

# Southampton to London Pipeline Project

## Deadline 6

Applicant's Comments on Responses  
submitted for Deadline 5

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## **1 Introduction**

- 1.1 The Applicant has reviewed all submissions provided by Interested Parties at Deadline 5. This document provides responses to the documents submitted at Deadline 5 which the Applicant wished to provide further information or clarification. These documents include comments on responses to the Applicant's outline management plans, Code of Construction Practice and Site Specific Plans and other responses to Deadline 5 related to the Applicant's Deadline 4 submissions.
- 1.2 The Applicant has not responded to every comment, as some points raised were addressed at the Issue Specific Hearings or through the follow on actions and it wishes to avoid unnecessary repetition. Similarly, some of the submissions have raised points that the applicant has previously addressed and it was not felt necessary to repeat the same response.



## 2 Applicant's Comments on Responses submitted for Deadline 5

### REP5-043 – Rushmoor Borough Council

REP5-043– Rushmoor Borough Council		
Response to the Applicant's Legal Case in Respect of the Thames Basin Heaths SPA		
WR Para Ref	Point raised	Applicant response to point raised:
	<b>Para 2</b>	<p>1.1 It is not accepted that a significant area of the SPA will be affected. The area directly affected is 0.1% (some 9ha), or else 0.4% (some 36ha) in the event that measures such as narrow working are excluded from consideration.</p> <p>1.2 The conclusion that such area is not significant is endorsed by Natural England, by the Wildlife Trusts, and by others such as the Ministry of Defence's Ecology Team. In short, the view is held by all parties who are responsible for management and oversight of the SPA affected. Notably, these bodies with responsibility for the relevant areas of the SPA do not include Rushmoor Borough Council ('RBC').</p> <p>1.3 In suggesting that the limited area of SPA affected is "no answer", as RBC do, their contention is effectively that the extremely limited extent of that affected area is not a relevant consideration. Such contention is simply wrong, both in fact and as a matter of law. Rather, it is a directly relevant consideration.</p> <p>1.4 For example, if the area of the SPA was 10ha and the Applicant was affecting 9ha, that is surely a more significant impact than if, as is the case here, the SPA is 8,274 ha and the Applicant is affecting 9ha.</p>



REP5-043– Rushmoor Borough Council Response to the Applicant's Legal Case in Respect of the Thames Basin Heaths SPA		
WR Para Ref	Point raised	Applicant response to point raised:
	<b>Para 3</b>	<p>1.1 It is important to note that the area of SPA which is directly affected is not habitat which is "lost" as RBC have suggested. This was clearly explained and demonstrated by Mr Shepherd on behalf of the Applicant in the course of ISH5.</p> <p>1.2 Further, there would be no material effect on the Conservation Objectives for the reasons outlined by Mr Shepherd.</p>
	<b>Para 4</b>	<p>1.1 RBC relies on the decision in Grace for the proposition that impacts "<i>cannot be excluded solely because they are temporary</i>". Such submission by RBC is misrepresentative of the Applicant's position. As the ExA is aware, and as was explained at ISH5, the Applicant does not and has not relied "solely" on the temporary nature of the impacts in reaching its conclusions.</p> <p>1.2 In this case the works are sufficiently small scale so as to not impair the birds' ability to breed successfully (and thereby not offend the conservation objectives of abundance and distribution of the birds), and sufficiently temporary (and thereby not offend the SPA conservation objectives of extent, distribution, structure and function of the supporting habitats, nor the SAC conservation objectives of extent and distribution of qualifying habitats). Furthermore, ground nesting birds can continue to use it during each breeding season as the Applicant will not be carrying out works at that time, and also following completion of the works before the habitat has fully regenerated.</p> <p>1.3</p>



REP5-043– Rushmoor Borough Council Response to the Applicant's Legal Case in Respect of the Thames Basin Heaths SPA		
WR Para Ref	Point raised	Applicant response to point raised:
	<b>Para 5</b>	<p>1.1 RBC makes a series of general assertions regarding SANGs, such as them not being available. Such generalised assertion is simplistic and misleading. The point is not a simple one of principle. What the Applicant (and Natural England) has done is to look at the detail of the actual impacts on the SANGs that would result from the project, and draw conclusions having regard to that detailed position.</p> <p>1.2 In this regard, the Site Specific Plans prepared by the Applicant make clear the limited extent of the interference with those areas, and thus the extent of impact on the SPA which may result.</p> <p>1.3 The Applicant notes that the only SANG in Rushmoor's area is one for which planning permission for many of the corresponding developments have not even been applied for yet, and the developments will not be fully occupied before the end of the Applicant's construction - there is clearly 'spare capacity' at that SANG. Even if a SANG is at capacity in terms of the housing it has allowed to be developed, that does not mean that the SANG is fully used.</p> <p>1.4 All affected SANGs will be partly available at all times. The one with the least availability is St Catherine's Road (50%) but its host local authority Surrey Heath Borough Council now accepts the Applicant's approach. It is also wrong to say the same points apply in respect of SANGs as the SPA, since the Applicant did perform an appropriate assessment relating to that impact in its HRA.</p>



REP5-043– Rushmoor Borough Council Response to the Applicant's Legal Case in Respect of the Thames Basin Heaths SPA		
WR Para Ref	Point raised	Applicant response to point raised:
	<b>Para 6</b>	<p>1.1 As was explained at ISH5, the position is not as characterised by RBC. It is not simply a question of there being a “divergence of professional judgement” between RBC’s “expert ecologist” and Natural England. Rather, it is a case of the view of RBC’s ecologist – whose authority does not have any responsibility for management of the area of SPA directly impacted by the project – being set against the considered consensus of all other expert opinion provided to the Examination. That is not only the view of the Applicant’s team of expert ecologists, but also that of Natural England, of the Wildlife Trusts (the Surrey Wildlife Trust on an express basis, and Hampshire &amp; Isle of Wight Trust on an informal basis), and of all other parties with responsibility for management of the SPA.</p> <p>1.2 It is simply wrong to suggest that the fact of RBC’s ecologist taking a different view to this body of opinion means that appropriate assessment should necessarily result.</p>
	<b>Para 7</b>	<p>1.1 It is of course correct that the weight to attach to any particular material consideration (such as the view of a consultee) is a matter for the decision maker. That is trite law, and the Applicant has never suggested otherwise. The reference to <u>RWE Innogy UK Limited v SSCLG [2014] EWHC 4136</u> is unnecessary in this regard.</p>
	<b>Para 12</b>	<p>1.1 There is no question of the Applicant having misunderstood the correct approach to the screening test, as RBC suggest. The Applicant maintains its position as set out in its initial response to RBC’s Legal Submissions document.</p> <p>1.2 While the Applicant maintains its view that it correctly screened out the effects of habitat loss on the SPA, it has now provided the data to conduct an appropriate assessment in the same way that it already did so for noise impacts on the SPA and recreational pressure from SANG displacement. The ExA and Secretary of State are therefore able to carry out this stage if they consider it necessary.</p>



REP5-043– Rushmoor Borough Council Response to the Applicant's Legal Case in Respect of the Thames Basin Heaths SPA		
WR Para Ref	Point raised	Applicant response to point raised:
	<b>Para 14</b>	<p>1.1 As regards RBC's reference to '<i>certainty</i>', it is common ground between all parties that the relevant test as established by case law is to the effect that of '<i>beyond reasonable scientific doubt</i>', having regard to the '<i>best scientific knowledge in the field</i>'.</p> <p>1.2 In this regard, the Applicant has compiled and provided extensive evidence, to which it has applied the necessary objective analysis. Its assessment, and the conclusions it has reached, are shared by Natural England, the Wildlife Trusts and all parties responsible for management of the SPA.</p> <p>1.3 RBC has prepared and submitted no substantive evidence to the Examination save the recently provided bat survey for Queen Elizabeth Park. Its position is one of assertion, which is not shared by any other relevant party.</p>
	<b>Para 15</b>	<p>1.1 Contrary to the suggestion of RBC, the Applicant has not relied exclusively upon any one consideration, such as 'spatial' or 'temporal' issues. Rather, it has undertaken a holistic assessment, and reached a view which is shared by all authorities that have participated in the Examination save for RBC.</p>
	<b>Para 18</b>	<p>1.1 The broad assertions made by RBC as regards impacts on SANGs do not engage with the specific details of the project and the limited extent of impact which it would cause, both directly on the SANGS themselves and indirectly on the SPA.</p>





REP5-043– Rushmoor Borough Council Response to the Applicant's Legal Case in Respect of the Thames Basin Heaths SPA		
WR Para Ref	Point raised	Applicant response to point raised:
	<b>Para 21</b>	<p>1.1 In terms of cumulative impacts, there are no adverse effects on site integrity (AESI) from habitat 'loss' - the birds will continue to use the spatial extent of the SPA as before, maintaining their distribution throughout the SPA habitats. There are no AESI from increased recreational pressure. The worst case implication of increased recreational pressure is disturbance of birds which, in the breeding season, could lead to lowering of number of chicks raised (productivity). This effect would need to be at play long term for it to lead to AESI – two seasons worth is much too short term to lead to AESI. Finally, as there is no AESI from either pathway individually and there is no compounding mechanism between the two effects, this means there are no AESI from cumulative impacts.</p>



REP5-044 – Rushmoor Borough Council

REP5-044 – Rushmoor Borough Council		
Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
1.1.5	Ecological Clerk of Works	1.2 The Applicant can confirm that a team of Environmental Clerk of Works (ECoWs) supported by a suitably qualified arboriculturalist and other specialists as appropriate will be engaged to supervise the whole project.
1.3.1	Protected and Priority Species Surveys and Mitigation	<p>1.1 The Applicant would again like to confirm that the methodology for the full programme of ecological surveys was provided with the Scoping Report and Rushmoor Borough Council (BC) raised no concerns.</p> <p>1.2 Natural England has confirmed its agreement with this ecological survey methodology in the Statement of Common Ground (SoCG) (<a href="#">REP1-005</a>).</p> <p>1.3 The Environmental Impact Assessment (EIA) concluded that there would be no significant impacts on protected species, and Natural England has issued Letters of No Impediment for the Draft European Protected Species licences (<b>Application Document <a href="#">APP-101</a></b>).</p> <p>1.4 Therefore, the Applicant feels that the statement that '<i>wildlife could be severely impacted</i>' is unfounded.</p>
1.3.2	G36 Mammal breeding season	<p>1.1 The Applicant feels that the request that further camera surveys are undertaken on the Five Arches Railway Bridge on Cove Brook is not based on a sound understanding of the possible ecological impacts.</p> <p>1.2 The Applicant has completed baseline surveys at the Five Arches Railway Bridge, and no evidence was found of it being used as an otter resting place. An assessment of likely impacts on otter can be found in the ES and the Protected and Controlled Species Legislation Compliance Report (<b>Application Document <a href="#">APP-101</a></b>).</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		<p>1.3 At this location, the pipeline would be installed using horizontal directional drilling (HDD) several metres below the banks of the watercourse. The actual process of drilling under the watercourse and pulling back the pipes will take just a few days.</p> <p>1.4 The Applicant does not support the Rushmoor BC statement that an offence could be caused.</p> <p>1.5 In addition, the recent installation of three water pipelines under the Cove Brook, a few metres from this location, by Open Cut was not subject to such a requirement from Rushmoor BC, despite the far greater impact of the installation method.</p>
1.3.3	<b>G37 Hibernation Seasons</b>	<p>1.1 The Applicant recognises that disturbance of reptiles, amphibians, dormice and hedgehogs could lead to mortality and would be an offence.</p> <p>1.2 The Applicant would like to correct the statement that '<i>reptiles and amphibians must be translocated from April to June or in September</i>'.</p> <p>1.3 The Applicant would like to confirm that the periods for any translocation will be based on sound advice from ecological experts taking into account weather, temperatures and species, rather than such a generalised use of calendar months.</p>
1.3.6	<b>Reptile Translocation</b>	<p>1.1 The Applicant believes that Rushmoor BC's request, that full translocation of common reptiles is required, is inappropriate and not supported by sound ecological advice.</p> <p>1.2 The use of two stage habitat manipulation is the standard good practice on pipeline projects due to the short duration of the works and the minimal area of habitat effected.</p> <p>1.3 The Southwood Country Park – the principal area of reptile habitat within Rushmoor BC – was, until recently, a heavily managed golf course with little suitable reptile habitat. The Applicant does not believe that, in the period between the golf course management stopping and the installation of the pipeline being undertaken, the common reptile</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		<p>population will have reached the carrying capacity threshold that would mean the reptiles from the works area could not be accommodated in the large areas of habitat available on either side of the working area.</p> <p>1.4 Translocation also puts a high level of stress on those animals moved as they have to be physically captured, handled and then moved significant distances into entirely new areas of habitat with no return to their original habitat. This can lead to mortality and disruption of populations. Habitat manipulation simply results in animals moving, mostly at their own volition, into adjacent contiguous habitat for a short period of time and then being able to return.</p> <p>1.5 Furthermore, the use of translocation would result in the installation of hundreds of metres of exclusion fencing ahead of the pipeline works, which would result in a much longer period of exclusion for the public, possibly up to several months.</p> <p>1.6 Rushmoor BC has stated verbally to the Applicant that the reptile population could be defined ecologically as large. If this was the case, the period of exclusion of the public would have to be a minimum of 90 days and this would have to take place in the summer months prior to construction when the use of the SANG is likely to be at its greatest.</p>
1.3.7	Reptile and Amphibian impacts in other boroughs	<p>1.1 It is not clear to the Applicant why Rushmoor BC is providing comment on protected species in other boroughs.</p> <p>1.2 The Applicant will happily respond to any concerns raised by other boroughs but does not intend to respond to this submission.</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
1.3.8	Protected species surveys	1.1 The Applicant believes Rushmoor BC's comment regarding the validity of ecological survey data to be incorrect and contrary to the approach agreed with Natural England, which has issued Letters of No Impediment.
1.4.1	Phase 1 Habitat Survey	1.1 The Applicant has confirmed in the Outline CEMP ( <b>Document Reference 8.51(2)</b> ) that it will update the botanical surveys undertaken in Southwood Country Park, on the basis that, following the cessation of the golf course, the vegetation could have changed.
1.4.2	3.4.63 groundwater	1.1 The discharge of water is controlled by the Environment Agency or Hampshire County Council as the Lead Local Flood Authority. 1.2 The Applicant has provided an Outline Water Management Plan ( <b>Document Reference 8.51 (2)</b> ) which provides information on the measures relating to water discharge. 1.3 The Applicant considers that Rushmoor BC's recommendation that water is filtered at least three times before discharge is inappropriate and unsubstantiated. The level of treatment for any discharged water would be based on the nature and the quantity of the material that needs to be removed.
1.4.2	3.4.70 reinstatement	1.1 The Applicant has explained previously that all significant environmental impacts have been mitigated and the information is provided in the ES. 1.2 As reinstatement and mitigation can be undertaken within the Order Limits, no biodiversity offsetting is required. In 10 September 2019, the Applicant provided Rushmoor BC with details of a number of proposed measures under its Environmental Investment Programme but to date has not received comment or suggestions for additional measures.



REP5-044 – Rushmoor Borough Council		
Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		1.3 With regards to the issue of reseeded in Southwood Country Park, the Applicant has stated in the Site Specific Plan ( <b>Document Reference 8.60 (2)</b> ) that the reinstatement will be undertaken following discussions with Rushmoor BC.
1.5.1	<b>Farnborough Airshow Traffic planning for the Air show is substantial and we would require a similar commitment to Chertsey</b>	1.1 The Applicant has included a new commitment (similar to the Chertsey one) relating to the Farnborough Airshow within the Outline CEMP at Deadline 6 ( <b>Document Reference 8.51 (2)</b> ). PC3 states ' <i>The project would work with the Farnborough Air Show, Rushmoor Borough Council and Surrey County Council to reduce traffic impacts on the Air Show</i> '.
1.6.1	<b>Project Roles</b>	1.1 The Applicant can confirm that the topics listed by Rushmoor BC would be covered in the final version of the LEMP, the CEMP or its appendices.
1.7.1	<b>Access to the Central Environmental Log and consents, permits and licences register</b>	1.1 The Applicant welcomes the support of the local authority to commitment G9.



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
1.9.2	Pollution	<p>1.1 In the first instance, the Applicant would temporarily relocate riparian vegetation so that it can be reinstated. Due to the short-term nature of the works and the limited extent of the vegetation affected, this method regularly has a high success rate.</p> <p>1.2 Rushmoor BC's statement appears to be addressing only ecological concerns while the Applicant has the responsibility to consider all impacts of its project.</p> <p>1.3 From experience, the Applicant would advise against natural regeneration as this can take longer to establish than seeding/planting, leaving the banks unvegetated and more susceptible to erosion. At Ively Brook, due to its status as a Main River, the Applicant will agree all works and reinstatement with the Environment Agency.</p> <p>1.4 The Applicant can confirm that it is crossing the Cove Brook using HDD and not Open Cut.</p>
1.11.1	Request for an appropriately qualified arboriculturalist to be included in roles and responsibilities	<p>1.1 The Applicant can confirm that the role of the arboriculturalist has been included in the updated Outline CEMP submitted at Deadline 6 (<b>Document Reference 8.51 (2)</b>).</p>
1.13.1	Blackwater Crossing	<p>1.1 The Applicant stated at the ISH on the 27 February 2020 that it has not currently made a decision on the method for crossing the Blackwater Valley and confirmed that both methods had been assessed within the ES. However, in response to Rushmoor Borough Council's concerns to a potential Open Cut crossing of the Blackwater Valley, the Applicant has prepared a methodology outlining the measures that would be employed if this method was to be adopted. This can be found in Appendix B1 of the Outline Water Management Plan (<b>Document Reference 8.51 (2)</b>).</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
1.14.1	G12 Discharge	<p>1.1 The Applicant believes Rushmoor BC has misunderstood the Water Management Plan. It does not state that '<i>in the case of an emergency there would be discharge of site runoff</i>'. This implies that during any emergency there would be discharge of site run-off.</p> <p>1.2 Commitment G12 states, '<i>There would be no intentional discharge of site runoff to ditches, watercourses, drains or sewers without appropriate treatment and agreement of the appropriate authority (except in the case of emergency).</i>'</p>
1.15.1	Construction Programme	<p>1.1 The Applicant submitted plans at Deadline 4 in response to Hearing Action Point 23 (ISH3-23). These show the relationship between each of the construction compounds and the area which they serve (see Figure 1 in <a href="#">REP4-033</a>).</p> <p>1.2 W8 – The Applicant is surprised that Rushmoor BC is stating a preference for the works in the Cove Brook Flood Storage Area to take place in the winter months when the risk of flooding is at its highest.</p> <p>1.3 Rushmoor BC's statement appears to be addressing only ecological concerns while the Applicant has the responsibility to consider all impacts of its project.</p> <p>1.4 The Environment Agency believes that works in the Flood Storage Area could put the local residents of Rushmoor at a greater risk of being impacted by flooding and has insisted the works are undertaken in the drier weather and the Applicant has committed to this.</p> <p>1.5 In addition, working in the winter months would lead to a greater impact to soil condition and storage which would likely lead to an extended period of disturbance for users of the SANG.</p> <p>1.6 Rushmoor BC has confirmed in a meeting with the Applicant (27 February 2020) that it does not wish to have works undertaken in the Flood Storage Area or elsewhere in</p>





REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		Southwood Country Park during the winter months and this is reflected in the Site Specific Plan ( <b>Document Reference 8.60 (2)</b> ).
1.17.1	<b>Pollution and Erosion Prevent Measures</b>	<p>1.1 The Applicant has agreed its methodology for crossing watercourses with the Environment Agency and no concerns have been raised about the use of culverts.</p> <p>1.2 Commitment G183 has been formulated in discussions with the Environment Agency to aid the passage of aquatic species through the temporary culvert.</p>
1.19	<b>1.19.1 G7 &amp; G71</b>	<p>1.1 G7 – The Applicant would use the advice of a vermin control specialist as appropriate.</p> <p>1.2 G71 – The option of an open trench solution at Blackwater Valley has been assessed in the ES. While not the Applicant's preferred option, if it is necessary it would be subject to the various management plans such as the CEMP and LEMP which would require approval by Rushmoor BC.</p> <p>1.3 In response to Rushmoor Borough Council's concerns to a potential Open Cut crossing of the Blackwater Valley, the Applicant has prepared a methodology outlining the measures that would be employed if this method was to be adopted. This can be found in Appendix B1 of the Outline Water Management Plan (<b>Document Reference 8.51 (2)</b>).</p>
1.21.1	<b>Outline Dust Management</b> Ecological receptors	<p>1.1 The Applicant does not recognise that SANG sites should be listed as ecological receptors.</p> <p>1.2 SANGs are developed for recreation purposes, and while they may have some nature conservation value in their habitats or species, these are already included as separate receptors.</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
1.22.1	3.3.8 Soil Management	1.1 The Applicant can confirm that seed mix and provenance will be contained in the LEMP and agreed with the relevant planning authorities.
1.23.1	Noise and Vibration Impacts - Cove Brook	<p>1.1 The Applicant would like to point out that Rushmoor BC is ecologically incorrect in its statement that the otter population being disturbed for as much as a month is an offence under the Habitats Directive and the Conservation of Habitats and Species Regulations 2017.</p> <p>1.2 The disturbance threshold in relation to otter and the Habitats and Species Regulations is defined as '<i>likely to impair their ability to survive, breed, reproduce or hibernate; or affect significantly their local distribution or abundance</i>'.</p> <p>1.3 Given the use of HDD under the Cove Brook, the Applicant believes it is implausible that this would lead to an offence.</p> <p>1.4 The Applicant would also like to highlight that the location in question is beneath the mainline rail route to London with almost 200 trains per day passing over it, which has the potential to create far more noise and vibration. The Applicant has discussed with Rushmoor BC the possibility of a camera study being undertaken by the Environment Agency to better establish the likelihood of otter activity.</p>
1.23.2	Noise and Vibration Impacts - fish	1.1 The Applicant can confirm that it has agreed the timings for watercourse crossings with the Environment Agency.



