completely unclear as to whether any of our earlier and current comments at Deadline 6 will make any difference to the intractable attitude of the Applicant or whether they are simply running down the clock to avoid providing answers and information to any of the Interested Parties until the Examination concludes! It is regrettable that they have been allowed to do this and that the time constraints of the Examination Process has meant that our Residents Associations have spent considerable time and effort registering submissions that appear to have had little overt effect but also have been well after the Applicant has published its answers to earlier comments – they always seem to have the last word!!

As a matter of additional concern, at this late stage of the Examination, is the anticipated impact of the Court ruling that has left the expansion of Heathrow in serious trouble. We have been unable to check whether the original Application accepted for Examination contained any link to the Airports National Policy Statement (ANPS) which has recently been defeated in the Courts of Justice since it “did not take into account its commitment to the Paris Agreement on climate change.”

If the replacement pipeline, as an important infrastructural project that is due to be signed off by both the Business Secretary and the Department of Transport, has similarly not taken climate change into consideration e.g., smaller and more fuel efficient aircraft, less usage of the Heathrow re-fuelling hub, tree and environmental destruction etc., will the architects of the recent Court case be able to mount a similar action against the Applicant/Government? Is this an aspect of the Southampton to London Pipeline that the Inspectorate will need to take into account as part of their Examination of the Project?

Finally, we would like to thank you for your generous comments at the end of the ISH last week about our involvement and also to thank your team for the unfailing assistance and courtesies afforded to the RAs throughout the Examination.

With regards,

HCRA

CGRA

Lightwater Residents

**SLP PIPELINE  
TURFHILL PARK, LIGHTWATER, SURREY**

**Opposition of Heronscourt and Colville Gardens  
Residents' Associations to the route of the  
Southampton to Heathrow Pipeline across  
Turfhill Park**

**Presentation to the Examining Authority  
Ahead of Deadline 6: 05/03/2020**

**MARCH 2020**

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**Red = response references to those used in the Applicant's document "Deadline 5 Applicant's Comments on Responses submitted for Deadline 4 – Application Document: 8.68 – Planning Inspectorate Reference Number: EN070005 Revision Number 1.0 Dated February 2020".**

**Black = page and paragraph references relating to the Applicant's document "REP4-080 – Heronscourt and Colville Gardens Residents Associations – comments on responses submitted for Deadline 3".**

## Introduction

The response references given below are those used in the Applicant's document "**Deadline 5 Applicant's Comments on Responses submitted for Deadline 4 – Application Document: 8.68 – Planning Inspectorate Reference Number: EN070005 Revision Number 1.0 Dated February 2020**".

The page and paragraph references relate to the Applicant's document "**REP4-080 – Heronscourt and Colville Gardens Residents Associations – comments on responses submitted for Deadline 3**".

## The Alternative Route proposal

### Page 54: Page 6 para 9

The Applicant continues to hide behind the 'constraints of installing a pipeline through the internationally designated heathland of Turfhill' by refusing to consider a reversion to F1c or the Alternative route proposed. The primary causes previously given are;

- the presence of sand lizards and their habitat being on or in the close proximity of the Order Limits of F1c
- the destruction of the habitat for nesting birds along F1c
- the traffic destruction on the Red Road
- carrying out construction through the 'boggy area' of F1c

In many previous submissions, and in particular REP4-080, the RAs have maintained and provided evidence that there is no suitable habitat for sand lizards, or their presence, in the close proximity of F1b/c. It is worth repeating from the RA's original submission for Deadline 2, that in the Applicants Scoping Report Chapter 7 – Biodiversity para 7.4.184, it states 'The Order Limits in these areas have been designed to reduce impact to heathland habitat by following the line of existing paths and tracks. These areas are generally unsuitable for reptiles as they have no vegetation and offer no shelter or protection. As such, construction works restricted to tracks and paths has a negligible risk of causing mortality or injury of rare reptiles'.

