

Deadline 6 Submission on Behalf of the Neighbours and Users of Queen Elizabeth Park



Nick Jarman

Interested Party reference no: **20022545**

Table of Contents

1. Summary of Points Raised at Issue Specific Hearings	3
1.1. Issue Specific Hearing 4: Draft Development Consent Order	3
1.1.1. Working Hours	3
1.2. Issue Specific Hearing 5: Environmental Matters	3
1.2.1. Code of Construction Practice	3
1.2.2. Outline Noise and Vibration Management Plan	3
1.2.3. QEP Site Specific Plan.....	4
2. New Commitment to Use BS5837:2012.....	6
2.1. Additional Documents Required for BS5837:2012.....	6
2.1.1. Arboricultural Impact Assessment.....	6
2.1.2. Tree Protection Plan.....	6
2.1.3. A Topographical Survey	6
2.2. Other Points for Inclusion	7
2.3. Root Protection Areas	7
3. Response to Documents Submitted at Deadline 5	8
3.1. Tree and Bat Survey	8
3.2. Rushmoor Borough Council's response to Deadline 3 comments.....	8
3.3. Rushmoor Borough Council's Response to Question DCO 2.31	9
3.4. Applicant's Comments on Responses submitted for Deadline 4.....	9
3.4.1. Areas Benefitting From Some Tree Removal	9
3.4.2. Noise Assessment	10
3.4.3. Expansion of Pit Areas.....	10
3.4.4. Union Street Danger to Cyclists.....	11
3.4.5. Local Awareness of Esso's Plans.....	12
3.4.6. Accuracy of Representation of Order Limits.....	13
3.4.7. Type of Pond	14
3.4.8. Farnborough Hill Grade I Listing	14
3.4.9. Impact of Stringing Space on Sports Facilities at Farnborough Hill.....	15
3.4.10. Clearance of Trees Within the Easement	16
3.4.11. No Response to Concerns About Notable Trees	16
3.5. Response to Allegation That the Petition Was Not Accurate	16
3.5.1. Timeline of Petition	17
3.5.2. Example of Materials Used for Town Centre Petition Displays.....	19
3.5.3. The Petition is Valid.....	20
4. Additional Notable Trees Identified Since Deadline 5.....	21

1. Summary of Points Raised at Issue Specific Hearings

1.1. Issue Specific Hearing 4: Draft Development Consent Order

1.1.1. Working Hours

The subject of working hours was discussed, specifically the commitment within the dDCO and other documents. The question was raised by the Examining Authority to clarify the concern.

We confirmed our concern was that there were at least 3 documents which contained different commitment statements, these being the dDCO, CEMP and CoCP.

We also confirmed that there needed to be clarity and a commitment as to what constituted an emergency situation where Sunday working would be required.

Esso confirmed that they would update the documents and also that the Site Specific Plans would be updated to specify working hours within specific locations.

1.2. Issue Specific Hearing 5: Environmental Matters

1.2.1. Code of Construction Practice

We clarified our concern that the methods and processes with regard to woodland within the CoCP were a lot less detailed and comprehensive than the methods for sports pitches and rivers.

Esso indicated that the missing processes were in the LEMP, however we stated that this was not the case.

Esso were asked to update the CoCP to include the required level of detail for woodland work.

1.2.2. Outline Noise and Vibration Management Plan

There was a discussion on the feedback from interested parties requesting the use of Echo Fencing in specific areas.

We clarified that we had requested Echo Fencing to reduce the noise levels in the gardens around QEP. This was on the basis that the current noise assessment was based on indoor noise levels and did not take account of disturbance in gardens during weekend working.

Esso were asked to reconsider all the requests for Echo Fencing that had been submitted.

1.2.3. QEP Site Specific Plan

The QEP Site Specific Plan was discussed and we clarified some of the major concerns with the document.

1. Plans

We stated that the plans within the SSP did not contain enough detail to properly understand the effects of trenching and the auger bore compound. Instead we had to rely on the plans in the tree survey, along with our own annotations to derive this information.

The tree survey was not included in the SSP, instead it was an appendix to the Applicant's Comments on Responses Submitted at Deadline 3.

The tree survey and accompanying plans did not indicate which of the trees were classified as Veteran or Notable in the Woodland Trust's ATI.

The 30 (approx) trees to be removed were not individually identified by Esso.

2. Trenching

We stated our concern that the trench will be very close to trees which Esso say they can retain. We are worried that some of these trees - including Notable and Veteran Trees - will also be lost during installation as a result.

We stated that the route of the pipeline makes no concessions to the position of trees or their root protection areas.

We clarified that 197 metres (37%) of the trench through QEP is within the RPAs of Notable and Veteran Trees and that this would indicate that the proposal to trench through the park is not possible.

3. Auger Bore

We clarified that 100% of the auger bore area is covered by RPAs, belonging to 29 trees, 20 of which are within the compound and 5 of which are Notable.

The ground levels within the area vary greatly so some levelling would be needed to allow access and operation of the area.

This indicates that it is not possible to operate an auger bore pit and compound in that location. Furthermore, Esso's claims that they could retain all the trees in the area did not seem possible.

4. Commitments in the SSP

We agreed with the Examining Authority that the QEP SSP needs a series of commitments as per the LEMP.

5. HDD

Full compliance with BS5837:2012 means that trenching and auger boring are not practical and HDD is the only viable solution. This also allows compliance with the top

level of mitigation in Esso's Technical Note on Trees (B1, which is avoiding root protection areas altogether).

6. No Plan to Use HDD

Esso stated that they consider that HDD is not a feasible option for QEP. It is not on the table and it cannot be done.

We stated that we are willing to propose an alternative HDD alignment which might be acceptable, even resulting in tree loss from a specific part of the park if necessary, in order to protect the Notable and Veteran Trees. We committed to submit this proposal at Deadline 6.