**REP5-044 – Rushmoor Borough Council**  
**Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP**

WR Para Ref	Point raised	Applicant response to point raised:
1.23.3	Noise Thresholds	<p>1.1 The information below is taken from the Applicant's response to Hearing Action Point ISH5-28 (<b>Document Reference 8.85</b>).</p> <p>1.2 The adoption of a monthly average in the noise assessment is described in the Scoping Report Appendix 8.3 (<a href="#">AS-019</a>) (paragraph A8.3.3.39), and the Methodology Chapter of Appendix 13.3 (<b>Application Document APP-121</b>) (Chapter 5, paragraph 5.1.10).</p> <p>1.3 The adopted assessment approach is based on a theoretical scenario where the construction of the entire project is undertaken within a month. The assessment is based on a daily noise level (e.g. <math>L_{Aeq,10hr}</math>), logarithmically averaged over the working days within this theoretical month. This is a conservative approach which condenses all of the works (including those which generate the greatest noise levels) into a single month period, as in practice the works in most locations will be spread out over a much longer duration, and the average monthly construction noise level would be much lower than the assessed value.</p> <p>1.4 BS 5228-1:2009+A1:2014 does not prescribe a particular methodology for determining significance, but advises the assessor to adopt a pragmatic approach, and provides various example assessment approaches that an assessor may draw from. The key reasons for the adoption of monthly average, as opposed to a value averaged over a single day which was suggested at the issue specific hearing on environmental matters on 26 February 2020, are outlined below.</p> <p>1.5 BS 5228-1:2009+A1:2014 and the Institute of Environmental Management and Assessment (IEMA) Guidelines for Noise Impact Assessment (2014) both recognise that the duration of impact is a key consideration when identifying significance, and requires the assessor to take the duration of the noise into account when determining if there is a significant effect. Guidance from the various example approaches in BS 5228-1:2009+A1:2014 has informed the consideration of duration in the assessment.</p>



**REP5-044 – Rushmoor Borough Council**  
**Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP**

WR Para Ref	Point raised	Applicant response to point raised:
		<p>1.1 The example approach described in paragraph E.3.2 of the standard uses an approach where a daily noise level is compared to a threshold. If the threshold is exceeded, the overall duration of the exceedance needs to then be considered before the assessor determines whether a significant effect occurs. This example approach indicates that effects lasting a day should not necessarily be considered as significant.</p> <p>1.2 Another example assessment approach, described in paragraph E.3.3 of the standard, uses an approach where significant effects are identified only where the impact occurs for one month or more.</p> <p>1.3 BS 5228-1:2009+A1:2014 states that the example assessment approaches within the standard only apply to projects of a 'significant size'. The assessment approaches in the standard are most commonly applied to large, static construction sites where noise may be experienced at nearby properties during every working day for weeks, months or in some cases, years. This is very different to the proposed works in this case, where the highest noise levels would only occur for a very short duration. If an average of noise over one day had been adopted for the assessment of this project, significance would be determined based on the single noisiest activity, which would occur only for a short duration. This approach would fail to recognise the duration of impact as a key consideration when identifying significance.</p> <p>1.4 In the context of the above guidance within BS 5228-1:2009+A1:2014, it is considered appropriate to determine significance based on noise levels averaged over a month.</p> <p>1.5 The use of a longer average is also informed by practical considerations. In order to accurately calculate a 10-hour average, the assessor is required to understand the works that would combine within a particular day at a particular location. Due to the realities of any complex project, the programme is not known with sufficient granularity so far in</p>



**REP5-044 – Rushmoor Borough Council**  
**Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP**

WR Para Ref	Point raised	Applicant response to point raised:																
		<p>advance of the works. The adopted approach is more robust in this respect, as the list of all works is much better understood.</p> <p>1.6 A monthly average noise level is a well-established basis for the assessment of construction noise. The following table provides some examples of Nationally Significant Infrastructure Projects where a similar approach has been used as the basis of the construction noise assessment in the associated Environmental Statement.</p> <p><b>Table 1: Examples of NSIPs using similar construction noise assessment</b></p> <table border="1" data-bbox="810 762 2011 1358"> <thead> <tr> <th data-bbox="810 762 1169 890">NSIP</th> <th data-bbox="1169 762 1525 890">Relevant application document</th> <th data-bbox="1525 762 1691 890">Relevant Paragraph</th> <th data-bbox="1691 762 2011 890">Approach to construction noise assessment</th> </tr> </thead> <tbody> <tr> <td data-bbox="810 890 1169 1045">A14 Cambridge to Huntingdon improvement scheme</td> <td data-bbox="1169 890 1525 1045"><a href="#">Environmental Statement, Chapter 14 - Noise and Vibration</a></td> <td data-bbox="1525 890 1691 1045">14.2.50</td> <td data-bbox="1691 890 2011 1045">Construction noise assessment based on monthly average noise level</td> </tr> <tr> <td data-bbox="810 1045 1169 1200">A30 Chiverton to Carland Cross</td> <td data-bbox="1169 1045 1525 1200"><a href="#">Environmental Statement, Chapter 11 - Noise and Vibration</a></td> <td data-bbox="1525 1045 1691 1200">11.6.5</td> <td data-bbox="1691 1045 2011 1200">Construction noise assessment based on monthly average noise level</td> </tr> <tr> <td data-bbox="810 1200 1169 1358">Network Rail Norton Bridge Area Improvements</td> <td data-bbox="1169 1200 1525 1358"><a href="#">Environmental Statement, Volume 3, Report 6, Noise and Vibration Technical Report</a></td> <td data-bbox="1525 1200 1691 1358">7.2.6 / 7.2.11</td> <td data-bbox="1691 1200 2011 1358">Construction noise assessment based on monthly average noise level</td> </tr> </tbody> </table>	NSIP	Relevant application document	Relevant Paragraph	Approach to construction noise assessment	A14 Cambridge to Huntingdon improvement scheme	<a href="#">Environmental Statement, Chapter 14 - Noise and Vibration</a>	14.2.50	Construction noise assessment based on monthly average noise level	A30 Chiverton to Carland Cross	<a href="#">Environmental Statement, Chapter 11 - Noise and Vibration</a>	11.6.5	Construction noise assessment based on monthly average noise level	Network Rail Norton Bridge Area Improvements	<a href="#">Environmental Statement, Volume 3, Report 6, Noise and Vibration Technical Report</a>	7.2.6 / 7.2.11	Construction noise assessment based on monthly average noise level
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REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP						
WR Para Ref	Point raised	Applicant response to point raised:				
		Thames Tideway Tunnel	<a href="#">Environmental Statement – Volume 2: Environmental Assessment Methodology</a>	9.5.14	Construction noise assessment based on monthly average noise level	
		Hinkley Point C Connection Project	<a href="#">Environmental Statement Volume 5.14.1, Chapter 14 – Noise and Vibration</a>	14.4.33	Construction activity lasting less than one month considered not significant.	
<b>1.24.2</b>	<b>3.3.6 Soil storage</b>	<p>1.1 Issues relating to flood risk and water quality have been agreed with the Environment Agency and Lead Local Flood Authorities.</p> <p>1.2 The Applicant has a commitment to apply appropriate buffers for watercourses which would be determined based on sensitivity, existing habitats, flood risk, etc. It is not appropriate to have a 15m exclusion zone from every watercourse regardless of size or sensitivity.</p>				
<b>1.24.3</b>	<b>3.4 Natura 2000 Sites</b>	<p>1.1 Rushmoor BC states it <i>'is concerned regarding the level of mitigation provided for habitat loss within the Natura 2000 sites'</i>.</p> <p>1.2 The Applicant would like to reiterate that it has worked closely with those bodies that are responsible for the parts of the Natura 2000 sites where habitat impacts may be experienced. These organisations <b>are not raising concerns</b> about the mitigation provided for habitat loss. These include:</p> <ul style="list-style-type: none"> <li>• Natural England;</li> <li>• Surrey Wildlife Trust;</li> <li>• Hampshire and Isle of Wight Wildlife Trust;</li> </ul>				



REP5-044 – Rushmoor Borough Council		
Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		<ul style="list-style-type: none"> <li>• Ministry of Defence Ecology and Forestry Teams; and</li> <li>• Surrey Heath Borough Council.</li> </ul>
1.25.1	G25 Lighting	1.1 The Applicant does not believe that the addition of 'always' is appropriate as there may be occasions when this is not physically possible.
1.25.3	3.2.2 Dark Skies	1.1 The Applicant does not believe it is appropriate to apply the requirements of the South Downs Dark Skies Technical Note to an urban and suburban area such as Rushmoor.
2.1 - 1.2.2	G61 Natura 2000	<p>1.1 Rushmoor BC has stated that it <i>'does not agree that enough protections would be provided if works were carried out'</i>.</p> <p>1.2 As per the response to 1.24.3, the Applicant would like to point out that the organisations that have responsibility for the Natura 2000 where there may be direct impacts have not raised any such concerns.</p> <p>1.3 The Applicant would also expect Rushmoor BC to support such a statement with experience of the type of works to be carried out by the Applicant.</p>
2.1 - 1.2.3	G65 Tree protection fencing	<p>1.1 Rushmoor BC states it <i>'does not feel that fencing will provide adequate protection to ensure the roots zones are not compromised'</i>. The Applicant has confirmed that it will replace NJUG with the BS 5837:2012 and has updated the commitment in the Outline LEMP submitted at Deadline 6 (<b>Document Reference 8.50 (2)</b>).</p> <p>1.2 BS 5387 recommends barriers (fencing) and/or ground protection as the method to protect trees that are being retained on site.</p>



REP5-044 – Rushmoor Borough Council		
Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		1.1 In addition, the Applicant has submitted its approach to Ancient Woodland and Veteran Trees in Appendix C of the Outline LEMP ( <b>Document Reference 8.50 (2)</b> ), which has been agreed with Natural England and the Forestry Commission.
2.1 1.2.4	<b>G88 Reinstatement</b>	1.1 The provenance of replacement planting stock will be addressed in the LEMP which will be approved by the relevant planning authority.
2.1 1.2.6	<b>G94 Reinstatement</b>	1.1 Reinstatement will be covered by the LEMP which will be approved by the relevant planning authority.
2.1 1.2.7	<b>G95 NJUG</b>	1.1 The Applicant has confirmed that it will replace NJUG with the BS 5837:2012 and has updated the commitment in the Outline LEMP submitted at Deadline 6 ( <b>Document Reference 8.50 (2)</b> ).
2.1 - 1.2.8	<b>G97 shrub planting</b>	1.1 The Applicant has clarified commitment G97 to address comments raised at the ISH on 27 February 2020. Commitment G97 states, <i>'Where woodland vegetation is lost and trees cannot be replaced in situ due to the restrictions of pipeline easements, native shrub planting approved by Esso would be used as a replacement, in accordance with the vegetation reinstatement plans to be approved by the relevant planning authorities as part of the LEMP. The approved vegetation reinstatement plan will also include replacement tree planting where appropriate'</i> .  1.2 If Rushmoor BC wishes other non-tree species to be used, this can be agreed in the LEMP.





REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
2.1 - 1.2.9	HRA1	<p>1.1 Rushmoor BC states it <i>'is of the view that natural regeneration alone would not be adequate to compensate for the habitat lost to the Thursley, Ash Pirbright and Chobham Common SAC and the Thames Basin Heaths SPA'</i>.</p> <p>1.2 The Applicant would like to reiterate that it has worked closely with those bodies that are responsible for the parts of the Natura 2000 sites where habitat impacts may be experienced. These organisations have advised that their preference is to use natural regeneration. These include:</p> <ul style="list-style-type: none"> <li>• Natural England;</li> <li>• Surrey Wildlife Trust;</li> <li>• Hampshire and Isle of Wight Wildlife Trust;</li> <li>• Ministry of Defence Ecology and Forestry Teams; and</li> <li>• Surrey Heath Borough Council.</li> </ul> <p>1.3 A range of other habitat measures have been submitted to the above organisations as part of the Environmental Investment Programme.</p>
2.2 - 2.2.1	Landscape and Ecological Features	<p>1.1 The Applicant can confirm that the newly designated Southwood Golf Course West SINC will be included in the LEMP.</p> <p>1.2 The Applicant does not believe that there will be any impacts on Ball Hill SINC and Ship Lane SINC.</p>
2.3 - 2.3.1, 2.3.2, 2.3.3	Summary of main land uses	<p>1.3 The lists included in the Outline LEMP (<b>Document Reference 8.50 (2)</b>) are examples within the Order Limits and not definitive lists of all land use types.</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
2.3 - 2.3.5	Old Ively Road	<p>1.1 The Applicant would like to confirm that it does not believe there is any ancient woodland along Old Ively Road. This is confirmed in the Approach to Ancient Woodland and Veteran Tree appended to the Outline LEMP (<b>Document Reference 8.50 (2)</b>).</p> <p>1.2 With regards to narrow working area NW15, this is shown on the General Arrangements drawings (Sheets I &amp; 103 (<b>Document Reference 8.81 (1)</b>) to run along Comet Road which is outside of any root protection area.</p>
2.3 - 2.3.6	G59 Ponds	<p>1.1 The Applicant believes that the request to remove the word <i>preferable</i> from commitment G59 is based on a flawed ecological assumption.</p> <p>1.2 Rushmoor BC has assumed that all ponds are utilised by amphibians and hence they should be avoided but has provided no evidence to this effect.</p> <p>1.3 Rushmoor BC goes on to state that '<i>all public authorities including the applicant are obligated under the NERC Act 2006 to conserve biodiversity</i>'. The Applicant can confirm that it is not a public authority, so this statement is incorrect and that it does not have such an obligation.</p>
2.3 - 2.3.7	Great Crested Newts in Surrey Heath	<p>1.1 It is not clear to the Applicant why Rushmoor BC is providing comment on protected species in other boroughs.</p> <p>1.2 The Applicant will respond to any concerns if raised by other boroughs but does not intend to respond to Rushmoor BC except to correct the following errors.</p> <p>1.3 Rushmoor BC states, '<i>it is the council's view that disturbance of a great crested newt pond before and immediately after breeding and before the young have left the pond, would be an offence under the EC Habitats Directive</i>.' Firstly, this is not how the offence of disturbance is defined in the EC Habitats Directive, which states:</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		<p><i>'1. to impair their ability- to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or</i></p> <p><i>'2. to affect significantly the local distribution or abundance of the species to which they belong.'</i></p> <p>1.4 In addition, it would appear Rushmoor BC has written this statement to imply that the Applicant has proposed such works, which it has not. The Applicant's proposals in relation to GCN are covered in the draft GCN licence (<b>Application Document <a href="#">APP-097</a> and <a href="#">APP-098</a></b>) and supported by Natural England issuing a Letter of No Impediment.</p> <p>1.5 The Applicant is disappointed at the misleading ecologically based statements made by Rushmoor BC in its submission.</p> <p>1.6 Furthermore, Rushmoor BC states, '<i>...Windlesham SANG where multiple breeding ponds are to be disturbed</i>'.</p> <p>1.7 The Applicant can confirm that this is entirely incorrect and that no GCN breeding ponds will be disturbed. There are no ponds at this location within the proposed working area.</p> <p>1.8 The Applicant finds it unacceptable that Rushmoor BC makes such misleading ecology based statements especially in relation to other boroughs.</p>
<b>2.3 - 2.3.9</b>	<b>G196 Common Reptiles</b>	<p>1.1 The Applicant believes the use of two stage habitat manipulation is the standard good practice on pipeline projects due to the short duration of the works and the minimal area of habitat affected.</p> <p>1.2 The Southwood Country Park – the principal area of reptile habitat within Rushmoor BC – was, until recently, a heavily managed golf course with little suitable reptile habitat. The Applicant does not believe that, in the period between the golf course management stopping and the installation of the pipeline being undertaken, the common reptile</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		<p>population will have reached the carrying capacity threshold that would mean the reptiles from the works area could not be accommodated in the large areas of habitat available on either side of the working area.</p> <p>1.3 Translocation also puts a high level of stress on those animals moved as they have to be physically captured, handled and then moved significant distances into entirely new areas of habitat with no return to their original habitat. This can lead to mortality and disruption of populations. Habitat manipulation simply results in animals moving, mostly at their own volition, into adjacent contiguous habitat for a short period of time and then being able to return.</p> <p>1.4 Furthermore, the use of translocation would result in the installation of hundreds of metres of exclusion fencing ahead of the pipeline works, which would result in a much longer period of exclusion for the public, possibly up to several months.</p> <p>1.5 Rushmoor has stated verbally to the Applicant that the reptile population could be defined ecologically as large. If this was the case, the period of exclusion of the public would have to be a minimum of 90 days and this would have to take place in the summer months prior to construction when the use of the SANG is likely to be at its greatest.</p> <p>1.6 Although not in Rushmoor BC, the Applicant can confirm that any works impacting sand lizards would be subject to a European Protected Species licence.</p>
2.7 - 2.7.2	<b>Tree reinstatement in Cove Brook Grassland SINC, and Cove Valley, Southern Grassland SINC</b>	<p>1.1 The Applicant acknowledges that Rushmoor BC has explicitly requested that the Applicant makes no attempt to relocate the trees in these SINCS.</p> <p>1.2 Rushmoor BC's statement also implies that, to assist in restoring Cove Valley Grasslands SINC back to open habitats, trees removed should not be mitigated by tree reinstatement and that it would prefer the area to be reinstated as acid grassland.</p>



REP5-044 – Rushmoor Borough Council Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
		1.3 It is noted that that this ecological advice will lead to an overall loss of trees in this area, although subsequent discussions with Rushmoor BC indicate they may wish some tree planting in this area to be included within the Environmental Investment Programme.
2.9.3	Table 5.2-5.5 species mix	1.1 The Applicant can confirm that the species will be stated in the LEMP, which will be approved by the relevant planning authority.
2.9.5 - 2.9.6	Reinstatement of lowland heathland	<p>1.1 The Applicant would like to reiterate that it has worked closely with those bodies that are responsible for the parts of the Natura 2000 sites where habitat impacts may be experienced. These organisations have not raised concerns about the scrub clearance either as a mitigation or as part of the Environmental Investment Programme. These include:</p> <ul style="list-style-type: none"> <li>• Natural England;</li> <li>• Surrey Wildlife Trust;</li> <li>• Hampshire and Isle of Wight Wildlife Trust;</li> <li>• Ministry of Defence Ecology and Forestry Teams; and</li> <li>• Surrey Heath Borough Council.</li> </ul> <p>1.2 The Applicant believes that Rushmoor BC has again made an incorrect unsubstantiated statement by stating that '<i>the habitat enhancement can be seen as only a small part of the mitigation package required to ensure no significant impact on the Natura 2000 network</i>'. </p> <p>1.3 The HRA Report (<b>Application Documents <a href="#">APP-130</a> and <a href="#">APP-131</a></b>) clearly concluded that there will be no significant impact on the integrity of the SPA and SAC.</p>



REP5-044 – Rushmoor Borough Council		
Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
2.9 - 2.9.8	Reinstatement of grassland	<p>1.1 The Applicant's experience suggests that the most efficient method to ensure appropriate reinstatement of grassland habitats is to allow the seedbank within the topsoil to naturally regrow.</p> <p>1.2 Given the short duration of the works, the seed will remain viable.</p> <p>1.3 Where appropriate, seed collection can be a suitable additional measure which can be agreed in the LEMP.</p>
2.10	6. Aftercare	<p>1.1 The Applicant can confirm that the LEMP will confirm that weed killer will not be used around newly planted trees within natural habitats.</p>
2.12 - 2.12.5	- Vegetation removal - Southwood Country Park	<p>1.1 The Applicant would like to reiterate previous submissions that, with the application of the good practice measures, the ES concluded that there would be no significant effects to biodiversity impacts and there is no requirement for further measures on biodiversity offsetting.</p> <p>1.2 The Applicant has still not received a formal response from Rushmoor BC regarding the measures included in the Environmental Investment Programme. However, further discussion has recently taken place.</p>
2.13 - 2.13.2	- Site Specific Plan – QEP trees	<p>1.1 Rushmoor BC has not provided any evidence to support its concerns about possible impacts to notable and veteran trees, and therefore the Applicant is unable to address any specific points.</p>



REP5-044 – Rushmoor Borough Council		
Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP		
WR Para Ref	Point raised	Applicant response to point raised:
2.13 2.13.3	- Site Specific Plan – QEP durations	1.1 The Applicant must correct the statement by Rushmoor BC that the park will be closed. The Applicant can confirm that at no time will the park be closed.
3.2 - 3.2.2	Hours of deliveries	1.1 In response to 3.2.1, This is the requirement wording and the Applicant can confirm that this has been added to the Outline CTMP submitted at Deadline 6 ( <b>Document Reference 8.49 (2)</b> ). 1.2 In response to 3.2.2, the Applicant has added a note to say unless otherwise agreed through the permitting scheme in the Outline CTMP. 1.3 In response to 3.3, this has been updated to match the wording in the draft DCO. 1.4 In response to 3.4, the Applicant has added a new commitment (PC3) relating to the Farnborough Airshow.
4	Outline Community Engagement Plan	1.1 The Applicant welcomes the comments on the Outline CEP and the majority of comments have been adopted. The reasons have been provided below for the comments that have not been adopted.