The movement of a solitary sand lizard across F1c bears this out. It appears to have travelled some distance to the south of F1c, but again not in close proximity to F1c. If it is considered at risk of moving north again before construction, that risk can easily be managed or mitigated.

Similarly with any of the other sand lizards at and north of their Release Area, and if for reasons not obvious to the RAs, these can be considered at risk, that risk can be easily mitigated. However, it seems unlikely that any mitigation is necessary as there can be no creatures actually residing on the Order Limits of F1c and none will be travelling across that line during the construction period as they will be in hibernation.

With regards to the nesting birds, from the outset the Applicant has scheduled construction through the winter period to avoid any harm to them. Again in its submission REP4-080, the RAs pointed out the twin benefits of using F1c by removing gorse to the north of that line and preserving the gorse habitat on the southern border of that line for returning migrating birds.

The Alternative Route leaves the Red Road at the same location as A1a+ so it maintains the benefit of reducing the traffic disruption on the Red Road.

Finally, it is obvious to all parties that F1a+ routes through as much, if not more, of the 'boggy area' of the Park as does F1c. It seems also that from the plans that are available, the Compound is sited precisely in that same area.

**Given the all of the above, there seems to be no reason why the Alternative Route should not be a viable option**

## **Flood Risk**

### **Page 54: Page 7 para 2**

Attached at Appendix 1 and 2 are maps which reaffirm that F1a, particularly adjacent to Colville Gardens which sits immediately below the highest point of Turfhill, is a high risk area for groundwater flooding. Its associated lake on the second map shows that it has a high risk of flooding and did so in 2007/8 when the Riverside Avenue Estate across the Guildford Road suffered substantial flooding.

In June 2019 The Flood Risk Management Strategy and Partnership Team Leader for Surrey County Council, Tor Peebles, responded to a request from Mike Goodman, Councillor and Cabinet Member for Environment and Transport for Surrey County, for an opinion on what the effect of removing 12 trees during construction along F1a would be on the risk of flooding to the properties bordering F1a. His reply, understandably, was that he thought the change to the risk would be insignificant.

This might explain why SCC and SHBC have stayed so relaxed over this matter.

Apart from flood risk, the Applicant has not responded to the linked impacts of tree removal on noise, dust and pollution. The SHBC Management Plan for the Park requires that a 30/70metre border of trees must be left around its perimeter for precisely these reasons.

**As is obvious from walking the route, it is not 12 trees that will be removed but hundreds which must have a material impact on ground water flooding, noise, dust and pollution.**

## Trees

### Page 55: Page 7 para 10

The 17 trees that the Applicant refers to are on the Order Limits and are in excess of 250mm stem diameter. The Applicant continues to ignore the vast majority of trees, adjacent to or within the Order Limits, that line, these pathways which are less than 250mm and which will probably be affected or removed.

The Applicant makes contradictory statements about the diameter of trees surveyed during this survey. In Mr Sunderland's undated letter explaining the purpose and results of the survey, it clearly states that the diameter of trees included in the survey were all of 250mm diameters and above.

In Ref 1 of its response to REP4-100, which is being responded to separately below, it states that the survey covered trees with a stem diameter of 150mm. This is untrue as residents met and watched the surveyors at work who confirmed they were working to 250mm.

In the RAs last submission, it raised the question that 250mm was selected for Turfhill but 75mm has been selected for a similar survey in Queen Elizabeth Park. Why? A question which demands an answer by the Applicant.

The Applicant states that no trees will require removal on the northern side of the F1a. Are they certain that any contractor will not damage the roots of those trees resulting in their removal sooner or later?

Even so, if these trees are left untouched and safe, no similar assurances have been given for the Folly and Guildford Road sections, where the pathways are much narrower and all bordering trees will need to be removed.