The Examining Authority asked whether it would be acceptable to the QEP group if the QEP SSP were to be submitted as an outline plan, meaning it would be approved by the Local Authority rather than the Secretary of State. We were given clarification that this meant that it could allow the installation technique to be used within the park to be agreed between Esso and RBC outside the examination. We responded that this would be acceptable.

2. New Commitment to Use BS5837:2012

At ISH5, Esso stated that they will commit to full compliance with BS5837:2012. There are points from the standard that we would therefore now expect to be incorporated into the dDCO documents and committed to.

The standard states that prior to the scheme design approvals from client and regulatory bodies, the project is required to have a number of documents. In this instance site specific details should form part of the Site Specific Plan as a commitment.

2.1. Additional Documents Required for BS5837:2012

2.1.1. Arboricultural Impact Assessment

An Arboricultural Impact Assessment, to include:

- The tree survey.
- Trees selected for retention, clearly identified and marked on a plan with a continuous outline.
- Trees to be removed, also clearly identified and marked on a plan with a dashed outline or similar.
- Trees to be pruned, including any access facilitation pruning, also clearly identified and labelled or listed as appropriate.
- Evaluation of tree constraints and draft tree protection plan.

2.1.2. Tree Protection Plan

A Tree Protection Plan, to include:

- A plan clearly indicating the precise location of protective barriers to be erected to form a construction exclusion zone around the retained trees. It should also show the extent and type of ground protection, and any additional physical measures, such as tree protection boxes, that will need to be installed to safeguard vulnerable sections of trees and their RPAs where construction activity cannot be fully or permanently excluded.
- The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection.
- The locations of and design for temporary ground protection.

2.1.3. A Topographical Survey

This is required for the whole working area but would clearly highlight our concerns that the ground around the Auger Bore Pit is not a suitable location due to the ground level changes within the area.

The standard states that the survey should:

[‘be used to inform all design and planning decisions.’](#)

We would expect the pipeline route and chosen installation techniques to pay particular attention to this requirement.

2.2. Other Points for Inclusion

Given the adherence to BS5837:2012 we also consider that the following points now need to be included in the dDCO documents:

- Confirmation that topsoil will be undisturbed in RPAs.
- Confirmation that to avoid adverse impact on retained trees, stumps to be removed within RPAs will be ground out.
- A commitment that work will not take place within RPAs.

[‘5.3.2 The cumulative effects of incursions into the RPA, e.g. from excavation for utility apparatus, are damaging and should be avoided.’](#)

2.3. Root Protection Areas

We note that the standard states that the RPA of a tree is the minimum protected area that the tree needs to survive, which raises our concern that the works planned within the park are going to cause large scale damage to the trees:

[‘3.7 root protection area \(RPA\)
layout design tool indicating 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’](#)

On this basis we are still of the view that no works should take place within root protection areas.

3. Response to Documents Submitted at Deadline 5

3.1. Tree and Bat Survey¹

Rushmoor Borough Council submitted a tree and bat survey undertaken by Calyx Environmental Ltd. Page 10 of that document states:

'RBC-001 Pollarded Willow - has potential to develop into a veteran with further age and development of decay'

This is the willow by the Cabrol Road car park, identified in Esso's tree survey as S2700-T2-C2 and listed as Notable in the Woodland Trust's Ancient Tree Inventory (number 197333). It has been identified as one of the trees which will be lopped. In addition, the RPA of this tree covers the majority of the area designated for the construction compound, where there is the intent to strip the topsoil, drive heavy machinery, store materials and equipment and locate welfare offices and storage units.

This tree should be afforded a high level of protection and treated as a Veteran Tree. Under full compliance with BS5837:2012, as committed to by Esso at ISH5, this means no construction activity in its RPA (BS section 7.4).

Furthermore, any work done to the tree should be solely for the benefit of the tree, not to allow convenient access for temporary works.

3.2. Rushmoor Borough Council's response to Deadline 3 comments²

Section 1.4.1 contains the following statement:

'The tree schedule submitted by the applicant is of limited value. RBC's understanding was that the applicant was to submit a tree survey. Generally such surveys identify the trees to be felled to enable to impact from the development on the tree cover to be fully assessed by the determining authority. The schedule is merely a list of trees within the order limits, and provides no assessment of impact.'

We agree with this statement and raise concerns that whilst a tree survey was done, it was not used to illustrate the detail of the planned work in the park or the impact which the work would have on trees. Also, it was not used to help design a solution which minimised that impact.

¹ Ground Level Tree Assessment for Proposed Gas Pipeline Replacement through Queen Elizabeth Park (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001256-Rushmoor%20Borough%20Council%20Late%20Deadline%205.pdf>)

² Rushmoor Borough Council: ESSO's comments to submissions and answers to ExA Questions Deadline 3 (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001253-Rushmoor%20-%20Deadline%203.pdf>)

Esso have not provided a list of trees to be removed, merely a vague statement in paragraph 3.3.4 of the QEP SSP³ that ‘approximately 30 non-mature trees will need to be removed’. These trees are not identified in the survey. In fact the only indication of which trees will be removed is on a small scale plan entitled ‘Queen Elizabeth Park: Construction Stage’, included in the QEP SSP.

3.3. Rushmoor Borough Council’s Response to Question DCO 2.31⁴

Section 2. Veteran and Notable Trees, states:

‘As submitted at D4 in response to question DCO.2.13, we remain concerned about the power that Part 6, Article 41 provides to cut roots of notable and veteran trees within QEP without consultation with the Local Authority (LA). The test in Article 41 is “reasonably believes it to be necessary to do so” which is a wide power and could mean that ancient and other notable trees are unnecessarily damaged or destroyed. RBC would like a Requirement to ensure that the relevant LA are consulted in advance, that an Arboriculture Method Statement is undertaken and that it is agreed with the relevant LA. Likewise in relation to Article 42.’