<b>REP5-044 – Rushmoor Borough Council</b> <b>Comments appertaining to ESSO's Outline CEMP, LEMP, CTMP and CEP</b>		
<b>WR Para Ref</b>	<b>Point raised</b>	<b>Applicant response to point raised:</b>
<b>4.2</b>	<b>Scope of works</b>	1.1 The CEP is the tactical delivery plan for communications within communities. Therefore, the content will not always be appropriate in the other workstreams. The Applicant believes it is not appropriate to make a commitment for the principles within the CEP to be applied to these other workstreams.  1.2 Since the project began, the Applicant has consistently delivered communications above what is statutorily required in all areas across the project and will continue to do so.
<b>4.8.1</b>	<b>Enquiries and Complaints</b>	1.1 The CEP will outline how complaints will be made, but the process is an internal matter for the project and the Applicant is not able to provide more detail at this time. The Applicant can ensure Rushmoor BC that enquiries will be dealt with in a timely manner.





**REP5-045 – Rushmoor Borough Council**

REP5-045 – Rushmoor Borough Council Response to Question DCO 2.31		
WR Para Ref	Point raised	Applicant response to point raised:
1.	<p><b>Habitats and species protection and mitigation</b></p> <p>The Council reiterated its proposed draft wording for an additional DCO Requirement on updated surveys and protected species and habitats.</p>	<p>1.1 The Applicant provided a detailed explanation in its comments on responses submitted for Deadline 4 (<a href="#">REP5-021</a>) as to why it does not consider that the additional requirement proposed by Rushmoor Borough Council is necessary. The Applicant's position remains the same.</p>
2.	<p><b>Veteran and notable trees</b></p> <p>The Council is concerned that the power in article 41 could result in the damage and destruction of veteran and notable trees (and their root systems) within Queen Elizabeth Park</p>	<p>1.1 The Applicant considers that the concerns raised are misconstrued.</p> <p>1.2 The Examining Authority will be aware that a Site Specific Plan for construction works through Queen Elizabeth Park was submitted at Deadline 4 (<a href="#">REP4-049</a>) and has been updated at Deadline 6 (<b>Document Reference 8.57 (2)</b>). This includes commitments in relation to vegetation removal through the park. The Site Specific Plan is secured by Requirement 17 of the draft DCO (<b>Document Reference 3.1 (7)</b>) and would be certified by the Secretary of State. Article 41 of the draft DCO must be read in the context of the Site Specific Plan.</p> <p>1.3 Notably, the Site Specific Plan confirms that the installation of the pipeline through the Park <i>'will not require the removal of any mature or veteran trees'</i>. It also confirms that, based on the current proposed pipeline alignment, approximately 30 non-mature trees would need to be removed within the park. These are trees of a lower arboricultural value and</p>



REP5-045 – Rushmoor Borough Council Response to Question DCO 2.31		
WR Para Ref	Point raised	Applicant response to point raised:
		<p>are in areas previously discussed with Rushmoor Borough Council as benefitting from some tree removal.</p> <p>1.4 Article 41 of the draft DCO is itself subject to checks and balances, in common with precedent DCO drafting. It is limited in geographical scope to trees and shrubs within or overhanging land within the Order Limits or the roots of trees or shrubs which extend into the Order Limits. The power may only be exercised where the Applicant reasonably believes it to be necessary to do so for one of the specific reasons set out in article 41(1)(a) or (b). It is also subject to appropriate compensation provisions.</p> <p>1.5 In addition, the Applicant has produced an Approach to Ancient Woodland and Veteran Trees, which can be found in Appendix C of the Outline LEMP (<b>Document Reference 8.50 (2)</b>). This details the approach that will be taken on the project with respect to veteran trees.</p> <p>1.6 The Applicant therefore considers that the exercise of power in article 41 through Queen Elizabeth Park is subject to appropriate controls.</p>
3	<p><b>Noise and vibration</b></p> <p>Requirement should be added to the draft DCO to make provision to re-house any occupiers of a property where the noise or vibration levels exceed specified levels for more than 24 hours</p>	<p>1.1 This issue is addressed in Chapter 7 of Appendix 13.3 Noise and Vibration Technical Note (<b>Application Document APP-121</b>).</p> <p>1.2 The relevant guidance used by the Applicant, BS 5228-1, identifies that, where <b>'widespread community disturbance or interference with activities or sleep' is likely to occur and if construction activities are likely to continue for a 'significant period of time'</b>, provisions for temporary rehousing can be made.</p> <p>1.3 Example thresholds for qualification are provided in BS 5228-1, where construction noise exceeds thresholds <b>'for a period of 10 or more days of working in any 15 consecutive days or for a total number of days exceeding 40 in any six consecutive months'</b>. These criteria are not expected to be met anywhere during the construction of the project.</p>



**REP5-045 – Rushmoor Borough Council  
Response to Question DCO 2.31**

<b>WR Para Ref</b>	<b>Point raised</b>	<b>Applicant response to point raised:</b>
		<p>1.4 These thresholds are the same as those that have been adopted on other major infrastructure projects. The Applicant is not aware of any DCO projects where rehousing has been provided in response to impacts occurring over shorter periods.</p> <p>1.5 In summary, rehousing is not proportionate to the level and duration of noise impacts.</p> <p>1.6 The Applicant believes there is no need for such a Requirement.</p>



**REP5-048 – Surrey Heath Borough Council**

<b>REP5-048 – Surrey Heath Borough Council</b>		
<b>Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)</b>		
<b>WR Para Ref</b>	<b>Point raised</b>	<b>Applicant response to point raised:</b>
<b>DCO.2.31 Potential Additional or Reworded Requirements</b>	<b>If reference to the Register of Actions and Commitments (REAC) is to be included in the documents, it should be noted that this document has been superseded by other documents or reference to this document removed in the interests of clarity.</b>	1.1 The Applicant can confirm that references to the REAC have been removed from the certified documents.
<b>Code of Construction Practice (CoCP)</b>	<b>It would be helpful if it were to be made clear that where specific documents have been approved, they would take precedence over the Code of Construction Practice.</b>	1.1 The documents do not take precedence over the CoCP ( <b>Document Reference 6.4(4)</b> ), the CoCP is certified at the end of examination, other documents will supplement the CoCP once later approved by the relevant authority.
<b>CoCP</b>	<b>Paragraphs 2.4.4 and 2.4.9, it would be helpful to cross reference to the LEMP, CEMP and site specific documents as appropriate.</b>	1.1 The commitments themselves are secured via the CoCP and the Applicant does not wish to weaken the commitment by inferring the information is secured via the subsidiary documents, however the topics are further referenced in other documents where appropriate.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
CoCP	Paragraphs 2.4.12 and 2.5.20, it is unclear whether the lift plan would be submitted as part of the CTMP. Clarification of this would be helpful.	1.1 Lift plans would be specific to particular operations during the construction phase and would be provided by a qualified, competent person in line with the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and would not be part of the documents requiring local authority approval.
CoCP	Paragraph 2.5.3 clarification of how pedestrian access to open space would be dealt with during the construction period.	1.1 A reference has been added to 2.5.3 to note that access for SANGs is specifically covered in section 2.14. 1.2 Commitment G79 commits to ensuring pedestrian access to community land uses and this will be done by prioritising pedestrians where paths cross the working area.
CoCP	Paragraph 2.5.10 clarification of which statutory body would oversee these works would be helpful.	1.1 This is covered in detail in 2.9.1. Section 2.9 is already referenced in 2.5.10.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
CoCP	Paragraph 2.5.13 it is unclear, that if required, how details of the mitigation measures would be made publicly available and which statutory body would be responsible for overseeing these works.	1.1 This detail is secured through the Water Management Plan, Appendix B of the CEMP. A comment has been added to clarify.
CoCP	Paragraph 2.5.14, this should be cross referenced to the permitted size limits and locations as set out in the Outline Soil Management Plan.	1.1 2.5.14 already notes that this will be completed in accordance with the Outline Soil Management Plan. It is the Applicant's view that it is not appropriate to reference the site-specific detail within a generic methodology.
CoCP	Paragraph 2.8.2 St Catherine's Road is in Frimley/Frimley Green rather than Farnborough.	1.1 Noted and updated.
CoCP	Paragraph 2.14.2 the Council would expect to see a plan maintaining a circular walk with the SSP for St Catherine's or an amendment to this paragraph to reflect what will be maintained at St Catherine's.	1.1 The Applicant has included confirmation that the circular walk will be maintained, within CoCP ( <b>Document Reference 6.4(4)</b> ) and SSP ( <b>Document Reference 8.61(2)</b> ). The exact configuration of the walk may change depending on the phase of works being undertaken to keep the maximum distance open to the public.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
CoCP	Paragraph 2.18.1 the statement that “Sunday or Bank Holiday working is not anticipated as being typical” does not reflect the provisions of requirement 14 which states that construction works must only take place between 0800 and 1800 Monday to Saturday except in an emergency. There is a potential conflict in the definition of emergency as set out in the requirement and the provisions of extended hours working as set out in paragraph 2.5.1. Clarity on this issue would be welcome.	1.1 Noted and updated
CoCP	Paragraph 2.18.2 the exceptions should be amended to reflect the terms of requirement 14.	1.1 Noted and updated
CoCP	Paragraph 2.18.3 this should be amended to reflect the terms of requirement 14.	1.1 Noted, section updated to fully reflect Requirement 14



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
CoCP	Paragraph 2.21.1 it would be helpful to have a clear definition of “timely”. Full details should be included in the CEMP, LEMP and site specific documents as appropriate.	1.1 2.21.1 refers to regular rather than timely, this is appropriate for the activity of removing waste from toilets and this specific detail would not be appropriate for inclusion in the LEMP, CEMP and site specific plans.
CoCP	Paragraph 2.23.2 any complaints received should be publicly viewable with details of what actions were taken in response to the complaint, by whom and when and whether any monitoring was required	1.1 The current wording is in line with normal practice and is simply included here to indicate that issues raised by the local community would be valued and managed in the same context as any other complaint.
CoCP	Paragraph 4.3.1 it is unclear whether the Protected and Controlled Species Compliance Report forms part of the DCO submission. Clarification of this would be welcome	1.1 The Protected and Controlled Species Compliance Report was submitted with the Application – section 6.4 of the Environmental Statement - Appendix 7.17.





REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
CoCP	Paragraph 4.6.1 the Council has not been provided with tree surveys and this information is critical to understanding the impact on the landscape and nature conservation	1.1 The ES contains the assessment of the significant effect of the project on landscape in Chapter 10 ( <a href="#">APP-050</a> ) and on nature conservation in Chapter 7 ( <a href="#">APP-047</a> ). The Applicant has undertaken arboricultural surveys along the whole length of the project to support the ES. The survey methodology was set out within Appendix 3 of the Scoping Report ( <a href="#">AS-019</a> ). ES Chapter 10 ( <a href="#">APP-050</a> ) assumed a worst case, that all vegetation in the Order Limits was removed and then reinstated following installation of the pipeline. Chapter 10 concluded that in the assessment year (Year 15) when reinstated vegetation will have established, there would be no significant effects other than potentially in relation to effects on Tree Preservation Orders, where these cannot be replaced in situ.
Constructi on Traffic Managem ent Plan (CTMP)	Paragraph 2.2.3 it would be helpful if the applicant could confirm who would be responsible for the stated activities.	1.1 The Applicant has added text to 2.2.3 to say that the contractor would be responsible.
CTMP	Paragraph 3.1.3 it would be helpful if the applicant could confirm if a banksman would be available on site.	1.1 CTMP updated to confirm all vehicles would be under the control of traffic marshals or a banksman.
CTMP	Paragraph 6.2.3 timing for deliveries of construction materials should also be timed to avoid peak traffic times	1.1 CTMP updated to include ' <i>or otherwise agreed through the permit scheme</i> ', which would take account of local factors.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
	for schools in the area particularly St Catherine's Road	
CTMP	Paragraph 6.4.1 the statement that "Sunday or Bank Holiday working is not anticipated as being typical" does not reflect the provisions of requirement 14 which states that construction works must only take place between 0800 and 1800 Monday to Saturday except in an emergency. There is a potential conflict in the definition of emergency as set out in the requirement and the provisions of extended hours working as set out in paragraph 6.4.1. Clarity on this issue would be welcome	1.1 Noted and updated
Outline Landscape and Ecological Management Plan (LEMP)	Commitment G88. It would not always be appropriate to reinstate vegetation with the same or similar species to that removed for example in the interests of biodiversity. As such there should be a degree of flexibility within the LEMP to allow the use of alternative	1.1 The Applicant recognises that it may not always be appropriate to reinstate with the same or similar species. The Outline LEMP already states in 5.2.5 that 'mixes will be further refined in the final LEMP, in conjunction with landowners and the relevant planning authorities, in order to reflect the specific species composition suitable for each location based on existing soil and drainage conditions'.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
Chapter 2 Project Commitments	species. There is also a concern that this commitment is loosely worded without firm commitments. Such commitments for appropriate replanting should be secured within the LEMP	1.2 The RPA can advise on species in specific locations, as part of their approval of the final LEMP.
LEMP Chapter 2 Project Commitments	Commitment G95: The Council advises that the tree measures should be in accordance with BS 5837: 2012.	1.1 The Applicant confirmed at the ISH on 26 February that Commitment G95 will be updated. The Outline LEMP has been updated to reflect this change.
LEMP Chapter 2 Project Commitments	Commitment G97: The Council strongly disagrees that native shrub planting is an acceptable replacement for tree loss.	1.1 This is a misconception about the wording of G97, which relates specifically to planting over the pipeline easement. G97 has been reworded at Deadline 6 to help clarify the intention. It now states 'Where woodland vegetation is lost and trees cannot be replaced in situ due to the restrictions of pipeline easements, native shrub planting approved by Esso would be used as a replacement, in accordance with the vegetation reinstatement plans to be approved by the relevant planning authorities as part of the LEMP. The approved vegetation reinstatement plan will also include replacement tree planting where appropriate.' The Applicant has also added text about reinstatement planting not in situ (but within the Order Limits) into the Outline LEMP.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
LEMP Chapter 2 Project Commitments	Commitment HRA1. The Council as owner of many of the affected statutory and non-statutory designated wildlife sites seeks information on what “natural regeneration” would mean in practice and over what period this would be expected to take place. This lack of clarity means that the heathland could be impacted for an indeterminate period which would be of concern.	<p>1.2 Natural regeneration is the accepted best practice for the reinstatement of acid grassland and heathland. This utilises the seedbank that is present in the topsoil and can led to faster reinstatement than seeding with introduced seed.</p> <p>1.3 Surrey Wildlife Trust, Hampshire and Isle of Wight Wildlife Trust, Natural England, MoD and Runnymede BC have all requested that natural regeneration is the method used for the reinstatement of vegetation at the heathland sites.</p>
LEMP Chapter 4 Vegetation Retention and Removal	Commitment G59. The Council has a specific concern about the translocation of Greater Crested Newts to the nearest undisturbed pond as these amphibians use different ponds for different functions and this does not appear to have been taken into account as part of the translocation process.	<p>1.1 The Applicant has prepared a draft EPS licence outlining mitigation for great crested newts and has received a letter of no impediment from Natural England (<a href="#">APP-096</a>). Therefore, the Applicant is confident in the approach proposed.</p>



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
LEMP Chapter 4 Vegetation Retention and Removal	With regard to Table 4.2 it would be helpful to have a link to the protected species provisions to ensure clarity and consistency of approach.	1.1 The last bullet in paragraph 1.3.7 links the EPS licences to the LEMP and explains that further details relating to the licences would be contained within the final LEMP.
LEMP Chapter 4 Vegetation Retention and Removal	With regard to Table 4.2 it would be helpful to have a link to the protected species provisions to ensure clarity and consistency of approach.	1.1 The last bullet in paragraph 1.3.7 links the EPS licences to the LEMP and explains that further details relating to the licences would be contained within the final LEMP.
LEMP Chapter 4 Vegetation Retention and Removal	Paragraph 4.3.6 RPAs. In the event that a method statement is required it is unclear where this would be publicly available to view and whether it would be for the Council to approve or note	1.1 Method statements are site-specific documents which are produced by the contractor to record how any and all particular activities will be undertaken on site. These would be reviewed by the Environment Clerk of Works (and other supporting specialists where appropriate). It is not standard practice on construction projects for these working method statements to be published.  1.2 A methodology for working in root protection areas is provided in the CoCP.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
LEMP Chapter 4 Vegetation Retention and Removal	Paragraph 4.3.9 it is unclear that where encroachment into Tree Protection Zones is unavoidable, where information on the temporary ground protection measures would be made publicly available to view.	1.3 Tree protection measures, including ground protection, would be indicated on the Vegetation Retention and Removal Plans in the LEMP, which will be submitted to the Relevant Planning Authorities for approval.
LEMP Chapter 4 Vegetation Retention and Removal	Paragraph 4.3.13 it is unclear whether risk reduction measures would include an assessment of made ground.	1.1 The measures relating to made ground and areas at risk of contamination are included within the Outline Soil Management Plan ( <b>Document Reference 8.51(2)</b> ).
LEMP Chapter 4 Vegetation Retention and Removal	Paragraph 4.3.19 it is unclear where the details will be recorded about the reinstatement/replacement of the feature(s) to aid reinstatement following construction and how they will be publicly viewable. It is also unclear what consultation would take place with regard to these features.	1.1 Landscape features to be reinstated will be shown on the reinstatement plans within the LEMP, which will be submitted to the Relevant Planning Authorities for approval.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
LEMP Chapter 4 Vegetation Retention and Removal	Paragraph 4.4.3 it is unclear whether regard would be had to made ground 4.6.2 and 4.6.3 it is unclear whether regard would be had to made ground.	1.1 The measures relating to made ground and areas at risk of contamination are included within the Outline Soil Management Plan ( <b>Document Reference 8.51(2)</b> ).
LEMP Chapter 4 Vegetation Retention and Removal	Regard to paragraph 4.5.2 and 4.5.3 where translocation would be undertaken and the identification of the suitable receptor site would be made, it would be expected that the relevant areas would be the subject of up to date site surveys which would inform the site specific method statement. Information on where these details would be publicly viewable should be provided.	1.1 The short-term and temporary nature of the project means that any translocation of vegetation is likely to be temporary with the vegetation returned to its original position within a short period.
LEMP	5.1.4, the Council would seek a survey plan so that an informed comparison of “before” and “after” impacts could be made	1.1 A new para has been added to 3.3. of the Outline CEMP: 'Pre-site condition surveys would be undertaken by the contractor as part of the site set up. After construction, post site condition surveys would be undertaken by the contractor and discussed with the landowner prior to handover.'  1.2 These will allow a comparison and demonstrate compliance with the reinstatement plans.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
LEMP	Paragraph 5.2.1 clarification of what constitutes “completion of installation” would be helpful	1.1 This refers to the installation of the pipeline.
LEMP	Paragraph 5.2.3 it is unclear what would happen if the landowner does not agree with the proposed Landscape and Ecological Reinstatement Plans specifically in relating to future maintenance	1.1 The Landscape and Ecological Reinstatement Plans would be developed in discussion with the landowner. The overarching principle as set out in Commitment G94, and as also required under the terms of the voluntary land deed, is that land would be reinstated to an appropriate condition relative to its previous use, therefore vegetation would generally be proposed in areas previously containing vegetation, and therefore the reinstatement is likely to be acceptable to the landowner. The Applicant would be responsible for a five-year aftercare period for all mitigation planting and reinstatement (as set out in the Outline LEMP and Commitment G92). After this period, the landowner will be responsible for the aftercare of the plantings.
LEMP	Paragraphs 5.3.1 reinstatement of woodland and trees, the Council would refer to its Deadline 4 response to question LV.2.4 in which it stated that a minimum of two replacement trees would be required to replace each mature tree removed. Replacement trees should be standard, root balled of between 15-20 years of age and broad leaf native species. The Council would advise that in the event that further	1.1 The Applicant has added a new commitment to say ' <i>Trees that are removed as a result of the construction of the project will be replaced on a one for one basis in accordance with the vegetation reinstatement plans approved under the LEMP. Where possible, replacement tree planting will be located in close proximity to the original tree. It should be noted that such tree reinstatement would not apply to areas where tree removal is for habitat improvement reasons, such as at Chobham Common and this has been agreed with Natural England and the relevant landowners</i> '. In terms of sizes and species types, these would be shown on the reinstatement plans which would be sent to the LPA for approval.





REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
	evidence of the Oak Processionary Moth is found within the Borough, the use of Oak trees may not be appropriate in a replacement planting scheme. The Council would wish to ensure that appropriate replacement trees are planted specifically for the purposes of tables 5.2, 5.3, 5.4, 5.5 and 5.6	
LEMP	Council requests clarity as landowner, on all fencing, walls and footpaths.	1.1 The Applicant has committed to reinstating sites on a like for like basis as per Commitment G93 which states ' <i>Hedgerows, fences and walls (including associated earthworks and boundary features) would be reinstated to a similar style and quality to those that were removed, with landowner agreement</i> '. The council would be consulted on the reinstatement plans.
LEMP	In the interests of clarity the Council as landowner would seek further information on the five year aftercare plan, how it will be delivered, by whom and how frequently. If herbicides, fertilisers or product intended for use on the land Control of Substances Hazardous to Health (COSHH) details should be provided.	1.1 The Applicant would be responsible for reinstatement and for undertaking the aftercare plan. The contractors would follow any consents or legal requirements with regards to herbicides, fertilisers or other products.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
LEMP	It is unclear where the landscape inspection reports and details of any arising actions would be made publicly viewable and clarification of this would be welcome.	1.1 The Applicant does not think it is appropriate to publish landscape inspection reports.
LEMP	Ecological monitoring - with regard to paragraph 7.2.1 in the interests of clarity the Council would expect to see a five year inspection programme and aftercare period.	1.1 This paragraph is ecological monitoring as required under the EPS licensing and is separate to aftercare.
CEMP	Paragraph 2.3.1, with the exception of Windlemere, the Council is not aware of what and where baseline surveys have been completed and on what basis. It would be helpful to know where this information would be viewable.	1.1 Details of all the baseline ecological surveys are contained in Chapter 7 of the Environmental Statement and its Appendices. (Application Document <a href="#">APP-047</a> ) 1.2 The basis of these surveys was confirmed in the Scoping Report ( <a href="#">AS-019</a> to <a href="#">AS-025</a> )
CEMP	Paragraph 2.3.2, it is unclear how the results of the pre-construction surveys will inform the development or update any approved details eg will they be used to re-define the	1.1 Added text to say ' <i>The information would be used to inform the final pipeline routing and whether specific construction methods are required. It would also be used to finalise the protected species licences</i> '.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
	<p>pipeline route, the trench type or proposed mitigation for species at risk. It is also noted that there is not a definitive list of the locations where these surveys would take place. Notwithstanding the Council has concerns that the surveying undertaken at Windlemere is not complete and further surveying is required particularly in relation to the Great Crested Newt meta population</p>	
CEMP	<p>Wish to see dormice survey at Windlemere.</p>	<p>1.1 This wouldn't be an item covered in the CEMP, however the Applicant can confirm that comprehensive dormice surveys using approximately 70 nest tubes have been undertaken at Windlemere SANG. No evidence of dormice was recorded.</p>
CEMP	<p>Paragraph 2.5.1, the emphasis on "Sunday or Bank Holiday working is not anticipated as being typical" does not reflect the provisions of requirement 14 which states that construction works must only take place between 0800 and 1800 Monday to Saturday except in an emergency. There is a potential</p>	<p>1.1 Noted and updated</p>



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
	conflict in the definition of emergency for the purpose of the requirement and the provisions of extended hours working as set out in paragraph 2.5.1. Clarity on this issue would be welcome.	
CEMP	Paragraph 3.3.1 the Council, as landowner, would seek a recorded pre-site check and then a post-site check to ensure that it is handed back to the Council in an acceptable condition.	<p>1.1 A new para has been added to 3.3. of the Outline CEMP: 'Pre-site condition surveys would be undertaken by the contractor as part of the site set up. After construction, post site condition surveys would be undertaken by the contractor and discussed with the landowner prior to handover.'</p> <p>1.2 These will allow a comparison and demonstrate compliance with the reinstatement plans.</p>
CEMP	Paragraphs 3.3.3 and 3.3.4 it is unclear why the central Environmental Log would not be publicly available and only, as currently proposed, on request. Furthermore there does not seem to be a provision to update the Log with the additional procedures which may have been undertaken, by whom and when.	<p>1.1 The Environmental Log could contain details of land owners, certain protected species etc which would not normally be made publicly available.</p> <p>1.2 Commitment G9 confirms that, <i>'the Log would be available to view by the local authority if requested.'</i></p>



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
CEMP	Paragraph 3.4.3, it would appear logical to replace “propose” with “provide” and add “compulsory” to “training” to ensure all site operatives are fully briefed on local ecology	1.1 The Applicant will update the text to 'provide'.
CEMP	Paragraph 3.6.1 there does not seem to be a provision to update the action plan to detail what actions with the additional procedures which may have been undertaken, by whom and when.	1.1 The Action Plan will contain all the commitments that must be complied with and be used to track their implementation. If addition commitments are made these will be added to the Action Plan.
CEMP	Paragraph 3.7.1, an e-mail address and a “contact us” facility should be made available on the main Southampton to London pipeline website.	1.1 This information will be made available but the details will be contained in the Community Engagement Plan.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
CEMP	Paragraph 3.7.2 there does not seem to be a provision to update the record of the incident to detail what actions were taken, by whom and when.	1.1 This would be standard information captured when recording any complaints or incidents.
CEMP	Paragraph 4.2.1 it would be helpful to have clarity on where updated information would be publiclypublicallypublicly held and viewable if changes are required during the construction phase. The Council as landowner would seek copies of consents, permits and licences on its land.	1.2 Permits and consents would be sought with the relevant bodies. These may contain information not normally made publicly available. 1.3 Although there is no requirement to provide these to other parties the Applicant see no reason why the Council wouldn't be able to request see them.
SWMP	The Council as landowner would like to confirm and agree what could be re-used and retained on each site in respect of any materials that are to be left on site that are over and above 'making good' for example chipped vegetation as mulch, trees as habitat piles, spreading of previously excavated top soil that is surplus to	1.1 The Applicant can confirm this included in paragraph 1.11.1, and states that this will require landowner consent.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
	that required to infill the pipeline trench.	
Dust Management Plan	Paragraph 3.3.2 it is assumed that site planning and preparation would include an assessment of "made ground"	1.2 The wording has been updated to include <i>'The site planning would also include an assessment of made ground within the Order Limits'</i> .
Dust Management Plan	Paragraph 4.2.1, the complaints procedure is scant in its content. Any complaints received should be publicly viewable with details of what actions were taken in response to the complaint, by whom and when and whether any monitoring was required.	1.1 The Environmental Log could contain details of land owners, certain protected species etc which would not normally be made publicly available. 1.2 Commitment G9 confirms that, <i>'the Log would be available to view by the local authority if requested.'</i>



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
Noise and Vibration Management Plan (NVMP)	With regard to 3.5.2 it would be helpful to have clarity about what is meant by “control of working hours” as construction hours are covered by requirement 14	1.1 Noted and updated
NVMP	In response to question PC.2.1 at Deadline 4 the Council identified a number of roads in Camberley, Chobham, Frimley, Lightwater, West End and Windlesham which should be included in the Noise and Vibration Management Plan. Given this and In regard to paragraphs 3.6.1, 3.6.2, 3.6.3 and 3.6.4 the Council would seek the submission of noise surveys, in respect of those locations previously identified within submitted documents and as submitted by the Council at Deadline 4, to assess the need, or not, for acoustic fencing to safeguard the amenities of occupiers of the provided addresses.....	<p>1.1 The adoption of a monthly average in the noise assessment is described in the Scoping Report Appendix 8.3 (<a href="#">AS-019</a>) (paragraph A8.3.3.39), and the Methodology Chapter of Appendix 13.3 (<a href="#">APP-121</a>) (Chapter 5, paragraph 5.1.10).</p> <p>1.2 The adopted assessment approach is based on a theoretical scenario where the construction of the entire project is undertaken within a month. The assessment is based on a daily noise level (e.g. LAeq,10hr), logarithmically averaged over the working days within this theoretical month. This is a conservative approach which condenses all of the works (including those which generate the greatest noise levels) into a single month period, as in practice the works in most locations will be spread out over a much longer duration, and the average monthly construction noise level would be much lower than the assessed value.</p> <p>1.3 The results of the assessment are included in the Noise and Vibration Technical Note Addendum Rev 2. (<a href="#">REP4-017</a>).</p>





REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
NVMP	Council request submission of noise surveys	1.1 See response above.
Soil Management Plan (SMP)	Paragraph 3.3.17, it is noted that topsoil stockpiles should not exceed 4 metres in height and subsoil stockpiles should not exceed 5 metres in height. It is important that the location of the stockpiles are clearly identified in the interests of visual and residential amenity including relationship to trees and nature conservation interests.	1.1 Paragraph 3.3.5 states that we would avoid sensitive features when locating stockpiles.
SMP	Paragraph 3.3.20 reference is made to the maximum gradient of the stockpiles. As part of this submission the Council would expect that the width and depth of the stockpiles would be provided.	1.1 Added 'height, width and...' to the existing sentence. 1.2 Specific details of stockpiles in any one location will not be known until the soil is excavated and the volumes known.



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Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
SMP	Paragraph 3.4.1 the Council would expect reference to the Sites of Special Scientific Interest specifically Turf Hill.	1.1 The plan references the SAC and SPA which includes all of the SSSIs, including Turf Hill which lies within the Thames Basin Heaths SPA.reference
SMP	Paragraph 4.2.1 the complaints procedure is scant in its content. Any complaints received should be publicly viewable with details of what actions were taken in response to the complaint, by whom and when and whether any monitoring was required.	1.2 The Environmental Log could contain details of land owners, certain protected species etc which would not normally be made publicly available. 1.3 Commitment G9 confirms that, <i>'the Log would be available to view by the local authority if requested.'</i>
Lighting Management Plan (LMP)	Paragraph 3.7.1 "Exceptional working" does not reflect the provisions of requirement 14 which states that construction works must only take place between 0800 and 1800 Monday to Saturday except in an emergency. Clarity on this issue would be welcome.	1.1 Noted and updated



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
LMP	Paragraph 3.8.1 the applicant has previously indicated that, for logistical reasons, there may be circumstances where compounds are dormant for a period of time. In such circumstances clarification of whether the hubs and/or compounds would be illuminated during such periods should be provided. Given the location of the proposed compounds within Surrey Heath in proximity to trees and woodland, the Council would expect to have bat friendly lighting within all the compounds within Surrey Heath.	<p>1.1 Amended text in 3.8.1. Whilst not a lighting issue the Applicant has added that <i>'where possible lights in dormant compounds would be turned off.off'</i>.</p> <p>1.2 The commitment G45 states, <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></p>
LMP	Paragraph 4.3.1 the complaints procedure is scant in its content. Any complaints received should be publicly viewable with details of what actions were taken in response to the complaint, by whom and when and whether any monitoring was required.	<p>1.1 The Environmental Log could contain details of land owners, certain protected species etc which would not normally be made publicly available.</p> <p>1.2 Commitment G9 confirms that, <i>'the Log would be available to view by the local authority if requested.'</i></p>



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
LMP	Paragraph 3.8.1 the applicant has previously indicated that, for logistical reasons, there may be circumstances where compounds are dormant for a period of time. In such circumstances clarification of whether the hubs and/or compounds would be illuminated during such periods should be provided. Given the location of the proposed compounds within Surrey Heath in proximity to trees and woodland, the Council would expect to have bat friendly lighting within all the compounds within Surrey Heath.	<p>1.1 Amended text in 3.8.1. Whilst not a lighting issue the Applicant has added that <i>'where possible lights in dormant compounds would be turned off.off'</i>.</p> <p>1.2 The commitment G45 states, <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></p>
Environmental Action Plan (EAP)	Information should be publicly available on any incident and actions arising. This should include any monitoring requirement.	<p>1.1 The Environmental Log could contain details of land owners, certain protected species etc which would not normally be made publicly available.</p> <p>1.2 Commitment G9 confirms that, 'the Log would be available to view by the local authority if requested.'</p>



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
EAP	Paragraph 4.5.1, there is a lack of clarity on when stakeholders would be notified. It is important that the Council/any landowner are notified as a matter of urgency should an emergency arise to ensure that they are able to respond to enquiries in relation to the incident.	1.1 Text has been added to confirm that Community Engagement Plan will identify appropriate forums for contacting landowners and the councils.
Water Management Plan	The Council would be concerned about any changes to ground water at Windlemere and the impact on the ponds on site as this may have a greater long term effect on the suitability as habitats for the Great Crested Newts. The proposed pipeline runs alongside existing watercourses (ditch and ponds) which may be vulnerable to change in ground water from reading this point. This would cause a damaging effect if correct.	1.2 This is a site specific point that would not be expected in a management plan. 1.3 The Applicant doesn't believe that there is a risk from pipeline installation to the levels of groundwater experienced in Windlemere SANG.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
Community Engagement Plan (CEP)	With regards to paragraph 7.1.1 a definition of what constitutes "installation" would be helpful.	1.1 This would be works associated with the installation of the pipeline.
CEP	Chpt 11 It would be helpful if a "Contact us" and a "Report an Incident" facility was provided on the SLP website	1.2 A Contact Us facility has been added to the website. Not Report an incident as this would not be an appropriate method for reporting incidents that may require immediate or urgent actions.
CEP	Chpt 8 & 10 - include information on the project's website	1.1 This information has been added to chapter 8.
CEP	Appendix A - With regard to the works proposed at St Catherine's SANG, the Council would recommend that Tomlinscote School and St Augustine's Primary School, both Tomlinscote Way Frimley and Lakeside Primary School Alphington Avenue Frimley are added to the Community Stakeholders List. With	1.1 These have been added.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
	regard to the works proposed at Turf Hill the Council would recommend that the Heronscourt and Colville Gardens Residents Associations are added to the Community Stakeholders List	
CEP	Appendix B - is one week notification enough?	1.1 This has been updated to 14 days
CEP	Appendix B - include local schools	1.1 The Applicant does not believe this detail is required.
CEP	Appendix B - include a feedback facility	1.1 This would be included under contact us/enquiries
Turf Hill	With regard to paragraph 3.1.2, if diversionary paths are unable to be provided, full engagement with residents and stakeholders should take place to ensure that information is publicly available (on site and	1.1 The Applicant is aware that the proposed work would impact on the use of Bridleway 129 and Bridleway 66 during the works. Table 3.1 in the Site Specific Plan for Turf Hill ( <a href="#">REP4-050</a> ) is reproduced below: The Applicant confirms that diversion of Bridleway 66 will be for approximately 12 weeks and the details will be agreed in advance with Surrey Heath Borough Council. Paragraph 3.1.2 specifically relates to those properties in Colville



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
	online) which explains how long access will be unavailable.	<p>Gardens and Heronscourt which have informal private access gates directly onto Bridleway 66.</p> <p>1.2 The Applicant has committed to maintaining pedestrian access during the works secured through Commitments G79 and G114 in the Code of Construction Practice (<a href="#">REP4-012</a>). In addition, the Applicant will, through the Community Engagement Plan, engage with the residents impacted to give advanced notice of any temporary access restrictions for other bridleway users during construction.</p>
Turf Hill	<p>With regard to paragraph 3.2.1, a tree survey plan and assessment to BS5837:2012 should be provided. With regard to paragraph 3.2.3 a tree survey plan and assessment to BS5837:2012 should be provided to clarify and assess the trees to be removed from the compound area. "A number of trees" is too vague.</p>	<p>1.1 The Applicant has agreed at the Issue Specific Hearing on the 16 February 2020 to adopt the British Standard BS 5837:2012 to assess and manage the construction impacts on trees within the Order Limits. The Applicant has agreed to provide a revised tree survey for Deadline 6 to address this issue raised in this point. The number of trees to be removed at the rear of the properties in Coleville Gardens and Heronscourt and along Guildford Road is 21..</p>
Turf Hill	<p>With regard to paragraph 3.2.4 it is unclear when and how the outstanding details will be submitted and on what basis eg for approval or for noting and where they will be publicly available.</p>	<p>1.1 The Applicant is updating the Site Specific Plan submitted at this deadline (Deadline 6). The plan will be published along with all application and examination documents on the SLP project page on the Inspectorate's web site.</p>





REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
Turf Hill	With regard to paragraphs 3.3.1 and 3.4.6 there is a lack of clarity about [what] will be included within the construction compound and the facilities that will be required. Further details are required in this regard (please see the response to paragraph 3.3.5 in respect of the St Catherine's SSP)	<p>1.1 The details relating to each construction compound are set out in the draft DCO (<a href="#">REP5-003</a>) Schedule 1.</p> <p>1.2 For compound 5C at St Catherines Road SANG the details are:                      Work No. 5C — Works to construct a temporary compound for use during the construction of the authorised development, comprising an area of up to 55 metres by 40 metres, at the indicative point shown on Sheets 36 and 113 of the Works Plans, to include:</p> <ul style="list-style-type: none"> <li>a) office, welfare and security facilities;</li> <li>b) a parking area for staff;</li> <li>c) power supplies and temporary lighting;</li> <li>d) pipe equipment and fittings storage;</li> <li>e) plant storage;</li> <li>f) a fabrication area;</li> <li>g) a plant wheel wash area;</li> <li>h) waste processing and management areas; and</li> <li>i) fencing and gating (to an approximate height of 2.4 metres).</li> </ul> <p>1.3 For compound 5E at Turf Hill the details are:                      Work No. 5E — Works to construct a temporary compound for use during the construction of the authorised development, comprising an area of up to 64 metres by 45 metres, at the indicative point shown on Sheet 41 of the Works Plans, to include:</p> <ul style="list-style-type: none"> <li>a) office, welfare and security facilities;</li> <li>b) a parking area for staff;</li> <li>c) power supplies and temporary lighting;</li> <li>d) pipe equipment and fittings storage;</li> <li>e) plant storage;</li> </ul>



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
		<p>f) a fabrication area;                      g) a plant wheel wash area;                      h) waste processing and management areas; and                      i) fencing and gating (to an approximate height of 2.4 metres).</p> <p>The detailed layout of each compound is yet to be determined and will be influenced by the contractor at a later stage.</p>
Turf Hill	<p>With regard to paragraph 3.4.5 and notwithstanding the provisions of the proposed Outline Soil Management Plan, the Council would expect to be provided with details of location, height, gradient, width and depth of any topsoil to be stored on site. The document is silent on the need for any storage of subsoil and clarification of this would be welcome.</p>	<p>1.4 The Site Specific Plan must be read in conjunction with other application documents. Details of soil storage are provided in the Outline Soil Management Plan within the CEMP (<b>Application Document <a href="#">APP-129</a></b>) and the Outline LEMP which will be approved in detail with the relevant planning authority.</p> <p>1.5 In addition the methodology for working in woodland is contained in the Code of Construction Practice (<b>Document Reference 6.4(4)</b>)</p>
Turf Hill	<p>With regard to paragraph 3.5.3 and as set out above and in response to the Examining Authority's question LV.2.7 at Deadline 4, the Council would expect all works to be undertaken to BS5837:2012.</p>	<p>1.1 The Applicant has agreed at the Issue Specific Hearing on the 26 February 2020 to use British Standard BS 5837:2012, and has updated the relevant plans to reflect this change.</p>