**Therefore, under no stretch of the imagination, can it be said by the Applicant that the pathways will still be heavily tree lined and that the character of the area would not be significantly affected.**

## Water Main

### Page 55: Page 8 para 2

The Applicant states it has been in contact with Affinity Water over a long period. However, in the case of Turfhill Park, the RAs, who have been in regular contact with Affinity Water from April 2019 onwards, to better understand the pipeline location and use of its easements, were repeatedly advised by Affinity Water that they were yet to be contacted by the Applicant.

It has to be apparent that the decision to change the route to F1a+ did not take account of the water main at any time, as only now is its actual route being identified. If the Applicant knew of this back in March 2018, surely this would have been high on the agenda when the decision was made to change to F1a+.

At that time, the added constraints and complexity that this introduces to any pipe laying programme, confined to 15 metre Order Limits, along a heavily tree lined route, strewn with major root patterns and a water main with easements occupying at least 6.5 metres, could not have been considered.

**It seems reasonable to assume therefore, that the presence of this water main was not known when the decision to change to F1a+ was made.**

## **Arboricultural Survey**

### **Page 55: Page 8 paras 9 & 10**

It is ludicrous to suggest that the Guildford Road section was not surveyed because the residents had not mentioned it. The residents raised no specific concerns about the trees on the Folly section, but that was surveyed and reported on, so why that one and not the Guildford Road section?

Whilst the residents had expressed concern about those trees bordering their gardens, those concerns had already been partly allayed by the Applicant's declared intent to lay the line on the south side of F1a.

What the residents, the local councillors, other Interested Parties and the local MP Mr Gove, all required to know was the number of trees in total that would be removed from F1a+, in order to determine the damage that would accrue to the environment, local habitat, flood risk, noise, pollution, dust and this valued Community amenity.

Similarly with the Compound, now servicing three sections of the fuel line, how many trees will be felled to accommodate this facility, its heavy plant and large pipe carriers?

No such estimates have ever been given and it looks extremely unlikely that any estimate will ever be given as, to quote the Applicant, 'this is being left to the appointed contractor. This is totally unacceptable.

**All interested parties must be informed what the potential tree loss will be along all three sections of F1a+. Only then, can there be any determination of the permanent damage that this will cause and how that sits in the balance between F1a+ and the Alternative route where very few trees will be affected.**

**It must not be left to the Contractor.**



## Arboricultural Report

Set out below are the responses to the Applicant's replies to the RA's review of its Arboricultural Report from Mr Trefor Hogg.

The page and paragraph references relate to the Applicant's document "**REP4-100 – Heronscourt and Colville Gardens Residents Associations – Turfhill Park – Review of the Applicant's Arboricultural Report – Late submission accepted at the discretion of the EA**".

### **Page 93: WR Para Ref 1**

**(Ref 1.1)** The number of years the arboriculturist has been in the industry no doubt includes many years of experience as a tree surgeon. My own experience covers some 45 years as a graduate ecologist, I have been a member of the British Ecological Society for many years regularly undertaking CPD activities and I work closely with the members of Surrey Heath Tree Wardens as their Chairman. Our members include professional arboriculturists of long standing with substantial practices.

**(Ref 1.1(a))** The tree survey conducted does not appear to be in accordance with the recommendations contained within BS 5837:2012 and while there is some loose connection there is a very considerable divergence from the recommendations of the standard. The purpose of BS5837 is grossly misstated as being "for planning".

The standard clearly says "This British Standard gives recommendations and guidance on the relationship between trees and design, demolition and construction processes. It sets out the principles and procedures to be applied to achieve a harmonious and sustainable relationship between trees and structures. The standard is applicable whether or not planning permission is required."

The landscape contribution of the trees is clear as can be seen from the photographs showing how they form a backdrop to Heronscourt and Colville Gardens.

BS5837.Para 4.5 of the standard clearly states "the arboriculturist should then proceed on the presumption that all trees are considered according to the criteria for inclusion in category A."