We agree that the power to make decisions ‘on the fly’ to cut through the roots of Notable and Veteran Trees should not be given.

Given the number of RPAs which overlap in any one area, it is difficult to see how contractors could identify which tree any particular root belongs to, and this could lead to further damage.

3.4. Applicant's Comments on Responses submitted for Deadline 4⁵

3.4.1. Areas Benefitting From Some Tree Removal

Page 20, WR Ref Paras 5.3 to 5.4, Esso’s comment:

‘Queen Elizabeth Park: The Applicant has submitted a SSP for QEP (REP4-049) which states that approximately 30 non-mature trees will need to be removed based on the current intended pipeline alignment. These are trees of lower arboricultural

³ Site Specific Plan - QEP, Application Document: 8.57, Revision No. 1.0, January 2020 (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001112-8.57%20Site%20Specific%20Plan%20-%20QEP.pdf>)

⁴ Response to Question DCO 2.31 (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001230-Rushmoor%20Borough%20Council%20Response%20to%20question%20DCOv2.pdf>)

⁵ Applicant's Comments on Responses submitted for Deadline 4, Application Document: 8.68, Revision No. 1.0, February 2020 (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001219-8.68%20Applicant's%20Comments%20on%20Responses%20submitted%20for%20Deadline%204.pdf>)

value and are in areas previously discussed with the Council as benefitting from some tree removal.’

We refer to paragraphs 1.3.6 and 1.3.7 of RBC’s comments on Esso’s submissions⁶ refuting the statement above.

In paragraph 2.2.3 of our Deadline 5 submission⁷ we showed that eight of the trees to be removed are within the root protection areas of Notable Trees.

The proposed tree removal is solely for the benefit of pipeline installation and will not provide any benefit for the woodland. It is also harmful to trees which will be retained.

3.4.2. Noise Assessment

Page 38, WR Ref: PC.2.1, Esso’s comment:

The Applicant believes that mitigation should be evidence based. The Applicant has carried out a noise assessment and has a commitment to provide acoustic screening where significant noise effects have been identified (G107). The Outline Noise and Vibration Management Plan Revision 1.0 (REP4-041) provides the location details as to where noise mitigation is required based on the assessment.

Given that a noise assessment survey was done, we request that the results of the survey are published.

An example of a house which could be adversely affected is in Queen Victoria Court where the bedroom of an elderly resident is approximately 4 metres from the Order Limits and approximately 10 metres from the proposed trench. It seems extremely likely that the resident will be affected by the noise from the installation. We do not think it is satisfactory that no noise protection would be provided at this location.

3.4.3. Expansion of Pit Areas

Page 63, WR Para ref: Section 4.8, Esso’s comment:

‘The assertion that the reception pits have become compounds or have expanded is not correct. The Applicant has provided a standardised indicative layout appropriate to the current design stage of the project. Only equipment required for the works at this location will be situated here. Any welfare units, if required, would be self-contained.’

⁶ Rushmoor Borough Council: ESSO’s comments to submissions and answers to ExA Questions Deadline 3 (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001253-Rushmoor%20-%20Deadline%203.pdf>)

⁷ Deadline 5 Submission on Behalf of the Neighbours and Users of Queen Elizabeth Park (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001180-Neighbours%20and%20Users%20of%20Queen%20Elizabeth%20Park%20Final.pdf>)

Details of the TC019 reception area were revealed as follows:

1. Plans submitted with the Developer's Application in May 2019 did not show any construction compounds or drill launch/reception areas.
2. Plans submitted during the Pre Examination in September 2019 showed only construction compounds but no drill launch/reception areas.
3. Drawings showing launch and reception pits were only presented at Deadline 3 (December 2019) in response to points raised at Deadline 2.

This progressive disclosure of details can only be perceived as expansion when seen from the point of view of an interested party with no prior knowledge of the plans.

We question the value of providing 'standardised indicative layouts' for hotspots, where it should be obvious that all details provided by Esso will be scrutinised in great detail.

Items listed on the auger bore reception compound plan on page 74 of Esso's Deadline 3 Responses to Written Representations - Other Parties⁸ are:

- Topsoil Stockpile
- Storage Unit
- Welfare/Office
- Reception Pit
- Crane Backhoe

There are no notes to say that any of these items are not needed. Perimeter and access points which fit the shape of the site are shown so there is nothing to suggest that this is a 'standard' layout. It is specific to the site. Esso now seem to claim that some of these items are not needed.

The response provided on page 63 still does not clarify whether office facilities are needed because it makes no mention of them one way or the other. There is also no further clarity on the requirement (or otherwise) for a generator for offices or site lighting. This is particularly important because it affects whether numbers 22, 24 and 25 Queen Victoria Court will require noise screening.

3.4.4. Union Street Danger to Cyclists

Page 64, WR Para Ref: Section 4.15: Esso's comment:

'1.1 The Applicant notes that there is a cycle lane on the western end of Union Street and at the southern end of the A325 Farnborough Road off the large roundabout at the eastern end of Union Street, which are segregated from motorised traffic. Union Street itself is a standard width road along its entire length and has a safe footpath for pedestrians.'

⁸ Deadline 3 Responses to Written Representations - Other Parties, Application Document: 8.24, Revision No. 1.0, December 2019 (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001009-8.24%20Responses%20to%20Written%20Representations%20-%20Other%20Parties.pdf>)

1.2 Furthermore, no evidence has been supplied to show that this is a dangerous route for either cyclists or pedestrians, nor are there any busy road crossings.'