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
Turf Hill	With regard to Appendix B in the Turf Hill Reinstatement plan it shows that both the compound and mitigation area would be reinstated through natural regeneration. It is unclear why the mitigation area would need to be reinstated as it is being shown for mitigation purposes. The same area is shown as habitat creation area on the construction plan so it is unclear to what extent it is intended to be used. Clarification of these points would be helpful	1.1 This area will be subject to some habitat creation such as bare earth scrapes and cutting of scrub/over-mature heather. These activities will be within the Mitigation Area but not cover its entirety. The area will then be left to naturally regenerate and there will be no planting in this area. These activities will be undertaken in agreement with SHBC and Natural England.
Turf Hill	There is a lack of clarity as to whether the mitigation area will be fenced off. In the interests of clarity, the Council would not want it to be fenced off.	1.1 The Applicant does not anticipate needing to fence off the mitigation area but agrees that if required, it would not be fenced off unless agreed in writing with the local planning authority.
Turf Hill	On the drawing entitled Turf Hill: Construction Stage there is a hatched area along the road the notation for which states that "tree removal" is to be confirmed. This area is a main landscape buffer adjoining the Guildford Road. The SSP should survey the relevant trees	1.1 The Applicant has agreed at the Issue Specific Hearing on the 26 February 2020 to use British Standard BS 5837:2012. 1.2 The Applicant will provide an updated Site Specific Plan for Turf Hill to indicate the impact of the project on the trees along Guildford Road. 1.3 Action ISH5 – 37 requires the Applicant to provide the full survey by Deadline 7.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
	to BS5837:2012, assess the impact of the trees proposed to be removed and propose mitigation for the trees identified for removal.	
Turf Hill	A general comment here is that the compound is directly next to the only area of humid/wet heath on this site which supports particular types of grass and moss not found on other areas. This is the only place where Sundews are found. It is key that as little damage is created in this area and that reinstatement is sensitive to this type of heath. Notwithstanding the proposed LEMP, the Council would want to agree all planting of vegetation and trees proposed for this site.	1.1 The location of the compound has been carefully identified in conjunction with Natural England, Surrey Wildlife Trust and Surrey Heath Borough Council to avoid impacts on the nearby wet heath which has been accurately mapped. <b>(Application Document APP-061)</b> The compound would be left to naturally regenerate and may therefore provide an opportunity for habitat creation but no planting is anticipated in this area..
St Catherine's	Further clarification on habitat, tree and vegetation removal is required.	1.1 A construction stage plan and reinstatement plan have been added to the Site Specific Plan at Deadline 6.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
St Catherine's	Understandably, in the absence of a contractor, the precise details for extent of the compound and how that would work in terms of traffic movement, location of facilities, parking, deliveries, on site storage are unknown. These details should be included in the detailed SSP.	1.2 This level of detail cannot be expected at this stage of the project design. Traffic movements will be detailed in the final CTMP submitted for approval.
St Catherine's	Paragraphs 3.2.3 and 3.2.4 clarification of what is meant by "some young trees" would be welcome. How many are some? and what qualifies as a young tree?	1.1 This is a reference to the amenity trees that have been planted individually or in clumps within the grassland of the SANG, to differentiate them from the mature trees located along the boundary of the SANG with Frith Hill and St Catherine's Road. 1.2 All of the trees within the narrow working Open Cut section and the compound area will be removed and reinstated. These will be surveyed prior to removal to inform the reinstatement specification agreed with the Council.
St Catherine's	Paragraph 3.2.6 cross referencing to the proposed tree protection measures would be helpful	1.1 Reference to the British Standard BS 5837:2012 <i>Trees in relation to design demolition and construction – Recommendations</i> is referenced in the document. All tree works will be completed in accordance with this.



<b>REP5-048 – Surrey Heath Borough Council</b>		
<b>Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)</b>		
<b>WR Para Ref</b>	<b>Point raised</b>	<b>Applicant response to point raised:</b>
<b>St Catherines</b>	<b>Paragraphs 3.3.4 and notwithstanding the provisions of the proposed Outline Soil Management Plan, the Council would expect to be provided with details of location, height, gradient, width and depth of any topsoil to be stored on site. The document is silent on the need for any storage of subsoil and clarification of this would be welcome.</b>	1.2 Reference to width, height, and gradient of soil storage in has been added to the Outline Soil Management Plan.
<b>St Catherines</b>	<b>paragraphs 3.3.5 and notwithstanding the provisions of the Outline Management Plan, the Council would expect to see a detailed lighting plan for this compound to include standard, security and bat friendly lighting. Details of the facilities required for the 24 hour security team (how many? Shift patterns?) including the location and height of CCTV should be included in this SSP.</b>	1.1 24-hour security provision and CCTV have now been included in 3.3 of the Site Specific Plan.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
St Catherines	Paragraph 3.5.1 the Council would expect the reinstatement to be seeded.	1.2 There is a reference to reseeding in section 3.6. The selection of seed mix will be addressed in the LEMP which will be agreed with the Council.
St Catherines	Paragraphs 3.5.2 and 3.5.3 a SSP reinstatement plan should be included within the SSP in the interests of clarity and for ease of reference. This should include, inter alia, what areas will be re-instated, to what standard, the methods to be used, appropriate replacement planting and an aftercare schedule of works for a minimum period of five years.	1.1 A reinstatement plan has now been included. The five-year aftercare period is committed to within the draft DCO. 1.2 The details of reinstatement requested would be in the LEMP which will be agreed with the Council.
St Catherines	To paragraph 3.5.4 further information is required on “reinstated to previous condition” or a provision added to the existing wording “in a manner to be agreed with Surrey Heath Borough Council”	1.1 The final detail of the reinstatement would be provided in the LEMP, which is subject to agreement with the Council.



REP5-048 – Surrey Heath Borough Council		
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)		
WR Para Ref	Point raised	Applicant response to point raised:
St Catherines	Paragraph 2.14.2 of CoCP - the Council would expect to see a plan maintaining a circular walk with the SSP for St Catherine's or an amendment to this paragraph to reflect what will be maintained at St Catherine's.	1.2 The Applicant has committed to maintaining the circular walk. This walk may vary through the course of the works to take account of progress through the area so will be agreed with the Council at the time rather than at this time.
St Catherines	"The site specific plan should include specific, detailed measures to minimise disruption to remainder of the SANG and prevent recreational displacement. This could include:  a. Acoustic fencing to limit the impacts of noise pollution on the tranquillity of the SANG.  b. Using materials for fencing that reduce the visual impacts on the SANG, maintaining low visibility of the work area.  c. Minimising the use of the SANG as far as practical to limit any potential impacts, including	1.1 These measures have informed the expanded commitments made in relation to SANGs which have been included in the updated Code of Construction Practice ( <b>Document Reference 6.4(4)</b> ) and the Site Specific Plan submitted at Deadline 6.





**REP5-048 – Surrey Heath Borough Council  
Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)**

<b>WR Para Ref</b>	<b>Point raised</b>	<b>Applicant response to point raised:</b>
	<p>temporary land take for storage vehicles, materials etc.</p> <p>d. Introducing up to date, clear and user friendly information within the SANG for its users, including details of timings and potential routes through the Frith Hill woodland, as well as making clear the remainder of the site will remain open.</p> <p>e. Laying the pipeline into the SANG outside bird nesting season to limit any potential impact.</p> <p>f. Avoid obstruction of main access routes.</p> <p>g. Ensuring that the site remains secure for dogs to be safely let of the lead.</p> <p>h. Reinstating the site in accordance with the SANG management plan.</p> <p>i. In advance of any construction works taking place, providing an information pack to every Keaver Drive residence detailing the</p>	



<b>REP5-048 – Surrey Heath Borough Council</b>		
<b>Deadline 5 Submission - Written Response to The Examining Authority's written questions and requests for information (ExQ2)</b>		
<b>WR Para Ref</b>	<b>Point raised</b>	<b>Applicant response to point raised:</b>
	<b>timescale of the works, notification that the SANG will remain open</b>	



REP5-047 – Savills on behalf of Spelthorne Borough Council

REP5-047– Savills on behalf of Spelthorne Borough Council

Comments on responses submitted for Deadline 4

WR Para Ref	Point raised	Applicant response to point raised:
1.	<p><b>Revision 5 of the draft DCO (REP4-007)</b></p> <p>Requirement 8 should include provision for the vegetation retention and removal plan to be approved by the local planning authority.</p> <p>Requirement 14 should be modified to provide for local agreement of construction hours by local planning authorities.</p> <p>Proposal to amend Requirement 17 so that changes to the Site Specific Plans can be made with the approval of the local planning authority to reflect material changes in local circumstances in the area to which the Site Specific Plan relates.</p>	<p>1.1 For the reasons conveyed by the Applicant at the Issue Specific Hearing on the draft DCO held on Tuesday 25 February 2020, the Applicant does not agree that the written vegetation retention and removal plan required to be submitted under Requirement 8 should be subject to local planning authorities' approval. This is because the Applicant's ability to determine the final route of the pipeline and to remove vegetation within the Order Limits to deliver that final alignment would be devoid of any value if a power to veto vegetation removal and retention was conferred upon local planning authorities. The Applicant does not therefore agree with the Council's suggested modifications to Requirement 8 of the draft DCO.</p> <p>1.2 Regarding the Council's suggested changes to Requirement 14 of the draft DCO regarding construction hours, the Applicant provided a response to this as part of its responses to interested parties' comments on the draft DCO at Deadline 4 (<a href="#">REP5-036</a>). In summary, the Applicant does not consider that the Council's proposal amounts to a practicable solution for the delivery of a Nationally Significant Infrastructure Project such as this. The Applicant notes that the Council is the only authority across the route advocating the approach. If the Applicant were unable to secure approval of its proposed construction hours in any given location, this could have major implications for its ability to deliver the project. The core working hours approach provides certainty that the project can be delivered. These core hours are themselves limited in duration, and the Applicant considers that the works are subject to appropriate controls elsewhere, such as through the Construction Environmental Management Plan (<b>Document Reference 8.51 (2)</b>), which would need to be approved by the local planning authority for any stage of the authorised development.</p>



REP5-047– Savills on behalf of Spelthorne Borough Council Comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
	The period for requesting further information under Requirement 24 should be extended to 15 business days instead of five.	<p>1.3 In relation to the Council's proposed amendment to Requirement 17 of the draft DCO, the Applicant is happy to agree this wording and considers that such an approach would be beneficial for the reasons explained by the Council in its Deadline 5 submissions. This wording has been added to the revised draft DCO submitted at Deadline 6 (<b>Document Reference 3.1(7)</b>).</p> <p>1.4 For the reasons given in its responses to interested parties' comments on the draft DCO at Deadline 4 (<a href="#">REP5-036</a>), the Applicant remains of the view that the five business day period for requesting further information under Requirement 24 is reasonable. Notably, the Applicant has already increased that period from two to five business days in the course of this examination.</p>
2.	<b>Response to the Site Specific Plan for Fordbridge Park (REP4-051)</b>	<p>1.1 In response to 2.3, the Applicant confirmed at the ISH on the 26 of February that the British Standard will be applied to replace NJUG. Commitment G95 has been updated to reflect this.</p> <p>1.2 In response to 2.4, the Applicant has previously advised the ExA that, whilst a feasible route has been shown in the Site Specific Plan for Fordbridge Park, the Applicant requires to retain the flexibility to be able to divert the pipeline route should unexpected buried obstructions be encountered which require the route to be changed. The Applicant will still maintain the narrow working width and the commitment to not impact on mature or memorial trees.</p> <p>1.3 An updated Site Specific Plan for Fordbridge Park is provided at Deadline 6 (<b>Document Reference 8.59 (2)</b>).</p>



REP5-047– Savills on behalf of Spelthorne Borough Council Comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
3.	<b>Response to the Site Specific Plan for Ashford Road (REF4-055)</b>	<p>1.4 In response to 3.2, the Applicant confirmed at the ISH on the 26 of February that the British Standard will be applied to replace NJUG. Commitment G95 has been updated to reflect this.</p> <p>1.5 In response to 3.3, an updated Site Specific Plan for Ashford Road is provided at Deadline 6 (<b>Document Reference 8.63 (2)</b>) which covers in more detail the proposed route in the carriageway and verge to limit the impact on TPOs.</p>
4	<p><b>Response to the Site Specific Plan for St James' School</b></p> <p>The Council is concerned to protect the amenity of residents of Village Way, whose houses back on to Clarendon Primary School. Completion of the trenchless crossing during the school holiday implies extended working hours that could affect residential amenity. These properties have not been identified in the Noise and Vibration Technical Note Addendum (REP4-017)</p>	<p>1.1 The Applicant would like to confirm that the works at the school would still be within the standard parameters of the project, including the working hours within Requirement 14.</p> <p>1.2 In relation to residents at Village Way, the noise levels at all properties are expected to be at least 5dB below the adopted significance threshold. This is due to the following reasons.</p> <p>1.3 As detailed within the Site Specific Plan for Ashford Town Centre (<b>Document Reference 8.78 (2)</b>), the drive shafts for the trenchless crossings to Station Road and St. James School will be located in northwest corner of the Clarendon School playing field, near the railway. Therefore, the operation of plant would occur away from receptors on Village Way, and noise effects would be reduced.</p> <p>1.4 Although the Order Limits include an area to the east of Clarendon School, this is for the provision of an access road. The use of this access road would not cause noise levels to exceed the adopted significance threshold.</p>



**REP5-049 – Surrey County Council**

REP5-049– Surrey County Council Comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
N/A	<b>AMS</b>	1.5 Amended AMS text has been drafted and was sent to the Council to be agreed with Surrey County Council Archaeologist on 3 March 2020.
	<b>Permit Scheme</b> The dDCO needs to cross reference the Permit Scheme in additional places not just Article 35.	1.1 The Applicant has since discussed the issue directly with the Highways Authorities and revised drafting can be found in the updated draft DCO submitted at Deadline 6 ( <b>Document Reference 3.1 (7)</b> ).



**REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park**

REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
1.1	<b>Worst Case Scenario</b>	1.1 This representation is incorrect when it states that the worst case scenario is that at least 580 trees will be removed. Even when the application was made, the commitment to narrow working in the park of 15m within the limits of deviation (commitment NW17) meant that the maximum number of trees was much less than that. Since then, the Applicant has committed only to remove the trees along a specified alignment through its Site Specific Plan for Queen Elizabeth Park ( <b>Document Reference 8.57 (2)</b> ), committed to via Requirement 17 of the DCO. This alignment involves around 30 non-mature trees, and any divergence from the Site Specific Plan must be approved by the local authority, Rushmoor Borough Council, in accordance with Requirement 17.
2.1 Page 6	<b>Identification of Notable and Veteran Trees</b>  Omission of notable trees	<p>1.1 This representation is incorrect in the statement that the Applicant has omitted to identify which trees were classified as notable or veteran.</p> <p>1.2 The Applicant has undertaken a BS 5837 compliant tree survey, and the recording of a tree as notable by the Woodland Trust is not a prescribed parameter (Section 4.4.2.5 of BS 5837 (British Standards Institution, 2012)).</p> <p>1.3 The veteran trees are recorded on the survey schedule as required by BS 5837. The survey was submitted to the Examination by the Applicant at Deadline 4 (<a href="#">REP4-031</a>) and informed the production of the Site Specific Plan.</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
2.1 Page 7	<b>Identification of Notable and Veteran Trees</b> Affected trees	<p>1.1 This representation provided a table of trees claimed to be affected by the project.</p> <p>1.2 The Applicant notes that this representation provided no definition or explanation of what is meant by 'affected' and there is no information to substantiate the numbers in the table.</p> <p>1.3 Despite the lack of definition, the Applicant refutes the claim that 109 trees will be 'affected' by stringing activity.</p>
2.1.1	<b>No Adjustment of Plans to Take Account of Trees</b>	<p>1.1 This representation claimed that the Applicant has not adjusted its plans following the arboricultural survey.</p> <p>1.2 The Applicant can confirm that this statement is incorrect. A site visit was undertaken by construction and arboricultural experts following the survey (on 21 January 2020). These have informed the Queen Elizabeth Park Site Specific Plan (<b>Document Reference 8.57 (2)</b>).</p>
2.1.2	<b>Minor Inaccuracies</b>	<p>1.1 In relation to point 1, this is not an inaccuracy in the Applicant's tree survey. T432 and T433 are correctly located. However, it is noted that the Mastermap background map layer produce by Ordnance Survey has an error in it which shows the path in the incorrect location.</p> <p>1.2 The drawings submitted in the Queen Elizabeth Park Site Specific Plan (<b>Document Reference 8.57 (2)</b>) show the correct position of the path and its relationship to T432 and T433. This representation included this drawing showing the correct relationship between the path and the trees, as the first page of its appendix.</p> <p>1.3 In relation to point 2, the Applicant can confirm that this tree is a sweet chestnut.</p>





REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
		1.4 In relation to point 3, the tree in question was not surveyed as its root protection area is entirely encompassed in the root protection areas of neighbouring trees which are not being removed.
2.1.3	<b>33 Trees Identified for Removal</b>	<p>1.1 This representation claimed that 33 trees are to be removed. The Applicant maintains that the number of trees to be removed is 30 and this is confirmed in the Site Specific Plan and on the accompanying drawing (<b>Document Reference 8.57 (2)</b>).</p> <p>1.2 This representation also claimed that the list of trees to be removed provided by the Applicant is a '<i>best case scenario</i>' and '<i>it is likely that more trees will be lost</i>'.</p> <p>1.3 Both of these statements are unsubstantiated and not recognised by the Applicant.</p>
2.2.1	<b>Trench Digging in Root Protection Areas</b> Damage to root systems	<p>1.1 This representation claimed that works within the root protection areas '<i>will cause damage to the root systems and in many cases it is highly likely to kill the tree</i>', although no evidence was provided to support this claim.</p> <p>1.2 The Applicant has many years of experience of installing pipelines within root protection areas and strongly believes that this statement is incorrect.</p> <p>1.3 Furthermore, BS 5837 allows for works within the root protection area by stating: '<i>Such excavation should be undertaken carefully, using hand-held tools and preferably by compressed air soil displacement</i>'. This would appear to be contrary to the claim made in this representation that '<i>it is highly likely to kill the tree</i>'.</p> <p>1.4 In addition, the Applicant considers that this representation has misinterpreted the arboricultural survey information. The root protection areas shown are a theoretical circle of where the roots might occur calculated with the mathematical formula provided in BS 5837. BS 5837 describes the root protection area as a 'layout design tool'. It does not mean that the roots of any tree will be occupying the entire area of a root protection area.</p>



**REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park**

**Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4**

WR Para Ref	Point raised	Applicant response to point raised:
		<p>1.5 BS 5837 goes on to highlight that root areas can be influenced by other factors, such as <i>'the morphology and disposition of the roots, when influenced by past or existing site conditions (e.g. the presence of roads, structures and underground apparatus)'</i>.</p> <p>1.6 It should be noted that, for much of the alignment of the pipeline through Queen Elizabeth Park, the following infrastructure has already been installed within the root protection areas:</p> <ul style="list-style-type: none"> <li>• a pumping sewer main running parallel which is over 500mm in diameter and made from concrete;</li> <li>• Rushmoor Borough Council's street lighting that runs between the path and the trees with each lighting column having foundations well into the root layer;</li> <li>• a conduit between each lighting column carrying the electric cables, again running through the root protection areas; and</li> <li>• the structure of the hard surfaced path affecting the soil moisture and oxygen levels in the root layer.</li> </ul> <p>1.7 All this infrastructure lies within the root protection areas of the trees that would be impacted by the project and will have damaged or influenced the patterns of root distribution.</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
2.2.1	<p><b>Trench Digging in Root Protection Areas</b></p> <p>Percentage of the root area which will be severed.</p>	<p>1.1 This representation provided a table which claims to provide a percentage of root area that will be severed by the project.</p> <p>1.2 These figures of root severance are unsupported by evidence. The Applicant has many years' experience of installing pipelines within root protection areas, which does not result in severing the roots.</p> <p>1.3 In addition, and as noted above, this representation misinterpreted the arboricultural survey information. The root protection areas shown are theoretical circles of where the roots might occur based on a mathematical formula laid out in BS 5837.</p> <p>1.4 BS 5837 describes root protection areas as a 'layout design tool'. It does not mean that the roots of any tree will be occupying the entire area of a root protection area.</p>
2.2.2	<p><b>Trees at Most Risk from Trenching</b></p>	<p>1.1 This representation stated that the root area of certain trees will be 'severed'. This implies that any roots that may be found in these areas will be cut, which is an unsubstantiated and inaccurate statement.</p> <p>1.2 This representation also stated that Scots Pine S2700-T167 '<i>will be further stressed by stringing activities</i>', although no explanation was provided of how this tree can or will be stressed by stringing. The Applicant does not recognise this statement as being correct.</p>
2.2.4	<p><b>No Viable Route for a Trench</b></p>	<p>1.1 This representation stated that '<i>on the basis that no trenching should be undertaken in the root protection areas of notable and veteran trees, there is no viable path</i>'.</p> <p>1.2 No explanation was provided in this representation as to on what basis that no trenching should be undertaken in root protection areas.</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
		1.3 BS 5837 allows for works within the root protection areas by stating: ' <i>Such excavation should be undertaken carefully, using hand-held tools and preferably by compressed air soil displacement</i> '.
2.3.1	<b>Location and Size of Pit not Consistently Described</b>	<p>1.1 This representation quoted the generic size of pit used for the Environmental Impact Assessment, which is not specific to the auger bore at Queen Elizabeth Park.</p> <p>1.2 It is not appropriate to compare this information with the pit size given for this location, as set out in the Queen Elizabeth Park Site Specific Plan (<b>Document Reference 8.57 (2)</b>).</p> <p>1.3 Any information provided by the Applicant is correct at the time it is provided and, like any Nationally Significant Infrastructure Project, is dependent on the level of detailed design undertaken at that stage.</p>
2.3.2	<b>Completely Covered by Root Protection Areas</b>	<p>1.1 The location of the proposed reception pit is a pond or waterbody located at the edge of the park. Surveys by the Applicant's arboricultural expert suggest that the presence of ponds leads to a reduction of oxygen in the soil below the pond and that this discourages root growth. Therefore, it is not expected to encounter extensive tree roots within this area.</p> <p>1.2 The root protection areas shown in this representation are a theoretical circle of where the roots might occur. BS 5837 describes root protection areas as a '<i>layout design tool</i>'. It does not mean that the roots of any tree will be occupying the entire area of a root protection area.</p>
2.3.3	<b>Gradients within the Auger Boring Compound</b>	1.1 This representation highlighted a number of level changes in this area and stated it is impossible to raise the ground level without significant damage to trees. The Applicant can confirm it has reviewed this site and can confirm that it feels confident it can utilise the proposed area without significant damage to the trees. For example, ground protection will