Category A2 is clearly shown as being appropriate for trees of landscape value, which the trees in question are, when considered from the North looking South as they form part of the skyline. The historic character of the area for the last two hundred years has been one of heathland with pine woodlands. That description is even included in Charles Darwin's "Treatise on the Origin of Species," when he describes the local landscape.

In short the Scots Pine is now part of the Surrey landscape despite our efforts to also retain the heathland.

**(Ref 1.1 (b))** It is difficult to know exactly where the intended pipeline centreline is located as the plan provided does not follow the recommendations embodied within BS 5837:2012.

See figure below. Although some spot levels have been recorded there is no grid or contours, no recording of embankments, ditches, the nearby buildings and other structures, the Affinity Water pipeline, etc.

**4.2.3** The survey should be made available as scale drawings and preferably also in a commonly recognized digital format. It should be used to inform all design and planning decisions.

**4.2.4** The survey should record:

- a) spot levels at the base of trees and throughout the site at an interval appropriate to meet design requirements, recorded as a grid and interpolated as contours, ensuring that any abrupt changes, embankments, ditch inverts and retaining features are recorded;
- b) the position of all trees within the site with a stem diameter of 75 mm or more (see Note), measured at 1.5 m above highest adjacent ground level;  
*NOTE In the case of woodlands or substantial tree groups, only individual trees with stem diameters greater than 150 mm usually need be plotted.*
- c) the position of trees with an estimated stem diameter of 75 mm or more that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter;
- d) for individual trees, the crown spread taken at four cardinal points; for woodlands or substantial tree groups, the overall extent of the canopy;
- e) the extent, basal ground levels and height of shrub masses, hedges, hedgerows and stumps;
- f) other relevant landscape features and artefacts, such as streams, buildings and other structures, boundary features and means of enclosure, trenching scars near to trees, and overhead and underground utility apparatus, including drainage runs with manholes and invert levels.

**(Ref 1.1(c))** It is clearly incorrect for Esso to say that their survey covered trees with a stem diameter greater than 150mm. The Esso covering letter for the Arboricultural survey clearly states in two places, “A qualified arboriculturalist surveyed each tree with a stem diameter greater than 250mm in accordance with British Standard 5837:2012.” “The report provides information about each tree (with a stem diameter over 250mm) within the Order Limits of the route, as well as those trees on the perimeter of the Order Limits”.

Clearly many trees that should have been plotted have therefore been ignored allowing Esso to understate the number of affected trees.

## Page 94

**(Ref 1.1(e) II)** the point is that the tree referred to on the plan is missing from reality.

**(Ref 1.1 (e) III)** BS 5837: 2012 clearly states that stems over 150mm should be shown – in this case there are three Eucalyptus stems together indicating a substantial RPA based on the aggregate stem diameter which should be calculated using the method described in BS 5837: 2012.

**(Ref 1.1 (f))** BS 5837: 2012 describes the RPA as “the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree’s viability, and where the protection of the roots and soil structure is treated as a priority. However, it is scientific fact that the root area of a tree in most cases extends considerably beyond the calculated RPA. Ground radar studies have clearly shown that mature trees in open ground can have roots extending out to 120% of the canopy area. The RPA is therefore not a “no damage is likely to be done” limit but is more a “the tree is unlikely to die immediately and may eventually recover” one.

**Page 95: WR Para Ref 2**

**(Ref 1.1.)** While applicant may not consider this to be a large pipeline, it is not in this case being constructed across a desert. Most people would regard it as large requiring a 15 metre wide working width. It is not clear if Esso is referring to internal or external dimensions. A 30cm internal diameter pipe with insulation is clearly going to require a substantial Open Cut well in excess of 30cm. Regardless of the Applicants commitment they have stated in the covering letter for the Arboricultural Survey that only trees over 250mm were surveyed ignoring all those below that figure. There is therefore no assurance that the trees potentially affected have been properly identified.