The cycle path at the western end of Union Street runs alongside the first 40 metres of the road. Union Street is about 675 metres long. We fail to see how this section can be used to justify the argument that the whole of Union Street is well suited to cyclists.

The traffic system at the eastern end of Union Street is not a roundabout. It is a small one-way system with priorities arranged to favour through-traffic on the A325.

The section of Union Street which is dangerous for cyclists is the stretch between Green's School Lane and Station Road (Google maps extract below). Although it is a standard width road, this section has a lane of on-street parking so the lanes for two-way traffic are much narrower. There is insufficient space for cars to pass in opposite directions while leaving enough room for cyclists. That is why cyclists prefer a route through the park.



It should also be noted that the footpath on the northern side of the road is narrow and cars pass much closer to pedestrians at this point because of the narrower lanes.

Busy road crossings are at the entrance and exit to Farnborough Main station.

3.4.5. Local Awareness of Esso's Plans

Pages 64-67, WR Para Ref: Section 4.17, Esso show maps indicating addresses contacted at various stages of the consultation, where the Order Limits of the consultation corridor are shown in red and the addresses consulted shaded in blue.

We are not questioning whether the consultation fulfilled the legal requirements. We simply note that the increasingly small areas covered by blue shading, showing

addresses informed at each stage of the process, illustrate how Esso's communications did not cover the catchment area of the park.

We would also like to draw specific attention to some of the addresses which were excluded. For example, those circled in the map below, which were omitted from all consultation stages:



Again, without questioning whether the legal requirements were fulfilled, the omission of these houses seems inexplicable and illogical. They have direct access to the park via gates in their gardens and the corridor touches or crosses their boundaries. The resident of one of these houses makes these comments:

'I have looked at the maps and it would seem that my house and those of my immediate neighbours are some of the closest to the order limits and yet, were not contacted despite our houses enjoying the direct access of the amenity of QEPark. I do not know what the regulations state as to how close residents have to be to the working area to be "allowed" to get involved, but common sense should have prevailed in that those who have direct access to the amenity will be those more directly affected and thus they should have been consulted.'

3.4.6. Accuracy of Representation of Order Limits

Page 71, WR Para Ref: Appendix B, Esso's comment, in response to the fact that the Order Limits within the park are 36 metres, not 30 metres:

'The Applicant acknowledges that the letter should have said 'approximately' 30 metres, which has been standard text since the statutory consultation.'

Their letter should have said '36 metres' because that it is the minimum width of the Order Limits within the park.

30 metres is inaccurate and misleading because the correct approximation of 36 meters is 40 metres. However Esso's response is consistent with the approach they have taken throughout the project, which is to deliberately under-state the effects of their proposed plans in order to reduce opposition to them.

3.4.7. Type of Pond

Page 71, WR Para Ref: Appendix B, Esso's comment:

'The Applicant is surprised by the comments regarding the ponds. It has used the term 'ornamental' as this is the naming on the information board within the park, adjacent to the Cabrol Road entrance.'

The sign is many years old. It is likely that the description reflects the aspirations of the group which maintained the park at the time the sign was commissioned. The current description of the pond on Rushmoor Borough Council's website⁹ is:

'Opposite the playground there is a temporary pond (wet and dry depending on weather), which provides a habitat for very specific species adapted to such conditions. These ponds are valuable in their own right and need to be protected.'

It is also extremely clear, simply by looking at the pond, that this is not an ornamental pond. Errors such as this show Esso's lack of familiarity with the areas in which they plan to work and their inability to correctly identify important habitats.

3.4.8. Farnborough Hill Grade I Listing

Page 76, WR Para Ref: Section 1.2.7, Esso's comment:

'The main building at Farnborough Hill Convent (known as Farnborough Hill School) was listed as Grade 1 in 1975. All buildings and structures, including boundary features such as walls and railings, within the curtilage of the building that were present at the time of listing are afforded listed building protection as curtilage listed structure. This includes the protection of the setting of these buildings and structures.'

Whilst we understand that curtilage listing may include the grounds, we note that permission was granted to install a floodlit astro turf sports pitch in the grounds in October 2014. On this basis the Grade I listing of the main building is very unlikely to impede the approval of any temporary works associated with a pipe stringing area.

⁹ <https://www.rushmoor.gov.uk/article/3117/Queen-Elizabeth-Park-and-play-area>

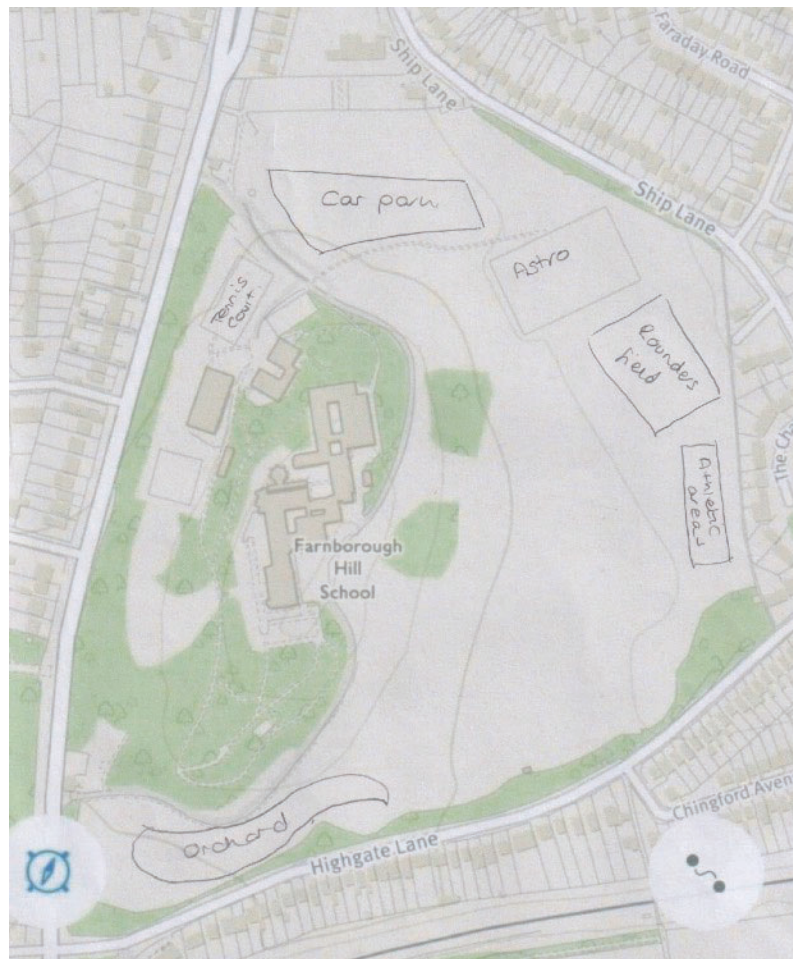
3.4.9. Impact of Stringing Space on Sports Facilities at Farnborough Hill