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
		<p>be used to protect tree roots and an access ramp will be constructed using lightweight blocks which again will not result in damage to tree roots.</p> <p>1.2 Over the 97km of the project there are many gradient changes that the Applicant will have to address.</p> <p>1.3 This representation stated that the gradient changes in this area '<i>make this an unsuitable location for an auger bore compound and pit</i>'.</p> <p>1.4 The Applicant believes this to be incorrect. This area has been visited and reviewed by its engineers who have confirmed that the works required for an auger reception can be accommodated in the area available between the trees.</p>
2.4.2	<b>Compaction of Root Areas</b>	<p>1.1 This representation states that stringing activities may lead to soil compaction in root protection areas.</p> <p>1.2 However, this representation did not make any allowance for the use of ground protection as committed to by the Applicant in commitment G65 and outlined in BS 5837.</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
3.1.2	Stringing Options in Farnborough Hill School	<p>1.1 The Applicant has addressed these comments in response to ISH2 Action Point 15 at Deadline 3 (<a href="#">REP3-013</a>).</p> <p>1.2 While it is possible to restart an HDD string pull (it is standard practice to pull a string back in one continuous operation), it has a significantly higher risk of failure predominantly due to underlying geology (subsurface ground conditions in this area).</p>
3.1.3	Potential Veteran Trees in Farnborough Hill	<p>1.1 The Applicant has undertaken numerous tree surveys and has identified three veteran trees within the grounds of Farnborough Hill School: two near the western boundary (which lie outside of the Order Limits) and one to the east.</p> <p>1.2 The Ancient Tree Inventory only contains trees that have been submitted to the Woodland Trust and so is constantly changing. For example, at the time of application there were no veteran or notable trees in Queen Elizabeth Park listed on the database.</p> <p>1.3 The Applicant can confirm that it will provide its veteran tree data to the Woodland Trust on completion of its surveys.</p>
3.1.4	Inconsistencies in Tree Removal in Drill Compounds	<p>1.1 In relation to inconsistencies, tree removal was only required in the scenario where the reception pit was realigned to achieve an acceptable HDD stringing out area. This was for feasibility only.</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park		
Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
3.1.5	Alternative Reception Pit Alignment	1.2 The Applicant's response to Further Written Question QE2.2, paragraph 1.5, addresses this issue ( <a href="#">REP4-027</a> ).
3.2	Response to QE 2.3	1.1 The compound in Queen Elizabeth Park is sized appropriately to accommodate the works to be undertaken and reduce the number of deliveries. Stake Lane has limited laydown areas for the drilling pipe, and this would require additional vehicle movements to provide a just-in-time delivery approach which would not be the case in Queen Elizabeth Park.
4.1	Topsoil Removal and Storage	1.1 The Applicant's approach to veteran trees is outlined in the Approach to Ancient Woodland and Veteran Trees within the Outline Landscape and Ecological Management Plan ( <b>Document Reference 8.50 (2)</b> ) which has been agreed with Natural England and the Forestry Commission. This will be applied to veteran trees in Queen Elizabeth Park.
4.3	Tree Fencing	<p>1.1 This representation quoted the BS 5837 as follows: <i>'all trees that are being retained on site should be protected by barriers and/or ground protection'</i>.</p> <p>1.2 The representation also quoted from the Applicant's commitment G65 that states trees and root protection areas will be protected by <i>'means of fencing or other measures'</i>.</p> <p>1.3 However, the representation then goes on to state it would be impossible to protect all the trees with fencing and makes no mention of other methods such as ground protection.</p> <p>1.4 The Applicant repeats its position that the British Standard provides sufficient measures to allow effective protection for trees.</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
5.1.4	<b>Veteran Tree Care</b>	<p>1.1 This representation appears to have misunderstood a statement from the Woodland Trust.</p> <p>1.2 The Woodland Trust states that, without affording trees an appropriate root protection area complying with BS 5837, there would be a detrimental impact on the surrounding trees.</p> <p>1.3 The Applicant can confirm that it has afforded all trees in Queen Elizabeth Park the appropriate root protection area in line with BS 5837 and that this has been submitted to the ExA (<b>Document Reference 8.57 (2)</b>).</p>
5.2.1	<b>Work Timescales</b>	<p>1.1 The Applicant can confirm that there is a difference in timescales due to the differing scope of work required between Turf Hill and Queen Elizabeth Park construction compounds' set-up. The enabling works at Queen Elizabeth Park include for the removal of the play area and the necessary root protection works to the adjacent trees. At Turf Hill, trees within the compound are being removed and therefore do not require this additional protection works, neither is there a play area to be removed at Turf Hill.</p>
5.2.2	<b>A325 Car Park</b>	<p>1.1 The Applicant has not ignored comments that have been made in relation to the surfacing of this car park. This is one of a number of issues relating to Queen Elizabeth Park that the Applicant is continuing to discuss with Rushmoor Borough Council in relation to the Site Specific Plan (<b>Document Reference 8.57 (2)</b>), the land agreement with the Council as landowner for the park, and the Applicant's voluntary Environmental Investment Programme.</p>






REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
5.2.3	Rhododendron Clearing	<p>1.1 The Applicant's statements are correct: there is no intention to remove the vegetation over the existing pipelines forming a boundary with the properties to the south.</p> <p>1.2 Some vegetation would be removed from either side of the cycle/pedestrian path.</p> <p>1.3 The Applicant would like to point out that the existing pipelines, and therefore the vegetation above them, are located outside of the 10m narrow working area as shown in the Site Specific Plan (<b>Document Reference 8.57 (2)</b>) in which vegetation can be removed.</p>
5.2.4	Tree Removal	<p>1.1 It is not clear from this representation what aspects of the Applicant's arboricultural characterisation are being disagreed with, as the bullet point characteristics that are listed seem to be lifted directly from the Applicant's survey data.</p> <p>1.2 A schedule of the trees to be removed will be included in the Site Specific Plan (<b>Document Reference 8.57 (2)</b>).</p>
5.2.5	Lopping of Notable Trees	<p>1.3 This representation identified a willow (T2700-T2) that should not have any branches removed as it will affect its pleasing shape.</p> <p>1.4 The Applicant should point out that this tree is pollarded and its shape is a direct result of regular lopping.</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
5.2.7	Removal of Vegetation	<p>1.1 The Applicant is committed to restricting its work to the area of the narrow working.</p> <p>1.2 The Applicant has used the term 'vegetation' in line with its dictionary definition of 'plants in general, or plants <i>that are</i> found in a particular area', which would include trees.</p>
5.2.10	Removing Trees in the Stringing Area	<p>1.1 The trees that require removal are shown in the Site Specific Plan (<b>Document Reference 8.57 (2)</b>) and none of these are in the stringing area.</p>
5.2.14	Wildlife Pond	<p>1.1 This representation states that there is no wildlife pond at the eastern end of the park and that Rushmoor Borough Council will not allow the Applicant to rebuild it.</p> <p>1.2 The Applicant can confirm that it has recorded and mapped a waterbody at the eastern end of the park, which it believes is an ephemeral pond. It is fed by a ditch from the south via a culvert under the pedestrian/cycle path. The pond does contain wildlife.</p> <p>1.3 The Applicant would reinstate the area in line with its commitment on reinstatement and Rushmoor Borough Council has not advised the Applicant that this should not be done.</p> <p>1.4 The Applicant would be concerned that not reinstating this area would mean the water would be displaced elsewhere.</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
		<p>Photo of the pond adjacent to the A325 taken on 23 January 2020.</p> 
5.4.1	Noise Levels	<p>1.1 The Applicant can confirm it has undertaken a noise assessment.</p> <p>1.2 The Applicant has committed to provide the appropriate noise mitigation fencing at all those locations where significant impacts are predicted to occur.</p>
5.4.2	Securing the Generator Promises	<p>1.1 This can be found in the Outline Noise and Vibration Management Plan (<b>Document Reference 8.51 (2)</b>).</p>



REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
5.6	<b>Outline Emergency Action Plan</b>	1.1 The Applicant can confirm, as per normal practice, that an appropriate fire extinguisher would be available when undertaking hot works.
5.8.3	<b>Tree Protection (Veteran Trees)</b>	1.1 The Applicant can confirm that the veteran trees in Queen Elizabeth Park would be treated in the same way as all other veteran trees, as outlined in the Approach to Ancient Woodland and Veteran Trees which can be found in the Outline Landscape and Ecological Management Plan ( <b>Document Reference 8.50 (2)</b> ).  1.2 The Applicant's approach to vegetation retention and removal in Queen Elizabeth Park is set out in the Construction Plan forming part of the Site Specific Plan ( <b>Document Reference 8.57 (2)</b> ).
5.8.4	<b>Tree Removal to Create a Scalloped Woodland Edge</b>	1.1 The use of scalloping in woodland to reduce the risk of windthrow involves retaining certain trees to create the scalloped effect.  1.2 The scalloping suggested in the Environmental Investment Programme (EIP) involves the planting of trees and shrubs to create a non-uniform edge effect, rather than removing trees and shrubs to create the non-uniform edge effect.  1.3 Any actions suggested in the EIP would be subject to Rushmoor Borough Council's acceptance. It is the Applicant's hope to agree this programme with the Council.



**REP4-054 – Nick Jarman on behalf of Neighbours and Users of Queen Elizabeth Park**  
**Comments on responses to the ExA's Further Written Questions and comments on responses submitted for Deadline 4**

WR Para Ref	Point raised	Applicant response to point raised:
5.8.5	<b>Tree Removal (Impact on surrounding trees)</b>	<p>1.1 This representation stated that all the trees marked for removal are within the direct route of excavation. This is incorrect and can be seen on the drawings submitted with this representation at Deadline 5 (<a href="#">REP5-054</a>).</p> <p>1.2 This representation stated that <i>'there seems to be no benefit in removing a tree which is within the root protection area of a tree which will be retained. The retained tree is likely to suffer root damage as a consequence of the removal, so the eventual loss of trees is likely to be greater than only those which are directly removed.'</i></p> <p>1.3 Using the methods outlined in the CoCP, updated at Deadline 6 (<b>Document Reference 6.4 Appendix 16.1 (4)</b>), in relation to working within root protection areas, the Applicant believes that it is entirely possible to remove the trunk of a tree within the root protection area of another without causing root damage to the retained tree.</p>



**REP5-055 – South Downs National Park Authority**

REP5-055 – South Downs National Park Authority Comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
<p><b>Section 1</b> Comment on Applicant's response to FWQ DCO.2.30</p>	<p><b>Decommissioning</b> The SDNPA welcomes the Applicant's response in REP4-022 but requests all above ground infrastructure for the <u>proposed pipeline</u> is also removed as and when operations cease and it is decommissioned.</p>	<p>1.1 The Applicant considers that its response in <a href="#">REP4-022</a> is equally applicable to the proposed pipeline. Nevertheless, the Applicant confirmed at ISH4 it would amend the DCO to resolve SDNPA's concerns. Action Point 19 from ISH4 (<a href="#">EV-020</a>) requests that the Applicant provides wording for a DCO Requirement that would require the removal of abandoned above ground infrastructure.</p> <p>1.2 The Applicant has provided this wording in the updated DCO submitted at Deadline 6 (<b>Document Reference 3.1 (7)</b>).</p>
<p><b>Section 2</b> Comment on REP4-034</p>	<p><b>Outline Construction Traffic Management Plan (CTMP)</b> The SDNPA notes that Commitment G111 in Table 1.1 says monitoring measures will be included. However, no monitoring measures are included in the outline CTMP</p>	<p>1.1 The Applicant has added text about how the contractor would undertake checks for compliance as part of the CTMP into Section 9 of the updated Outline CTMP submitted at Deadline 6 (<b>Document Reference 8.49 (2)</b>).</p>



**REP5-055 – South Downs National Park Authority  
Comments on responses submitted for Deadline 4**

WR Para Ref	Point raised	Applicant response to point raised:
<p><b>Section 2</b> Comment on REP4-035</p>	<p><b>Outline Landscape and Ecological Management Plan</b></p> <p>The SDNPA provides detailed comments on a number of aspects of the outline document:</p> <p>a) An Arboricultural Management Plan is not included</p> <p>b) the detail on the vegetation retention and removal drawings is not considered to be acceptable</p> <p>c) No reference is made in the LEMP to compensatory planting for trees lost to the development which cannot be replaced on site</p> <p>d) The species lists are provided are not necessarily suitable in every location. Appropriate mixes for other</p>	<p>1.2 In response to a), the relevant parts of the arboricultural management plan can be found in the Outline LEMP (<b>Document Reference 8.50 (2)</b>), including tree retention and protection (Section 4.3), tree removal (Section 4.4) and reinstatement (Section 5.3).</p> <p>1.3 In response to b), the Sample Vegetation Retention and Removal Plans (<a href="#">REP4-058</a>) show the land use type (arable, pasture, etc.). They also show all trees, not just those over 300mm. Arboricultural protection measures are shown for veteran trees in accordance with the Approach to Ancient Woodland and Veteran Trees (Appendix C of the Outline LEMP (<b>Document Reference 8.50 (2)</b>)).</p> <p>1.4 In response to c), the Applicant is not intending to undertake off-site planting (which, if required, would be within the Order Limits but remote to the trees removed). However, a statement has been added to the updated Outline LEMP submitted at Deadline 6 in Section 5.2 to clarify this (<b>Document Reference 8.50 (2)</b>). If required, off-site planting would be shown on the vegetation reinstatement plans in Appendix B of the LEMP and would be within the Order Limits. The vegetation reinstatement plans would be approved by the SDNPA, as relevant planning authority.</p> <p>1.5 In response to d), the Outline LEMP acknowledges that <i>'these mixes will be further refined in the final LEMP, in conjunction with landowners and the relevant planning authorities, in order to reflect the specific species composition suitable for each location based on existing soil and drainage conditions'</i>.</p> <p>1.6 In response to e), the specific concerns raised by the SDNPA with regard to trees and hedges adjacent to the Order Limits have been addressed and incorporated into Requirement 8 of the DCO by means of the SDNP.</p> <p>1.7 In response to f), the Applicant can confirm that reinstatement plans would be included, and samples are provided in Appendix B to the Outline LEMP.</p>



**REP5-055 – South Downs National Park Authority  
Comments on responses submitted for Deadline 4**

WR Para Ref	Point raised	Applicant response to point raised:
	<p>habitats and soil types should be provided.</p> <p>e) The Outline LEMP should identify protection measures to hedgerows that run adjacent to OL.</p> <p>f) SDNPA seeks clarification that written plan of reinstatement would include appropriate drawings, not just a schedule.</p> <p>g) With reference to REAC G87 it states that the preparation of vegetation removal drawings and replacement planting is to be undertaken by the contractor 'where practicable'. Where replacement planting is not practicable the LEMP should set out alternative practical methods for replacement compensatory planting in the vicinity or by other arrangements to ensure no</p>	<p>1.8 In response to g), the Applicant is not intending to undertake off-site planting (which if required, would be within the Order Limits but remote to the trees removed). However, a statement has been added to the updated Outline LEMP submitted at Deadline 6 in Section 5.2 to clarify this (<b>Document Reference 8.50 (2)</b>). If required, off-site planting would be shown on the vegetation reinstatement plans in Appendix B of the LEMP and would be within the Order Limits. The vegetation reinstatement plans would be approved by the SDNPA, as relevant planning authority.</p> <p>1.9 In response to h), the Applicant has amended G93 to state '<i>Hedgerows, fences and walls (including associated earthworks and boundary features) would be reinstated to a similar style and quality to those that were removed, with landowner agreement</i>'.</p> <p>1.10 In response to i), trees and vegetation would be regularly checked during the works as part of the general site checks described in the Outline CEMP (<b>Document Reference 8.51 (2)</b>). The post construction aftercare arrangements for woodlands, trees and hedgerows are already set out in Section 6.2 of the Outline LEMP (<b>Document Reference 8.50(2)</b>).</p> <p>1.11 In response to j), the Applicant and SDNPA have agreed that the final LEMP is the mechanism for securing agreement to the final method for HCX130 crossing.</p> <p>1.12 In response to k), the Applicant confirmed at the ISH on 26 February 2020 that Commitment G95 will be updated to reference BS 5837:2012. The Outline LEMP submitted at Deadline 6 (<b>Document Reference 8.50 (2)</b>) has been updated to reflect this change. The Applicant would like to clarify that standing advice is not a requirement. The standing advice sets out guidance to use when working close to ancient woodland and veteran trees. The standing advice for ancient woodland, ancient trees and veteran trees (Forestry Commission and Natural England, 2018) was used as the basis for developing the Approach to Ancient Woodland and Veteran Trees (Appendix C of the Outline LEMP (<b>Document Reference 8.50 (2)</b>)). The approach has been agreed with Natural England and the Forestry</p>





**REP5-055 – South Downs National Park Authority  
Comments on responses submitted for Deadline 4**

WR Para Ref	Point raised	Applicant response to point raised:
	<p>net loss of trees, woodland or hedgerow to the SDNP.</p> <p>h) SDNPA requests that REAC G93 is extended to include the recording and where possible reinstatement of earthworks or boundary features which are associated with important hedgerows.</p> <p>i) Define how often trees, woodland edges and hedgerow along the route will be monitored during and after construction</p> <p>j) Pleased to see inclusion of the method statements on the Persuasion hedge included in the Outline LEMP</p> <p>k) Throughout the LEMP, CEMP and CoCP, the Applicant fails to meet the minimum requirements set out in BS 5837. The Applicant fails to meet the requirements within the</p>	<p>Commission as set out in the signed SoCGs with both organisations (<a href="#">REP1-005</a> and <a href="#">REP2-025</a> respectively).</p> <p>1.13 In response to l and m), the Applicant confirmed at the ISH on 26 February 2020 that Commitment G95 will be updated to reference BS 5837:2012. The updated Outline LEMP submitted at Deadline 6 (<b>Document Reference 8.50 (2)</b>) has been updated to reflect this change.</p>



REP5-055 – South Downs National Park Authority Comments on responses submitted for Deadline 4		
WR Para Ref	Point raised	Applicant response to point raised:
	<p>standing advice for ancient woodlands and veteran and ancient trees.</p> <p>l) The Applicant favours NJUG as the standard over the British Standard.</p> <p>m) There is less detail in NJUG than the British Standard concerning how construction may take place in the precautionary zone.</p>	
<p><b>Section 2</b> Comment on REP4-036</p>	<p><b>Outline Construction Environment Management Plan</b></p> <p>The SDNPA requests specific inclusion in the list in Table 3.1 of a “competent and suitably qualified and experienced Arboriculturalist”.</p>	<p>1.1 The Applicant has included reference to an arboriculturalist in Table 3.1 of the updated Outline CEMP submitted at Deadline 6 (<b>Document Reference 8.51 (2)</b>).</p>