**It is Mr Hogg’s view that the Applicant is trying to obscure the issues. It did not do a good survey, it failed to provide material information in its plan of the Arboricultural Survey and made it hard to compare to issues on the ground. The average house-builder does considerably better. It was probably the worst he’s seen in recent years and confirms that it does not follow the recommendations of BS 5837:2012 which of themselves represent a MINIMUM PROTECTION REQUIREMENT rather than one which has a high chance of complete success.**

## **Conclusion**

With the Examination nearing its conclusion, we are conscious that there is little to be gained by continuing to protest about several aspects of the current situation including the flawed Consultation Process. However with decision time imminent we still remain completely unclear as to whether any of our earlier and current comments at Deadline 6 will make any difference to the intractable attitude of the Applicant or whether they are simply running down the clock to avoid providing answers and information to any of the Interested Parties until the Examination concludes! It is regrettable that they have been allowed to do this and that the time constraints of the Examination Process has meant that our Resident Associations have spent considerable time and effort registering submissions that appear to have had little effect but also have been well after the Applicant has published its answers to earlier comments – they always seem to have the last word!!

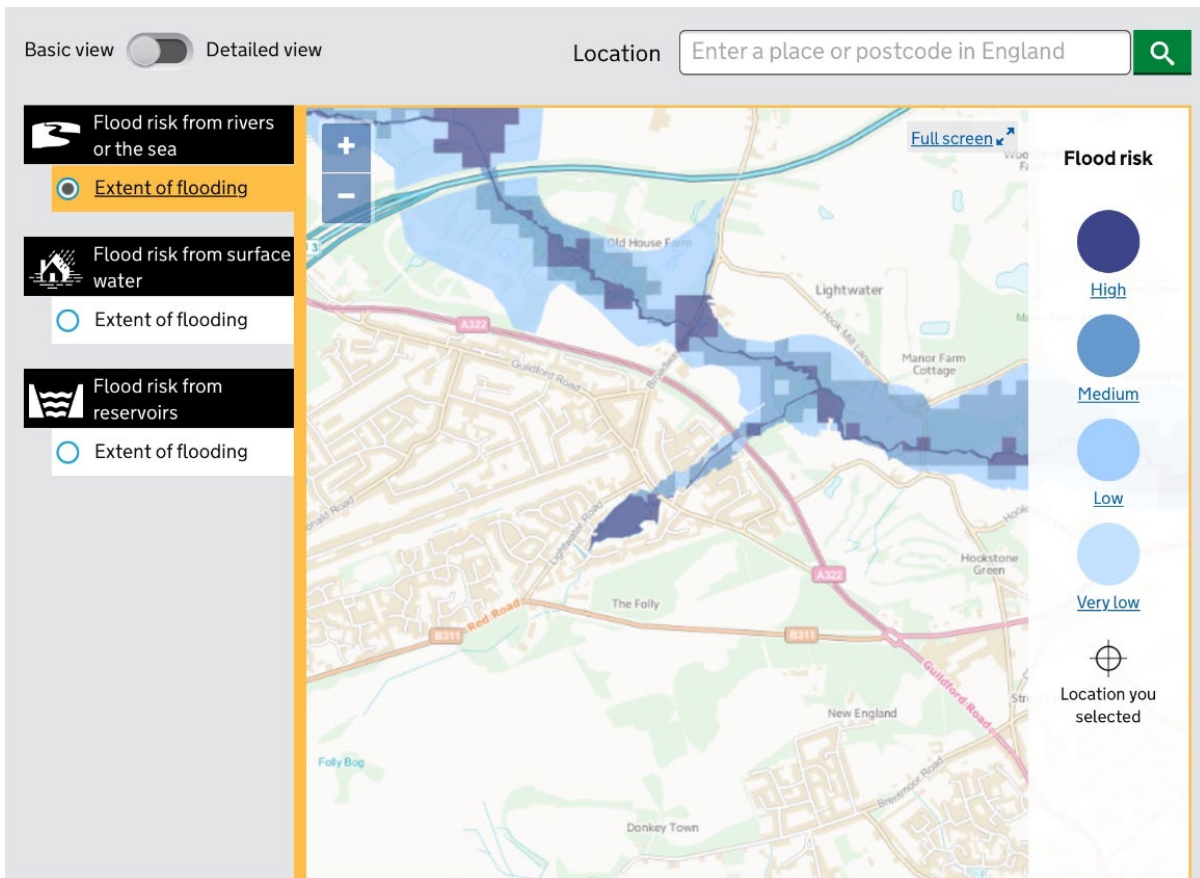
As a matter of additional concern, at this late stage of the Examination, is the anticipated impact of the Court ruling that has left the expansion of Heathrow in serious trouble. We have been unable to check whether the original Application accepted for Examination contained any link to the Airports National Policy Statement (ANPS) which has recently been defeated in the Courts of Justice since it “did not take into account its commitment to the Paris Agreement on climate change.”