Page 77, WR Para Ref: Section 1.2.8, in response to our assertion that a stringing area for an HDD would have no greater impact on the school's sports facilities. Esso's comment:

'This is not correct. The Open Cut installation through the grounds of Farnborough Hill School has been designed to have no impact on the sports fields. This would not be the case if additional space was needed for HDD stringing, it would impact on a greater area.'

Outdoor sports facilities at Farnborough Hill are in the northern and eastern areas of the grounds, as shown on the map below. The annotations were drawn by a current pupil at the school.

Assuming a shortened HDD bore where the stringing area can be completely accommodated in the school grounds, the pipe string might intersect with the athletics area, however the same is true of narrow working area NW18, which runs through the same space.



Rough diagram of Farnborough Hill sports facilities, drawn by a current pupil

3.4.10. Clearance of Trees Within the Easement

Page 77, WR Para Ref: Section 1.2.10, Esso's comment:

'The Applicant would not amend its easement rights for areas where HDD is used under trees as these rights relate to the pipeline once installed. The Applicant must retain the ability to safely operate and maintain the pipeline.'

We were actually asking for clarification that trees within the easement above an HDD bore would not be removed as part of the installation activities. We would still like this clarification.

3.4.11. No Response to Concerns About Notable Trees

Page 88, response to Woodland Trust: Esso have not correctly responded to this point, which relates to Notable and Veteran Trees. The response does not address the concerns about Notable Trees.

In addition, Esso's point 1.3, in which they state that all Veteran Trees in the park receive B3 mitigation is in contradiction with their Technical Note on Ancient Woodland and Veteran Trees¹⁰, where T41 (later classified as S2700-T22) is stated as having B1 mitigation. We are concerned both about the contradictions and the possibility that the mitigation levels can change without notice.

Furthermore, we are concerned that the technical note on trees has been updated, renamed and resubmitted as an appendix to the LEMP without an indication in the examination library that the earlier document has been superseded.

3.5. Response to Allegation That the Petition Was Not Accurate

On page 69 of their Comments on Responses submitted for Deadline 4¹¹, Esso stated:

'1.10 The promotion of the petition on social media has been shared widely, both on political and environmental interest groups within Farnborough and further afield, such as Extinction Rebellion Farnham. The information provided both at the town centre petition signing and online forums is not an accurate reflection of the application, and the Applicant's information sheet regarding Queen Elizabeth Park was not shared.'

¹⁰ Outline Landscape and Ecological Management Plan (LEMP), Application Document: 8.50, Revision No. 1.0, January 2020, Appendix C ([https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001098-8.50%20Outline%20Landscape%20and%20Ecological%20Management%20Plan%20\(LEMP\).pdf#page39](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001098-8.50%20Outline%20Landscape%20and%20Ecological%20Management%20Plan%20(LEMP).pdf#page39))

¹¹ Applicant's Comments on Responses submitted for Deadline 4, Application Document: 8.68, Revision No. 1.0, February 2020 (<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN070005/EN070005-001219-8.68%20Applicant's%20Comments%20on%20Responses%20submitted%20for%20Deadline%204.pdf>)

1.11 Petitions with inaccurate information skew the accuracy of the representation made.'

We strongly dispute this allegation. We have always been diligent in reading and understanding all information presented to the Examination. We have always tried to gain the fullest and most accurate understanding of the plans we possibly could. This fact should be clear and indisputable based on the level of detail in our submissions.

This diligence extended to ensuring that the statements we made in public were accurate and properly referenced - and that they were always based on the most up-to-date information available at the time.

There are numerous references linking directly to Esso's Examination documents on our website where we need to support a reference which has been made. The information sheet regarding Queen Elizabeth Park was not sent directly to us but we still linked to it on our website shortly after it was published (13th October 2019).

3.5.1. Timeline of Petition

In this section we aim to show that we made the best use of information which was available while we were actively gathering signatures for the petition and that we presented the information promptly, fairly and accurately.

21/05/2019: Visual Impact Statement published

This included various statements on the park, including:

'Substantial tree loss would change the woodland character of this part of the park
Construction would require the removal of a large portion of woodland vegetation
along the southwestern edge of the park. Magnitude: Large, Significance: Major'

29/9/2019: Our website, www.queenelizabethpark.net was launched

The information in the website was based on the submissions made up until that date, with numerous references to Esso's documents to support our statements. The website contains a contact page, allowing anyone to get in touch directly. This has been used by numerous people and organisations, but never by Esso or any of their agents.

02/10/2019 Petition created

This was created in response to the website by a group which at the time was separate. The wording is calm and rational, stating that most people were not opposed to the pipeline and asked Esso to install the pipeline in a way which minimised damage and tree loss.