**REP5-055 – South Downs National Park Authority  
Comments on responses submitted for Deadline 4**

WR Para Ref	Point raised	Applicant response to point raised:
<p><b>Section 2</b> Comment on REP4-039</p>	<p><b>Outline Site Waste Management Plan</b> The SDNPA requests that, accepting that what happens to removed vegetation is a matter for the landowner, rather than it being removed from site and disposed of, timber should enter the timber supply chain as biomass or used as firewood</p>	<p>1.2 The Applicant considers that the wording of the first bullet under paragraph 1.11.1 of the Outline Site Waste Management Plan (<b>Document Reference 8.51 (2)</b>) accurately describes and reflects the position. Any timber removed is a matter for the landowner, and the Applicant cannot require that it enters the timber supply chain.</p>
<p><b>Section 2</b> Comment on REP4-042</p>	<p><b>Outline Soil Management Plan</b> The SDNPA highlights a number of areas where guidance from the DEFRA Code of Practice does not appear to have been accorded with. The SDNPA also suggests it would be helpful to add guidance on the siting of soil storage in proximity to trees and hedgerows to avoid damage.</p>	<p>1.1 The Applicant has reviewed the Outline Soil Management Plan (SMP) (<b>Document Reference 8.51 (2)</b>) in light of the SDNPA's comments. It does not consider that additional information needs to be included in the Outline SMP in response to the comments as a result. The Defra (2009) Code of Practice provides guidance and is not prescriptive.</p> <p>1.2 The SDNPA refers to the case study on page 22 of the Defra (2009) document, which is a specific case study referencing the Channel Tunnel Rail Link. The Applicant considers that the Channel Tunnel Rail Link is a very different scheme to the project in terms of its impacts. The Applicant's methodology for woodland working (in the Code of Construction Practice (<b>Document Reference 6.4 Appendix 16.1 (4)</b>)) outlines how work would be undertaken in a woodland setting and that soil stripping would only take place over the trench.</p> <p>1.3 The SDNPA refers to the Defra (2009) guidance that wet plastic soils should not exceed 2m until they have dried. In response, the Applicant notes that paragraph 3.3.10 of the Outline SMP (<b>Document Reference 8.51 (2)</b>) states that soils would not be worked if above</p>



**REP5-055 – South Downs National Park Authority  
Comments on responses submitted for Deadline 4**

WR Para Ref	Point raised	Applicant response to point raised:
		<p>the plastic limit, and paragraph 3.3.11 states that if this is necessary (e.g. wetland areas), then specific method statements would be produced.</p> <p>1.4 The SDNPA states it is not clear what plans there are to dry and re-aerate soils that have compacted or got too wet during storage. The Applicant notes in response that paragraph 3.3.23 of the Outline SMP refers to monitoring the condition of stockpiles to check that water can drain away, paragraph 3.3.25 states that soil would only be reinstated when in a dry state, and paragraph 3.3.28 refers to decompaction if this is required.</p> <p>1.5 The SDNPA states it is not clear how damaged soils will be mitigated. In response, the Applicant considers that the measures set out in the Outline SMP are typical of this type of development and would reduce the risk of damage to soils.</p> <p>1.6 Finally, the SDNPA requested the inclusion of guidelines on the siting of soil storage to prevent harmful impacts (e.g. proximity to trees or hedgerows). In response, the Applicant notes that paragraph 3.3.5 of the Outline SMP (<b>Document Reference 8.51 (2)</b>) already states that sensitive features will be avoided when locating stockpiles.</p>
<p><b>Section 2</b> Comment on REP4-044</p>	<p><b>Outline Community Engagement Plan</b> The SDNPA supports the provisions in the outline document.</p>	<p>1.1 The SDNPA's support is noted and welcomed.</p>



REP5-063 – Rushmoor Borough Council

**REP5-063 – Rushmoor Borough Council**  
**Deadline 5 Submission - Ground Level Tree Assessment for Proposed Gas Pipeline Replacement through Queen Elizabeth Park**  
**– Late submission accepted at the discretion of the Examining Authority**

WR Para Ref	Point raised	Applicant response to point raised:
2	<b>Methodology</b>	<p>1.2 The Applicant notes some similarity in the survey methodology to that used by Calyx Environmental. However, in addition to a ground-based survey, the Applicant's bat specialists also undertook a tree-climbing survey to investigate and confirm the potential for roosting, to give more certainty to the results, something not undertaken by Calyx Environmental.</p> <p>1.3 A further difference in survey methodology is that the Applicant undertook a survey of trees that displayed features with potential for supporting bat roosts and therefore did not include the trees which have had bat boxes attached to them. The Applicant is aware of the bat boxes present on trees and agrees that, should they contain bats, their relocation would be undertaken in a manner to avoid committing an offence.</p>
3	<b>Results - Table 1</b>	<p>1.1 In Table 1, just under 50% of the trees Calyx Environmental have identified as having bat potential are listed as being outside of the Order Limits.</p> <p>1.2 They have stated that trees outside of the Order Limits could be indirectly impacted due to root damage.</p> <p>1.3 However, as Calyx Environmental has provided no details of the stem diameter of these particular trees or a calculation of the root area, it is not clear how they would be able to draw that conclusion.</p> <p>1.4 The Applicant is surprised in this given that Calyx Environmental state in their report they are an arboriculturalist and the survey involved, '<i>looking for trees of note in terms of bat potential or significant age, size or 'veteran' status</i>' (emphasis added).</p>



<b>REP5-063 – Rushmoor Borough Council</b> <b>Deadline 5 Submission - Ground Level Tree Assessment for Proposed Gas Pipeline Replacement through Queen Elizabeth Park – Late submission accepted at the discretion of the Examining Authority</b>		
WR Para Ref	Point raised	Applicant response to point raised:
3	<b>Results – Appendix 2</b>	<p>1.5 The Applicant notes that, as a qualified arboriculturalist, Calyx Environmental have identified only one veteran tree within the Order Limits. This is RBC–014 (T5).</p> <p>1.6 The Applicant believes that T22 and T8 are veteran trees, but Calyx Environmental does not draw the same conclusion, although it appears they have surveyed them as RBC–002 and RBC–0015.</p> <p>1.7 This omission is particularly significant as RBC–015 (T8) appears to be the tree known locally as the Fairy Tree.</p>
4	<b>Recommendations</b>	<p>1.1 Calyx Environmental's recommendations include: <i>'Given the presence of veteran and notable trees as well as trees with high and moderate bat potential, it will be essential that any potential impacts on them resulting from development proposals be properly assessed in accordance with current planning policies and best practice.'</i></p> <p>1.2 The Applicant can confirm that its approach to the survey of trees for bats is suitable for the purpose of ecological impact assessment. Natural England has stated in its SoCG that it is content with the approach to ecological survey and, specifically, the approach to identifying bats in trees in its letter dated 14 November 2019. This will involve a series of tree climbing inspections or emergence/re-entry surveys where trees have not already been identified for retention and protection.</p>
4	<b>Recommendations</b>	<p>1.1 Calyx Environmental's recommendations include: <i>'Therefore, it is essential, in my view, that a detailed constraints plan showing precise tree locations and root protection areas on a measured topographic survey drawing is</i></p>



**REP5-063 – Rushmoor Borough Council**  
**Deadline 5 Submission - Ground Level Tree Assessment for Proposed Gas Pipeline Replacement through Queen Elizabeth Park**  
**– Late submission accepted at the discretion of the Examining Authority**

WR Para Ref	Point raised	Applicant response to point raised:
		<p><i>produced to inform decision making and ecological impact assessment. This should include smaller diameter trees such as birch as well as the more obvious larger trees as birch can often contain highly suitable features for bats.'</i></p> <p>1.2 The Applicant can confirm it has undertaken a detailed survey, compliant with BS 5837, showing precise tree locations and root protection areas on a measured topographic survey drawing. This survey includes smaller diameter trees such as birch as well as the more obvious larger trees. This survey has been submitted to the ExA at Deadline 4 (<a href="#">REP4-031</a>) and has informed the production of the Site Specific Plan (<b>Document Reference 8.57 (2)</b>).</p>



**AS-076– Heronscourt and Colville Gardens Residents Associations and Lightwater Residents**

<b>AS-076– Heronscourt and Colville Gardens Residents Associations and Lightwater Residents Additional Submission – Accepted at the discretion of the Examining Authority</b>		
<b>WR Para Ref</b>	<b>Point raised</b>	<b>Applicant response to point raised:</b>
<b>TH2.2</b>	<b>1.2 Surrey Heath Views</b>	<p>1.1 The Applicant believes that the views of the Surrey Heath Open Space Officer have not been discredited by his employer, but rather that his professional opinion was not the 'Corporate Position' of the Council.</p> <p>1.2 The project did take the Surrey Heath Open Space Officer's views and ecological expertise into consideration as it continued its route development, but the route selection in this area was informed by a number of environmental, engineering and community-related constraints.</p>
<b>TH2.2</b>	<b>1.5 Direct Impacts</b>	<p>1.1 The Applicant believes the Residents Associations (RAs) have misunderstood the meaning of direct impacts on residential properties. This statement was about there not being an impact on properties/buildings. The receptors for impacts such as noise would be the residents themselves.</p>
<b>TH2.2</b>	<b>1.7 Guildford Road trees</b>	<p>1.1 At the initial meetings with representatives from the local community around Turf Hill and representations made to the Applicant, the matter of principal concern that was raised was the possible impacts of the project on the large trees either in their property boundaries or those directly outside their boundaries, on the south side of the track. Therefore, the Applicant agreed to undertake a detailed arboricultural survey of those large trees and to supply the results to the representatives.</p> <p>1.2 No concerns about the trees adjacent to Guildford Road were raised at that time. In addition, the Order Limits along Guildford Road are up to 48m wide and the likely alignment in this section was not known by the Applicant.</p>





AS-076– Heronscourt and Colville Gardens Residents Associations and Lightwater Residents Additional Submission – Accepted at the discretion of the Examining Authority		
WR Para Ref	Point raised	Applicant response to point raised:
		1.3 A BS 5837 compliant survey has now been undertaken of the Guildford Road section.
TH2.2	1.8 Compound	1.1 The Applicant would refer the ExA to the General Arrangement DCO Sheet 41 ( <a href="#">REP4-005</a> ) which shows the maximum size of the compound area. There is no plan to extend this size and it has not been extended since the application was submitted in May 2019.
TH2.4	1.2 Trees - root damage	1.1 The Applicant would draw attention to the response under TH2.2 1.7 1.2 The RAs have made an unsubstantiated claim that substantial damage will be done to the roots of another 70/80 mature trees. The Applicant's experience of pipelaying adjacent to trees indicates that this statement is incorrect.
TH2.4	1.2 Tree survey	1.1 The Applicant would draw attention to the response under TH2.2 1.7
TH2.4	1.2 F1c	1.2 The RAs statement that the 'vast majority of the Order Limits of F1c, is bare ground used as an access track with linear strips dominated by gorse', is incorrect. 1.3 The F1c Order Limits at this location were 36m. All the various access tracks found in F1c account for approximately 10% of F1c. 1.4 Approximately 70% of F1c has been surveyed and identified as being habitat of High Reptile Potential. 1.5 The Applicant suggests that the RAs have incorrectly understood the plans submitted showing the extent and location of F1c and F1a+. 1.6 At ISH 5, Mr Blackman on behalf of the RAs stated that the proposed compound was standing water. The Applicant can confirm that the compound location is on high ground and on none of the numerous visits has standing water been seen. The Applicant visited



**AS-076– Heronscourt and Colville Gardens Residents Associations and Lightwater Residents  
Additional Submission – Accepted at the discretion of the Examining Authority**

WR Para Ref	Point raised	Applicant response to point raised:
		the site just three days after Storm Dennis and there was no standing water (19 January 2020).
<b>TH2.4</b>	<b>1.2 Scoping Report</b>	<p>1.7 The RAs have stated that, <i>'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'.</i></p> <p>1.8 The RAs imply that this section of the Scoping Report was addressing the issues of reptile habitat on F1c. In fact this section when fully reproduced makes no reference to F1c but was in reference to the total impact on habitat for all reptiles from the project (the full text is provided below).</p> <p>1.9 The Applicant would also like to highlight that the reference to the magnitude being negligible is in the context of significance as used in Environmental Impact Assessment and does not imply there will be no effect on the habitat.</p> <p>1.10 Scoping Report. Chapter 7 para 7.4.188 (full text) <i>The assessment relating to habitat loss, fragmentation or modification is as the same as that for common reptiles. It is considered that the magnitude of change to reptile habitat would be negligible and so the proposed works would not result in significant effects arising from habitat loss, modification or fragmentation. As such, it is proposed to scope out this impact pathway, as per Planning Inspectorate Advice Note 7 question 3.</i></p>
<b>TH2.5</b>	<b>1.5/16 nesting birds</b>	<p>1.1 The RAs appear to have misquoted the Environmental Statement (ES). They state that: <i>'for nesting birds, the potential for significant disturbance is of negligible magnitude and negligible significance'</i> (ES Chapter 7, paragraph 7.5.233)</p> <p>1.2 The actual text of ES Chapter 7, paragraph 7.5.233 is as follows (emphasis added):</p>



AS-076– Heronscourt and Colville Gardens Residents Associations and Lightwater Residents Additional Submission – Accepted at the discretion of the Examining Authority		
WR Para Ref	Point raised	Applicant response to point raised:
		1.3 <i>'As such, there is <b>no potential impact pathway for injury/mortality to occur to breeding birds</b> associated with Colony Bog and Bagshot Heath SSSI or the Thames Basin Heaths SPA. The potential impact is therefore of negligible magnitude and negligible significance.'</i>
TH2.6	1.3 Sand Lizards	<p>1.1 The Applicant does not agree with the RAs interpretation of the SARG records. The records show the number of sightings of sand lizards and not the number of sand lizards present.</p> <p>1.2 The RAs have repeated this misunderstanding when referring thus: <i>'this solitary male is the only one to have made the journey.'</i></p> <p>1.3 The Applicant believes this is not an appropriate conclusion.</p> <p>1.4 In addition, the RAs have again stated the claim of <i>'total unsuitability of F1c for sand lizard'</i>.</p> <p>1.5 The Applicant has highlighted, in TH2.4 1.2 above and TH2.6 1.4 below, that this claim is not supported by the surveying which shows approximately 70% of the habitat in F1c has High Reptile Potential.</p>
TH2.8	Affinity Water	<p>1.6 The Applicant is aware of Affinity Water's concerns regarding installation of hydrocarbon pipelines in close proximity to plastic water mains and continues to work with Affinity Water to reassure them in this regard. Neither the Applicant nor Affinity Water, as stated in their response to TH2.8, are aware of any regulations, guidelines or standards preventing the construction of hydrocarbon pipelines in close proximity to PVC mains.</p> <p>1.7 Plastic water pipes are regularly installed in close proximity to hydrocarbon lines with crossing and over-lapping easements. The Applicant is in discussion with Affinity Water on agreeing safe working practices and separation distances when working with each other's easements.</p>



AS-078 – Rushmoor Borough Council

**AS-078 – Rushmoor Borough Council  
Additional Submission - Accepted at the discretion of the Examining Authority – Response to Esso Petroleum Company, Limited's comments to submissions and answers to ExA Questions Deadline 3**

WR Para Ref	Point raised	Applicant response to point raised:
1.2	<b>Comments to Mr Michael Francis</b>	1.1 The Applicant understands that a further iteration of the HDD option will be submitted by Mr Jarman at Deadline 6.
1.3.4/ 1.3.5	<b>Mitigation for Open Cut and the Use of HDD</b>	<p>1.1 The Applicant does not recognise the statement by Rushmoor BC that they have not been able to secure a commitment to the activities listed in 1.3.4 despite 16 months of negotiations.</p> <p>1.2 Rushmoor submitted a list of compensation suggestions to the Applicant in a letter dated 4 March 2019 as follows:</p> <ul style="list-style-type: none"> <li>• a full habitat survey;</li> <li>• a 10-year management plan;</li> <li>• a public communications programme;</li> <li>• restoration of any trees removed or establishment of alternative habitat;</li> <li>• a contribution to clearance of <i>Rhododendron ponticum</i>; and</li> <li>• restoration of the car park.</li> </ul> <p>1.3 Since that date the Applicant has agreed to the following:</p> <ul style="list-style-type: none"> <li>• the production of a Management Plan;</li> <li>• a public Communications Programme;</li> </ul>



**AS-078 – Rushmoor Borough Council**

**Additional Submission - Accepted at the discretion of the Examining Authority – Response to Esso Petroleum Company, Limited's comments to submissions and answers to ExA Questions Deadline 3**

WR Para Ref	Point raised	Applicant response to point raised:
		<ul style="list-style-type: none"> <li>• reinstatement of trees removed or establishment of alternative habitat;</li> <li>• a programme of rhododendron clearance inside and outside of the Order Limits;</li> <li>• reinstatement of the car park;</li> <li>• a new playground;</li> <li>• a temporary playground; and</li> <li>• temporary and permanent footpath and access arrangements.</li> </ul> <p>1.4 During preapplication, Rushmoor Borough Council did not request the Applicant investigate using trenchless technology to avoid the park. Discussion was based on mitigation and compensation of the Open Cut.</p> <p>1.5 The Council did not raise the need for a trenchless installation in the Local Impact Report. At Deadline 2, Rushmoor stated that the Applicant has refused to consider using trenchless installation to avoid the park. The Applicant maintains that until the community group stated their wish for trenchless installation, Rushmoor Borough Council had not raised this with the Applicant.</p>
1.3.7	<b>Loss of trees</b>	<p>1.6 Rushmoor Borough Council (BC) states that the Applicant never advised that it would accept the loss of large semi-mature, mature, notable or veteran trees.</p> <p>1.7 The Applicant would agree with this, as at no point has it been proposed to remove any mature, notable or veteran trees.</p>



**AS-078 – Rushmoor Borough Council**

**Additional Submission - Accepted at the discretion of the Examining Authority – Response to Esso Petroleum Company, Limited's comments to submissions and answers to ExA Questions Deadline 3**

WR Para Ref	Point raised	Applicant response to point raised:
1.3.11	<b>Assessment of impact on the woodland</b>	1.1 Rushmoor BC states that it has reassessed the impact on the woodland from trenching. The Applicant is not aware that such an assessment has been submitted to the ExA.
1.3.12	<b>Removal of Rhododendron</b>	1.2 Rushmoor BC states that the Applicant has never committed to provide rhododendron clearance throughout the wider park. 1.3 The Applicant can confirm that rhododendron clearance outside of the Order Limits was offered to Rushmoor BC as part of the Environmental Investment Programme in September 2019 and Rushmoor BC has yet to accept this proposal.
1.4.1	<b>Tree schedule of QEP</b>	1.1 Rushmoor states its ' <i>understanding was that the Applicant was to submit a tree survey</i> ', and ' <i>The schedule is merely a list of trees within the order limits and provides no assessment</i> '. 1.2 The Applicant can confirm that it has submitted a tree survey in Appendix 1 to <a href="#">REP4-031</a> , submitted at Deadline 4, which is fully compliant with BS 5837. 1.3 The Applicant believes that Rushmoor BC has confused an arboricultural survey with an arboricultural impact assessment.
1.4.3	<b>Bat and badger surveys</b>	1.1 The results of the Applicant's badger and bat surveys are contained within its application documents ( <b>Application Documents <a href="#">APP-086</a>, <a href="#">APP-087</a>, <a href="#">APP-088</a> and <a href="#">APP-089</a></b> ). 1.2 The Applicant can confirm that it will be undertaking a suite of pre-construction ecology surveys and these are planned in the ecologically appropriate season prior to construction.