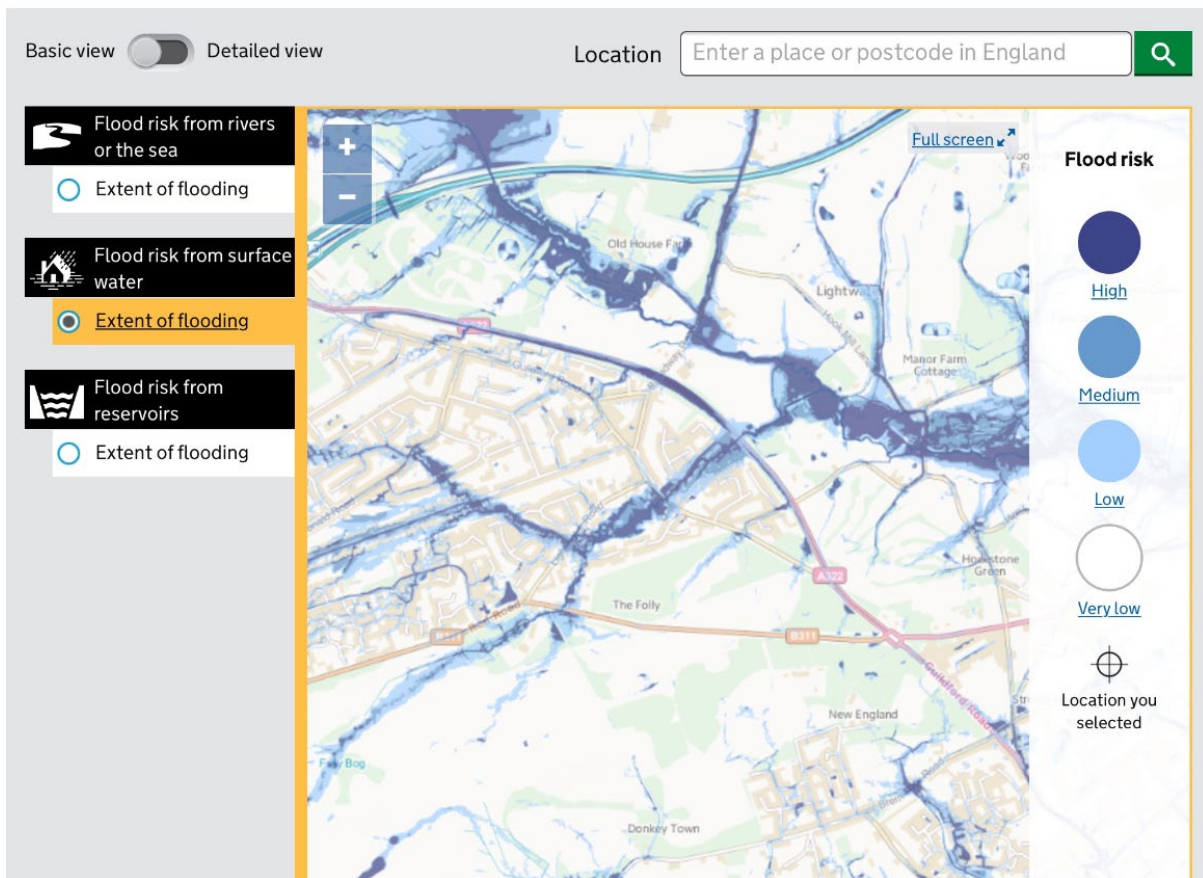
If the replacement pipeline, as an important infrastructural project that is due to be signed off by both the Business Secretary and the Department of Transport, has similarly not taken climate change into consideration e.g., smaller and more fuel efficient aircraft, less usage of the Heathrow re-fuelling hub, tree and environmental destruction etc., will the architects of the recent Court case be able to mount a similar action against the Applicant/Government?