'We the undersigned request that The Planning Inspectorate of England and Wales, Rushmoor Borough Council (RBC) and MP for Aldershot Leo Docherty listen and act URGENTLY on our behalf to work with ESSO to find a solution which will minimise loss of trees in Queen Elizabeth Park Farnborough, and ensure that any loss is offset within the park with new, and good quality trees and shrubs. We would also like assurances that the play park will be replaced with a good quality park.'

At the moment there is a feeling that local residents have been misled at the consultation process, with many residents and park users stating they knew nothing at all about the consultation. There appears to be scant reference to the park itself, referring only to "lowland mixed deciduous woodland", with most of the focus being on Nash Close and the railway line. Therefore people are extremely angry that there appears to be plans to destroy a large portion of mature and historic woodland, which is loved and cherished by the residents of Farnborough and surrounding areas. Esso consulted on the basis of minimal disruption, damage to the environment and non loss of amenity to the affected residents. The revised plans submitted by Esso seem to show a slight deviation from the consultation routes and techniques being used for installation (open trenches as opposed to trench less techniques).

The wanton and abhorrent destruction of mature trees in the Queen Elizabeth Park and the removal of a much used and loved playground for local families is unacceptable and will leave local residents and future residents at a huge disadvantage.

Most people are not against the pipeline itself, but we would urge ESSO to rethink the techniques that they plan to use, and reconsider the route to something that will cause minimal damage and loss of trees to this much loved, historic parkland. The plans currently state that a corridor of up to 30 metres may be required and this is not something that local residents feel they were made aware of.

Rushmoor Borough Council say they are committed to improving its Green Spaces and leisure facilities for residents as shown in the Rushmoor Plan, so allowing the plans to go ahead in their current form would go against everything the council and its residents want.'

11/10/2019 (approx): Esso's Queen Elizabeth Park Information Sheet published

Esso did not send this directly to any member of the group, so it is puzzling that they would complain that we did not use it in conjunction with the petition.

13/10/2019, 15/10/2019: Links to Esso's Queen Elizabeth Park Information Sheet

On these dates, links to Esso's QEP Information Sheet were added to www.queenelizabethpark.net and the petition site respectively.

29/10/2019: Rushmoor Borough Council's Local Impact Report published

This was published at Deadline 1 of the Examination. This contained the statement that:

'throughout Queen Elizabeth Park, 5.8 acres of the 23.15 acres will be clear felled with 25.1% of the woodland being lost'

This is the origin of the 25% figure. The claim was not made before this date and at this time the petition had just over two weeks to run.

18/11/2019: Deadline 2: Petition submitted to the Examination

The petition contained 6,203 signatures. 1,124 were gathered in Farnborough on paper, by talking directly to residents on their doorsteps and shoppers in the town centre. 5,079 were gathered online.

19/11/2019: Deadline 2 submissions published, including Esso's Response to the ExA's First Written Questions on QEP

Esso stated:

'The Applicant cannot yet confirm the number of trees that would need to be removed'

This statement does not categorically refute the 25% figure and in any case, was not visible until after the petition had been submitted.

16/12/2019 - Letter and Esso Website

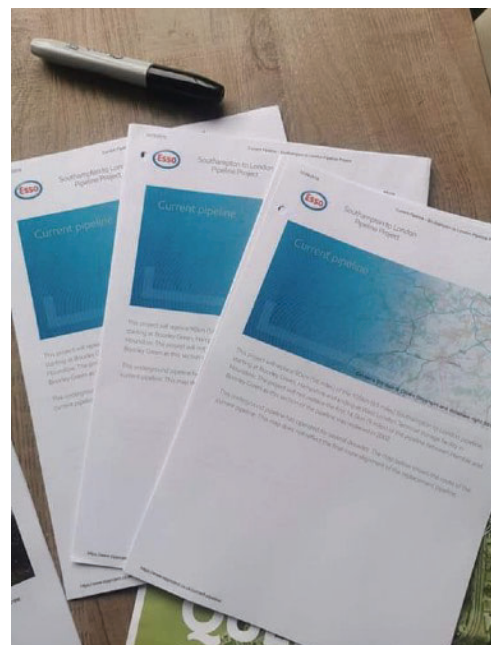
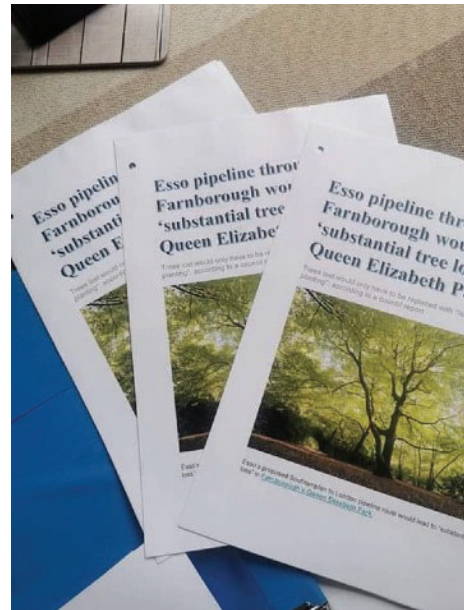
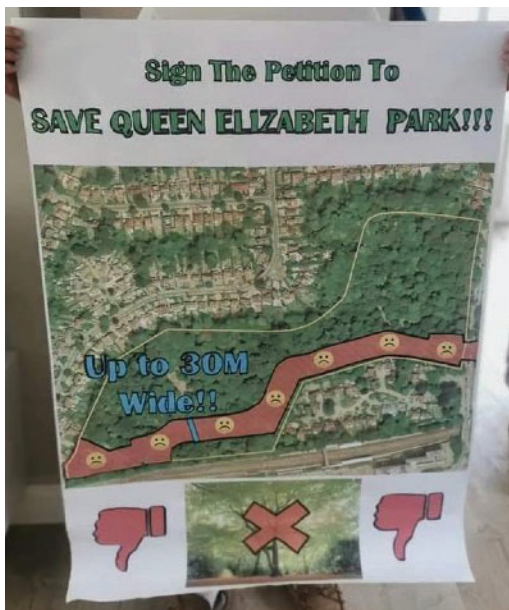
On 16th December Esso sent out a letter stating that they would not remove 25% of the trees in QEP. However they offered no alternative figure. This was the first time that the 25% figure had been directly challenged - long after the petition was submitted. The Esso website which was referenced went live on 18th December.