**AS-078 – Rushmoor Borough Council**

**Additional Submission - Accepted at the discretion of the Examining Authority – Response to Esso Petroleum Company, Limited's comments to submissions and answers to ExA Questions Deadline 3**

WR Para Ref	Point raised	Applicant response to point raised:
2.1.1	GQ2.2 Natura 2000 sites	<p>1.1 The Applicant can confirm that embedded measures and mitigation relating to the Natura 2000 sites are included with the Habitats Regulations Assessment Report (<b>Application Documents <a href="#">APP-130</a> and <a href="#">APP-131</a></b>).</p> <p>1.2 It is therefore not clear what further information would be included in a Site Specific Plan.</p>
2.1.2	Protected species mitigation	<p>1.1 The need for protected species mitigation including monitoring is included in the draft licences submitted to Natural England, which has issued Letters of No Impediment. Therefore, the Applicant believes Rushmoor BC's claim that these would not conform to the requirements of the law, is incorrect.</p>
2.1.3	GQ2.4 Narrow Working	<p>1.1 The start and end points and the widths for the narrow working areas are secured in Annex A of the Code of Construction Practice (<b>Document Reference 6.4 (4)</b>).</p> <p>1.2 The specific narrow working alignment in Queen Elizabeth Park is set out in the Site Specific Plan (<b>Document Reference 8.57(2)</b>) and any variation needs to be approved by the relevant planning authority.</p> <p>1.3 The narrow working at Old Ively Road is in place to reduce the impact to trees.</p> <p>1.4 The Applicant confirms that the potential impacts to the trees highlighted by Rushmoor were appropriately assessed in the Environmental Statement.</p>
2.1.6	BIO2.2 Mitigation	<p>1.1 The Applicant can confirm that the Environmental Impact Assessment (EIA) concludes that the mitigation and good practice measures ensure no significant impacts.</p> <p>1.2 The Applicant does not believe that, being an NSIP, any compensation is required for this project.</p>



**AS-078 – Rushmoor Borough Council**

**Additional Submission - Accepted at the discretion of the Examining Authority – Response to Esso Petroleum Company, Limited's comments to submissions and answers to ExA Questions Deadline 3**

WR Para Ref	Point raised	Applicant response to point raised:
2.1.7	BIO 2.3 EIP	<p>1.1 The Applicant can confirm that the Environmental Investment Programme proposals presented to Rushmoor BC in September 2019 were based on discussions with the council's Ecology Officer and Open Spaces Manager.</p> <p>1.2 The intention of the proposals is to lead to improvements in the local environment. Rushmoor BC has not raised any concerns or provided any detail as to how these proposals could lead to further undefined impacts, but the Applicant can confirm that the final scope would be in agreement with the council.</p>
2.1.8	BIO 2.4 Environmental Mitigation Areas	1.1 The Applicant has provided a schedule of Environmental Mitigation Areas and their purpose in Appendix E of the Outline Landscape and Ecological Management Plan (LEMP) at Deadline 6 ( <b>Document Reference 8.50(2)</b> ).
2.1.9	BIO 2.5 European Sites	1.1 The mitigation measures are outlined and secured in the HRA Report ( <b>Application Documents <a href="#">APP-130</a> and <a href="#">APP-131</a></b> ).
2.1.10	BIO 2.8 Habitat reinstatement	1.1 The Applicant can confirm that ES Chapter 7 ( <b>Application Document <a href="#">APP-047</a></b> ) concluded that there would be no significant environmental impacts to Local Wildlife Sites following reinstatement and so no additional mitigation is required.





**AS-078 – Rushmoor Borough Council**

**Additional Submission - Accepted at the discretion of the Examining Authority – Response to Esso Petroleum Company, Limited's comments to submissions and answers to ExA Questions Deadline 3**

WR Para Ref	Point raised	Applicant response to point raised:
2.1.11	BIO 2.9 Trees and Noise	<p>1.1 The Applicant has confirmed that tree reinstatement would take place in the vicinity of the tree removal and would only take place remotely where this is not possible.</p> <p>1.2 The noise and vibration assessment concludes that the mitigation proposed would be sufficient in Nash Close and Stake Lane.</p> <p>1.3 Rushmoor BC has provided no evidence or calculation to support its claim that the mitigation would not be sufficient.</p>
2.1.12	BIO 2.10 Mitigation measures	<p>1.1 The Applicant can confirm that the ES and HRA Report have concluded that there would be no significant environmental impacts to nationally or internationally designated sites following reinstatement and so no additional mitigation is required.</p> <p>1.2 Rushmoor BC has provided no evidence to support its claim that the mitigation would not be appropriate.</p>



**AS-078 – Rushmoor Borough Council**

**Additional Submission - Accepted at the discretion of the Examining Authority – Response to Esso Petroleum Company, Limited's comments to submissions and answers to ExA Questions Deadline 3**

WR Para Ref	Point raised	Applicant response to point raised:
2.1.13	BIO 2.16 Important hedges	<p>1.1 The Applicant would like to highlight that if the pipeline is auger bored under hedges, a gap in the hedge is still required for the haul road to pass through.</p> <p>1.2 The mitigation measures proposed ensure there are no significant impacts to Important Hedgerows.</p> <p>1.3 There is only a single Important Hedgerow (HCX218) within Rushmoor and the Applicant is proposing to align the pipeline to the east of the Order Limits to coincide with an existing gap greater than to avoid removal of this hedgerow.</p>
2.1.14	BIO 2-18-BIO2.28	<p>1.1 The Applicant would like to correct Rushmoor BC's statement. The Applicant does not claim that any habitat within the internationally designated sites would be lost.</p> <p>1.2 It has calculated that up to 9ha may be temporarily impacted or modified during the construction works.</p>
2.1.17	QE 2.2 HDD	<p>1.1 Rushmoor BC has yet to provide a revised proposal for HDD, but the Applicant understands that it will be submitted at Deadline 6.</p>



AS-079 – Rushmoor Borough Council

AS-079 – Rushmoor Borough Council Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations		
WR Para Ref	Point raised	Applicant response to point raised:
1.1	<p><b>Breeding Territories</b></p> <p>➤</p>	<p>1.1 The Applicant wishes to confirm a total of 46 qualifying bird species territories could be impacted by the project. Annual monitoring data would suggest a yearly average of 46 territories over a five-year period (2014–2018) within 250m of the Order Limits. Territorial birds typically range up to the order of 250m from their nest site locations during the breeding season. Therefore, a record of a territorial bird within 250m of the Order Limits represents an instance whereby a bird territory could be intersected by the Order Limits. The HRA Report (<b>Application Documents <a href="#">APP-130</a> and <a href="#">APP-131</a></b>) goes on to conclude that there are no significant impacts and that there is no requirement for addition mitigation or compensation.</p>
1.1	<p><b>Los of European Dry Heath</b></p>	<p>1.1 The Applicant can confirm that the total area of Annex I European Dry Heaths qualifying habitat within the Order Limits where they cross Thursley, Ash, Pirbright and Chobham SAC is approximately 7.61ha. Implementation of the narrow width working, trenchless construction techniques and other good practice measures would reduce the area of that habitat actually impacted to 1.81ha. Further to this, topsoil stripping would be reduced to a minimum extent within the European site, reducing the area of affected habitat further.</p>



**AS-079 – Rushmoor Borough Council**  
**Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations**

WR Para Ref	Point raised	Applicant response to point raised:
1.1	<b>Water Discharge</b>	1.1 The Water Management Plan and the Emergency Action Plan, which would form part of the Construction Environmental Management Plan ( <b>Document Reference 8.51 (2)</b> ) secured by Requirement 6 of the draft DCO, will contain details of the procedures to be followed when discharging water from the working area.
1.1	<b>SANGS</b>	1.1 The HRA Report ( <b>Application Documents <a href="#">APP-130</a> and <a href="#">APP-131</a></b> ) assesses the likely impacts from the displacement of people from the SANGs into the Thames Basin Heaths SPA (see paragraphs 5.8.18 to 5.8.29).
1.1	<b>Decommissioning</b>	<p>1.1 Decommissioning of the existing pipeline is not covered by this DCO application. As stated in Environmental Statement Chapter 3 (<b>Application Document <a href="#">APP-043</a></b>) in paragraph 3.1.6 '<i>decommissioning, is covered by the original pipeline consent and therefore does not form part of this project</i>'.</p> <p>1.2 Section 3.6 states that, '<i>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.... Decommissioning of the existing pipeline does not form part of this project</i>'.</p>



**AS-079 – Rushmoor Borough Council**  
**Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations**

WR Para Ref	Point raised	Applicant response to point raised:
1.1	<b>In-combination assessment</b>	<p>1.1 Appendix E of the HRA Report (<b>Application Documents <a href="#">APP-130</a> and <a href="#">APP-131</a></b>) provides the in-combination assessment.</p> <p>1.2 The in-combination assessment does not examine the combined effect of habitat change with increased recreational pressure on the TBH SPA (as raised by RBC), as the former effect was discounted at screening. It is the Applicant's view that the SPA birds will continue to use the current spatial extent of the SPA, maintaining their distribution throughout the SPA habitats with no shoehorning effect. The HRA assesses the effect of increased recreational pressure via displacement of visitors from affected SANGs and concludes no adverse effects on site integrity. With a conclusion of no adverse effects from either pathway individually, and no compounding mechanism between effects identified, there would be no adverse effects on site integrity from an in-combination assessment.</p>
2.1	<b>Natural England Advice</b>	<p>1.1 The Applicant can confirm that Rushmoor Borough Council's statement that only site visits were undertaken, and no written advice provided, is incorrect.</p> <p>1.2 The extent of the discussions and engagement with Natural England is outlined in the Statement of Common Ground (<a href="#">REP1-005</a>).</p>



**AS-079 – Rushmoor Borough Council**

**Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations**

WR Para Ref	Point raised	Applicant response to point raised:
3.1	<b>Woodland Value</b>	<p>1.1 It is not clear to the Applicant why Rushmoor BC is providing comment on possible impacts of the project in other boroughs.</p> <p>1.2 Natural England highlights that woodland can be a valuable component of the <b>mosaic</b> of habitats and this is accepted by the Applicant. The word mosaic reflects the situation whereby the areas of woodland are interspersed within heathland.</p> <p>1.3 The areas of woodland impacted at Turf Hill are along the outside edge of the SPA adjacent to residential gardens and a busy road and directly bordered by busy public paths. Therefore, this could not be seen to be part of the mosaic of heathland habitat and are not likely to be utilised by the SPA birds. This is supported by the records of bird breeding territories.</p>
4.3	<b>Acceptability of route F1c</b>	<p>1.1 The Applicant does not agree that the Natural England comments quoted by Rushmoor Borough Council in paragraph 4.1 and 4.2 of the response indicate that Rushmoor Borough Council's concerns are endorsed by Natural England. That assertion is positively misleading, since the Natural England statements cited in fact support the Applicant's decision not to take forward route option F1c as part of the DCO application.</p>



AS-079 – Rushmoor Borough Council Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations		
WR Para Ref	Point raised	Applicant response to point raised:
5.1	<b>Protected Species</b>	<p>1.1 Rushmoor Borough Council states that the survey, assessment and mitigation relating to protected species is missing from the application.</p> <p>1.2 The Applicant would like to draw attention to:</p> <ul style="list-style-type: none"> <li>• Appendices 7.1 to 7.12 of the Environmental Statement (<b>Application Documents <a href="#">APP-080</a> to <a href="#">APP-093</a></b>) which detail the results of the programme of ecological survey undertaken;</li> <li>• The draft Protected Species Licences (<b>Application Documents <a href="#">APP-094</a> to <a href="#">APP-100</a></b>);</li> <li>• The Letters of No Impediment issued by Natural England within each of the draft licence documents; and</li> </ul> <p>1.3 The Protected and Controlled Species Legislation Compliance Report (<b>Application Document <a href="#">APP-101</a></b>).</p>
6.1	<b>Construction in SANGS</b>	<p>1.1 The in-combination impact on SANGs is considered in the HRA Report (<b>Application Documents <a href="#">APP-130</a> and <a href="#">APP-131</a></b>).</p> <p>1.2 The Applicant considers that the assessment of impacts on the SPA due to the displacement of recreational activity from SANGs has been appropriately assessed in the HRA Report. The conclusions reached in that regard are endorsed by Natural England."</p>



**AS-079 – Rushmoor Borough Council  
Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations**

WR Para Ref	Point raised	Applicant response to point raised:
7.1 -7.2	<b>Visitor displacement from SANGS</b>	<p>1.1 The Applicant has assessed the likely impact of visitor displacement in the HRA Report (<b>Application Documents <a href="#">APP-130</a> and <a href="#">APP-131</a></b>) and does not believe additional mitigation is required.</p> <p>1.2 As submitted at the Issue Specific Hearing on environmental matters on Wednesday 26 February 2020, Rushmoor Borough Council is the only organisation that now questions the assessment undertaken and conclusions reached by the Applicant, which are otherwise supported by Natural England and other relevant bodies.</p>
8.1	<b>Temporary impacts in SANGS</b>	<p>1.1 On the basis that SANGs and the SPAs are protected in perpetuity, the scale of the works and the fact that SANGs would remain accessible and usable throughout the works, the Applicant believes that it is reasonable to define the maximum impact on the SANGs for two years as temporary.</p>
9.1	<b>Methodology</b>	<p>1.1 The Applicant believes that its Environmental Impact Assessment is rigorous and based on reliable and comprehensive baseline surveys.</p>





**AS-079 – Rushmoor Borough Council**

**Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations**

WR Para Ref	Point raised	Applicant response to point raised:
10.1	Net Gain	<p>1.1 Despite Rushmoor Borough Council's statement, the Applicant can confirm that it has never made the claim that it is providing net gain of habitats.</p> <p>1.2 Being an NSIP, there is no requirement for the project to deliver net gain of habitats.</p> <p>1.3 Natural England is correct that the EIP is not intended to mitigate effects.</p> <p>1.4 The Applicant's EIP suggestions for QEP follow discussions with Rushmoor Borough Council's Ecology Officer. If Rushmoor Borough Council now feels these could be damaging, the Applicant assumes that Rushmoor Borough Council will not proceed with those items. To date, the Applicant has had no formal response to the EIP suggestions presented to Rushmoor Borough Council in September 2019.</p>
11.2	Net Gain	<p>1.1 Rushmoor Borough Council's response to the effect that it is not arguing for net gain, appears to be contrary to its response in 10.1.</p>



**AS-079 – Rushmoor Borough Council**

**Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations**

WR Para Ref	Point raised	Applicant response to point raised:
12.2	<b>Displacement from Southwood Country Park</b>	<p>1.1 The Applicant does not agree that the number of people to be potentially displaced from Southwood Country Park onto the SPA is over 800 people.</p> <p>1.2 Southwood Country Park is a newly allocated strategic SANG to support housing allocations identified in the Local Plan (Rushmoor Borough Council, 2019a) and other development for up to 2,450 dwellings, of which a large proportion (approx. 1,400) are reserved for the regeneration of Aldershot and Farnborough town centres (Rushmoor Borough Council, 2019b, pp. 14–15, paragraphs 5.12 and 5.13, and Adopted Local Plan Allocations).</p> <p>1.3 Rushmoor Borough Council's (2019c) Authority Monitoring Report, published in October 2019 (page 18, Section 16, table under paragraph 16.1), indicates that only 32 of the regeneration scheme dwellings had been granted consent, and that applications had not yet been submitted on most of the regeneration sites.</p> <p>1.4 The Council's latest Housing Land Supply document (Rushmoor Borough Council, 2019d, page 9, table under paragraph 3.6) identifies that at least 750 of the regeneration schemes' dwellings would not be delivered during the period 2018–2023. Therefore, the full allocation of homes relating to this SANG would not be in place until after the completion of the project.</p> <p>1.5 While the Applicant understands that open spaces are popular with local residents, the mitigation provided by this SANG would not be 'at capacity', the SANG would remain open and available for recreation purposes, including dog walking during construction and would not result in significant displacement of people onto the SPA in particular.</p>



AS-079 – Rushmoor Borough Council Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations		
WR Para Ref	Point raised	Applicant response to point raised:
13.1	<b>BIO2.20 harm to key designations or species</b>	<p>1.1 It appears that Rushmoor Borough Council's desire to comment on sites and species that lie within other local authorities has led to some misunderstanding.</p> <p>1.2 Rushmoor Borough Council is quoting Natural England's comments in relation to possible impacts from route option F1c, although F1c is not part of the application.</p>
14.3	<b>Temporary impacts on SPA</b>	<p>1.1 The Applicant does not accept Rushmoor Borough Council's claim that birds would not be able to use the habitat impacted by the project, as this habitat is modified but still of value to the bird species.</p> <p>1.2 The Applicant categorically denies that any breeding territories would be lost, let alone 48 territories, as claimed by Rushmoor Borough Council.</p>
14.4	<b>Habitat loss</b>	<p>1.1 The Applicant does not accept Rushmoor Borough Council's claim that 48 breeding territories and 30.68ha of breeding habitat would be lost.</p>



AS-079 – Rushmoor Borough Council Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations		
WR Para Ref	Point raised	Applicant response to point raised:
14.5 - 14.6	Impact on bird breeding	<p>1.1 Rushmoor Borough Council has provided no evidence to support its statement that the habitat impact of the project <i>'is likely to decrease fecundity significantly'</i>.</p> <p>1.2 Rushmoor Borough Council has also provided no evidence to support its statement that the project would <i>'lead to a loss of breeding habitat for 48 breeding pairs, and therefore could lead to a reduction of between 240 and 480 successful broods, lowering fecundity significantly'</i>.</p> <p>1.3 The Applicant believes it is not appropriate for Rushmoor Borough Council to make such sweeping statements without any ecological evidence to support them.</p>
14.7	Impacts to SAC	<p>1.1 The Applicant wishes to categorically refute Rushmoor Borough Council's claim that <i>'the Applicant acknowledges that 7.61ha of habitat will be lost in its entirety'</i>.</p>



AS-079 – Rushmoor Borough Council Additional Submission – Accepted at the discretion of the Examining Authority - Comments on Natural England's Deadline 4 representations		
WR Para Ref	Point raised	Applicant response to point raised:
15.1	<b>Beyond reasonable scientific doubt</b>	1.1 The Applicant wishes to categorically refute Rushmoor Borough Council's claim that ' <i>the Applicant themselves acknowledge that 48 breeding territories will be lost</i> '.
17.1	<b>Use of existing baseline data</b>	1.1 The data used by the Applicant have been collected over a number of years on behalf of Natural England, are readily available and have been used in previous similar pipeline projects in the Thames Basin Heaths SPA. This approach has been supported by Natural England and other local relevant planning authorities.  1.2 The Applicant believes that it has fully understood what the data indicate about breeding territories and that it has used the data appropriately in its assessments.
18.1	<b>Areas of possible impact</b>	1.1 The Applicant is not aware of repeated requests for a breakdown of areas of heathland and tracks within the Order Limits from Rushmoor Borough Council or any other organisation.  1.2 The Applicant is happy to provide this information.
19.1	<b>Loss of habitats</b>	1.1 Again, the Applicant would refute Rushmoor Borough Council's claim that 7.61ha of heathland could be lost.



**AS-082 - Surrey County Council**

<b>AS-082 – Surrey County Council Additional Submission at the Discretion of the Examining Authority</b>		
<b>WR Para Ref</b>	<b>Point raised</b>	<b>Applicant response to point raised:</b>
<b>CoCP 2.3.1</b>	<b>Pre construction drainage</b>	1.1 As acknowledged in Surrey County Council's comments to 2.5.12, a scheme of pre-construction land drainage will be developed in detailed design.
<b>CoCP 2.5.10</b>	<b>Watercourse crossings</b>	1.1 The Applicant can confirm that flume pipes will be sized based on channel width and estimated peak flows.
<b>CoCP 2.5.12-13</b>	<b>Pre construction drainage</b>	1.1 The statement quoted by Surrey County Council relates to management and retention of existing land drains and therefore the Applicant does not anticipate that this will lead to an increase in discharge rates.



AS-082 – Surrey County Council Additional Submission at the Discretion of the Examining Authority		
WR Para Ref	Point raised	Applicant response to point raised:
	<p><b>Outline Water Management Plan</b></p> <p>SCC believe the Outline Surface and Foul Water Drainage Plan (SFWDP) should be included as an appendix of the Outline Water Management Plan.</p>	<p>1.1 The Outline Surface and Foul Water Drainage Plan (<b>Document Reference 8.53 (2)</b>) relates to the permanent works while the Outline Water Management Plan (<b>Document Reference 8.51 (2)</b>) relates to the management of water during construction.</p> <p>1.2 The permanent works are seen as largely de minimus and therefore are largely known and dealt with in the Outline Surface and Foul Water Drainage Plan.</p> <p>1.3 The Applicant considers it appropriate to keep the two separate documents.</p>
2.1.1	<p><b>Reinstatement and compaction</b></p> <p>The reinstatement of the ground above the pipeline and any vegetation removal/replanting may have an effect on surface water if the ground is compacted.</p>	<p>1.1 The Applicant can confirm that compaction of soil is addressed within Section 3.1 of the Outline Soil Management Plan (<b>Document Reference 8.50 (2)</b>). Vegetation removed as a result of the project, would be reinstated as set out in the Outline Landscape and Ecological Management Plan (<b>Document Reference 8.50 (2)</b>).</p>



AS-082 – Surrey County Council Additional Submission at the Discretion of the Examining Authority		
WR Para Ref	Point raised	Applicant response to point raised:
2.1.3	<p><b>Surface water from permanent apparatus</b></p> <p>A check should be made regarding what runoff is likely to be and where exceedance flows may end up and a statement set out within the final SWFDP regarding the mitigated impact.</p>	<p>1.1 The Applicant believes that the small size of any hardstanding means that the flood risk is de minimus.</p> <p>1.2 Surrey County Council appears to be referring to the compounds, but the Applicant has committed to any temporary surfacing being permeable and therefore not generating additional surface water flows. (Commitment G126).</p>





### 3 References

British Standards Institution (2012). BS 5873:2012 Trees in relation to design, demolition and construction. Recommendations. British Standards Institution, London.

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Department of Environment, Food and Rural Affairs (2009). Code of Practice for the Sustainable Use of Soils on Construction Sites.

Rushmoor Borough Council (2019a). Rushmoor Local Plan. Accessed March 2020.

<https://www.rushmoor.gov.uk/CHttpHandler.ashx?id=19935&p=0>

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