Is this an aspect of the Southampton to London Pipeline that the Inspectorate will need to take into account as part of their Examination of the Project?

**Heronscourt Residents Association**  
**Colville Gardens Residents Association**

# Appendix 1





## Appendix 3

Email from Toby Bell, Parliamentary Assistant to Michael Gove, 2<sup>nd</sup> March 2020 to HCRA and SHBC

Thank you very much for coming to Michael's surgery last Friday.

He has asked me to pass on the below response from Tony Juniper at Natural England, which he hopes is informative and useful.

**'Dear Mr Gove,**

***Thank you for your email regarding Esso's Southampton to London Pipeline project. I understand from our local planning team that Natural England has been engaged with the Jacobs, the ecological consultants working for the applicant from an early stage in the process to ensure that the risk of ecological impacts were properly identified and taken into consideration in the route design and planning of working methods. We have provided environmental advice for Jacobs and Esso to make a decision on their final route. As you are aware this application has now been submitted to the Planning Inspectorate and was accepted for examination on the 11<sup>th</sup> June 2019.***

***We have provided advice around the potential impacts of routing the pipeline across parts of Colony Bog and Bagshot Heath Site for Special Scientific Interest (SSSI), close to Heronscourt and Colville Gardens. Both routes F1c and F1a+ run through this SSSI, which is also designated as the Thames Basin Heaths Special Protection Area (SPA), and the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC).***

***From an ecological point of view, route F1c crosses heathland which is known to be of value to Dartford Warblers and sand lizards at this site. In comparison, route F1a+ passes through woodland which, although mature, has not been designated as ancient woodland, and does not support the features for which the sites have been designated. However, we do recognise that the woodland may contain some veteran or other important trees. Natural England is working with the Forestry Commission and the applicant to ensure that these trees are not significantly harmed by the application. We have made a formal written representation covering this issue, which is available to view on the Planning Inspectorate's website. I have provided a link to Natural England's submission below:***

***<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN070005/EN070005-000383-Natural%20England%20Formal%20Response%20to%20NSIP.pdf>***

***Natural England has advised that although route F1c has the potential to have a greater impact on the features of the designated sites (the heathlands, the breeding***

**birds and sand lizards), it is our advice that either route would be deliverable with the right package of avoidance and mitigation - Jacobs will have taken our advice and used it to inform their Habitats Regulations Assessment which will have helped them to decide which route to take, along with other factors.**

**Our local Area Manager, Andrew Smith, would be happy to meet to discuss this matter further should that be useful. His contact details are as follows: [andrew.smith@naturalengland.org.uk](mailto:andrew.smith@naturalengland.org.uk) [REDACTED]. In addition, Andrew would of course also be happy to discuss these issues with the representatives from Heronscourt and Colville Gardens should that be useful.**

**Kind regards,**

**Tony'**

With best wishes,

Toby

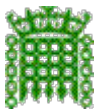
**Toby Bell – Parliamentary Assistant**

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