20/12/2019: Deadline 3 submissions published, including Esso's Responses to Written Representations - Other Parties

Within this document, Esso were still unable to formally commit to how many trees would be removed for the project, and so could not help to indicate what the impact would be.

3.5.2. Example of Materials Used for Town Centre Petition Displays

These photographs show materials which were used in Farnborough town centre when petition signatures were being gathered in October 2019. Note that Esso documents are amongst those used. If Esso wanted any input into which documents were presented, they were welcome to contact us. We also wish to point out the accuracy with the the Order Limits were drawn as a further indication that we were being absolutely fair in our representation of the plans.



3.5.3. The Petition is Valid

We did not state false or misleading information for the petition and strongly object to the accusation that we did.

Whilst we cannot be in control of every piece of social media used, we were very careful to talk to people about the plans and to gather as many primary signatures (face to face or directly online) as we could.

The petition is only a small part of the work we have done to present our case and to talk to the local residents to gauge feelings. This has always been done in a professional way and with integrity.

This allows us to stand by our claim that Esso's plans are deeply unpopular in the local area.

4. Additional Notable Trees Identified Since Deadline 5

We have continued to classify trees in the park since the previous deadline. As a result the Woodland Trust has added four more Notable Trees which are within the Order Limits to the Ancient Tree Inventory.

Two of the Notable Trees are within the auger bore compound, these are identified on Esso's tree survey as S2700-T465-C2 and S2700-T482-C2. Both are beech and the ATI numbers are 200175 and 200174 respectively. With the addition of these trees, 99% of the auger bore compound's area is covered by Notable Tree RPAs and they block the whole width of the Order Limits at this point.

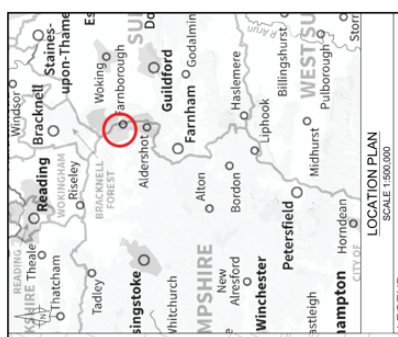
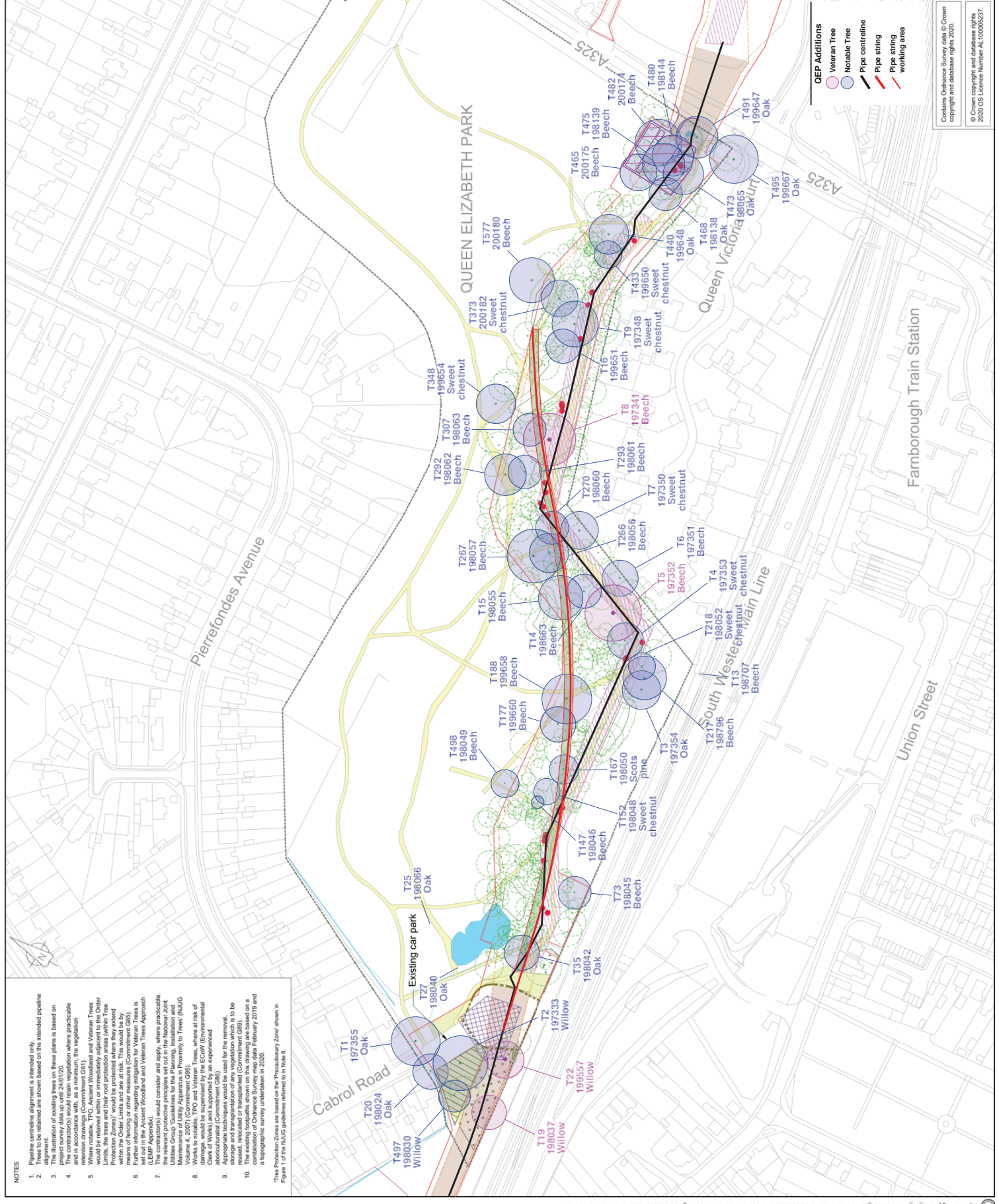
The other two Notable Trees are a sweet chestnut (S2700-T373-B2) and a beech (S2700-T577-B2). ATI numbers are 200182 and 200180. In conjunction with Notable Tree 197348 (T9) these now effectively block the width of the Order Limits.

Updated versions of the affected drawings submitted at Deadline 5 are included below.

NOTES

1. Pipeline centreline alignment is indicated only.
2. Trees to be retained are shown based on the intended pipeline alignment.
3. The illustration of existing trees on these plans is based on project survey data up to 24/01/20.
4. Tree Protection Zones (TPZ) are shown where practicable and in accordance with, as a minimum, the vegetation retention drawings (Commitment G5).
5. Veteran Trees (VNTs) are identified on the site. VNTs would be retained within or immediately adjacent to the Order Limits, the trees and their root protection areas (within Tree Protection Zones) would be protected where they owned by the Council or other measures (Commitment G5).
6. Further information regarding mitigation for Veteran Trees is available in the Woodland and Veteran Trees Approach (LEMP Appendix).
7. The contractors would consider and apply, where practicable, the principles of the 'Woodland and Veteran Trees Approach' (LEMP Appendix) for the preservation, installation and maintenance of Utility Apparatus in Proximity to Trees (NLAG Volume 4, 2007) (Commitment G5).
8. Appropriate techniques would be used for the removal, storage and transportation of any vegetation which is to be reused, relocated or transplanted (Commitment G5).
9. Appropriate techniques would be used for the removal, storage and transportation of any vegetation which is to be reused, relocated or transplanted (Commitment G5).
10. The information on this drawing is based on a combination of Ordnance Survey map data February 2019 and a topographic survey undertaken in 2020.

*Tree Protection Zones are based on the Precautionary Zone shown in Figure 1 of the NLAG guidelines referred to in Note 6.



LEGEND

ORDER LIMITS

- LIMITS OF DEVIATION
- INTENDED PIPELINE CENTRELINE
- INDICATIVE PIPE STRINGING LAYOUT
- NARROW WORKING AREA (NW/7)
- H/3 STRINGING AREA
- COMPOUND
- TRENCHLESS CROSSING
- AREA REQUIRED FOR HORIZONTAL DIRECTIONAL DRILLING
- AREA REQUIRED FOR AUGER BORING ACTIVITIES

EXISTING CONTEXT

- TREE PROTECTION ZONES
- PARK FOOTPATHS
- WATER FEATURES
- PARK BOUNDARY

EXISTING FEATURES TO BE RETAINED

- POTENTIAL VETERAN TREES TO BE RETAINED
- TREE GROUPS TO BE RETAINED
- OTHER INDIVIDUAL TREES TO BE RETAINED
- AMENITY GRASS TO BE RETAINED

EXISTING FEATURES TO BE REMOVED

- TREE TO BE REMOVED
- AMENITY GRASS TO BE REMOVED
- PLAY AREA TO BE TEMPORARILY REMOVED DURING CONSTRUCTION

Scale: 1:1000

North Arrow

JACOBS

110, Brooklands Drive, Woking, Surrey GU24 0JF

ES&O

Southampton to London Pipelines Project

QUEEN ELIZABETH PARK CONSTRUCTION STAGE

Initial Status of WIP

Scale: DO NOT SCALE

Project No: P01.2

Revision: 11/10/20

Drawn: [Name]

Checked: [Name]

Approved: [Name]

Project: B2325300-JAC-000-ENV-DRG-11139



- Legend**
- Order Limits
 - Limits of Deviation
 - Tree Stem - Category A
 - Tree Stem - Category B
 - Tree Stem - Category C
 - Tree Stem - Category U
 - Group Tree - Category C
 - Group Tree - Category U
 - Root Protection Area (RPA)
- S2700-T284-C2 - Tree number and category

- QEP Additions**
- Veteran Tree
 - Notable Tree
 - Tree to be removed
 - Pipe centrelines
 - Pipe string
 - Pipe string working area

NO.	REV.	DATE	BY	CHK.	REVISION
1	0	03/08/20	JAC	JAC	ISSUE FOR CONSTRUCTION
2	0	03/08/20	JAC	JAC	ISSUE FOR CONSTRUCTION

JACOBS
Infrastructure & Construction
100 Brooklands Avenue, Weybridge, Surrey, Middlesex TW20 0EX

Client: Esso Petroleum Company, Limited
1 Esso House, Erith Way, Leatherhead, Surrey, KT22 9JX

Project: Southampton to London Pipeline Project

Drawn by: [Name]

Scale: 1:500 @ A3
Drawing No: 182825006
Drawing Name: QEP Additions

Sheet: 5 of 8

Revision: 0

This drawing is not to be used in whole or part without the prior written consent of Jacobs. It is the property of Jacobs and is to be returned to Jacobs immediately upon completion of the project.

