

RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

EUROPEAN SITES

The Statement of Common Ground with Natural England submitted to Deadline II REP2-008 confirms agreement that there are no likely significant effects on the following two European designated sites:

- i. Thursley, Ash, Pirbright and Chobham SAC; and
- ii. Thames Basin Heaths SAC.

However, the Environmental Statement (ES) refers to three further European designated sites:

- iii. Molegap to Reigate Escarpment SAC;
- iv. Southwest London Waterbodies SPA; and
- v. Southwest London Waterbodies Ramsar.

On or before Deadline III in the examination timetable (5 November 2015);

Can the applicant please provide a list to identify all of the European designated sites which were considered in the ES, and explain the reasons why some sites were considered further in the Assessment of Impacts on European Sites (AIES) APP-327, and why others were not taken forward?

Can Natural England please confirm that it has considered the three further European designated sites listed above, and provide its opinion as to whether these sites would be affected by the scheme?

1. The identification of European designated sites for the purposes of assessment was undertaken having regard to the study area, the nature of the effects predicted and the locations of European designated sites.
2. The study area chosen for designated sites is described in Table 9.1 of Chapter 9 (Ecology and Nature Conservation) of the Environmental Statement ("ES") (Application Document Reference 6-1). The ecology and nature conservation impact assessment and Assessment of International/European Sites ("AIES") Screening (Appendix 9.3 of the ES; Application Document Reference 6-3) considered European designated sites:
 - 2.1.1 Up to 2 km from Order limits;
 - 2.1.2 Up to 30km from Order limits for SACs designated for bats; and
 - 2.1.3 Any sites considered to be hydrologically linked to the Scheme via surface or ground water.
3. This was carried out in accordance with Design Manual for Roads and Bridges Volume 11 Section 4 Part 1 (HD44/09) 'Assessment of Implications (of Highways and/or Roads Projects) on European Sites (including Appropriate Assessment)', which states: "*consideration should be given to any European Sites within 2km of the route corridor or project boundary. In addition, consideration should be given to any SACs within 30km where bats are noted as one of the qualifying interests. Similarly, where a project will potentially cross or will lie adjacent*

to, upstream of, or downstream of, a watercourse which is designated in part or wholly as a SAC or Special Protection Areas (SPA), consideration should be given to potential impacts on European Sites within the same river, lake or reservoir catchment, or at greater distance if an effect pathway exists”.

4. In addition to the above, a wider study area was considered for the air quality impact assessment in Chapter 6 (Air Quality) of the ES (Application Document Reference 6-1). In accordance with Design Manual for Roads and Bridges Volume 11, Section 3, Part 1 (HA207/07) ‘Air Quality’, impacts as a result of nitrogen dioxide and nitrogen deposition were assessed on sites of European importance within 200m of affected road links. Most of these sites lie more than 2km from the Order limits, and therefore were outside the study area referenced in paragraph 1.1.1 above.
5. The air quality impact assessment concluded that: *“there would either be no change or a small decrease in annual mean NOx and nitrogen deposition following the implementation of the Scheme in 2022, compared to the situation in 2022 with no Scheme in place”* (as summarised in paragraph 9.4.103 of Chapter 9 of the ES). As such, the likelihood of effects upon international and European designated sites was very small in any event. This has been reviewed against the approach to AIES for the purposes of this response, which has verified the appraisal. The AIES for sites considered within the ES is summarised in the table below.
6. We note that Natural England, in their Written Representation, stated: *“we are satisfied that the Project will not have a likely significant effect upon the European sites”*.
7. As can be seen from the AIES, the exclusion of sites (iii)-(v), listed by the Examining Authority above, was appropriate.

Designated site	Where this is assessed	Why this is assessed here	Significance of effect
Thursley, Ash, Pirbright and Chobham SAC	Chapter 6 of the ES; and cross referenced within paragraph 9.4.103, Chapter 9 of the ES.	European site is beyond 2km from the Order limits, but it is within 200m of an affected road link.	‘Not significant’ in Table 6.23 in Chapter 6 of the ES ‘Neutral’ in Table 9.5 in Chapter 9 of the ES
Thames Basin Heaths SAC	Chapter 6 of the ES; cross referenced within paragraph 9.4.103, Chapter 9 of the ES.	European site is beyond 2km from the Order limits, but it is within 200m of an affected road link.	‘Not significant’ in Table 6.23 in Chapter 6 of the ES ‘Neutral’ in Table 9.5 in Chapter 9 of the ES
Molegap to Reigate Escarpment SAC	Chapter 9 of the ES; and Table A9.3.1 in Appendix 9.3 of the ES.	European site designated for bats within 30km of the Order limits	‘Neutral’ in Table 9.5 in Chapter 9 of the ES ‘Not likely to be significant effects’ in Table A9.3.1 in Appendix 9.3 of the ES
Southwest London Waterbodies Ramsar	Chapter 9 of the ES; and Table A9.3.2 in Appendix 9.3 of the ES.	Ramsar site within 2km of the Order limits	‘Neutral’ in Table 9.5 in Chapter 9 of the ES ‘Not likely to be significant effects’ in Table A9.3.2 in Appendix 9.3 of the ES
Southwest London Waterbodies SPA	Chapter 9 of the ES; and Table A9.3.2 in Appendix 9.3 of the ES.	European site within 2km of the Order limits	‘Neutral’ in Table 9.5 in Chapter 9 of the ES ‘Not likely to be significant effects’ in Table A9.3.2 in Appendix 9.3 of the ES

P2 The London Borough of Hillingdon (LBHill) states, in its answer to question 4.4.3 in my first written questions, that protected species have been found in a proposed construction compound REF2-044. The Council does not specify the construction compound to which it refers.

On or before Deadline III in the examination timetable (5 November 2015):

Can the applicant and Natural England confirm that they are aware of the concerns of LBHill, and if so explain how those concerns are being addressed?

1. Highways England is aware of London Borough of Hillingdon's concern. The construction compound in question is number 11, at Stockley Road, near M4 junction 4. Highways England believes the concern arose from previous correspondence with London Borough of Hillingdon, in which Highways England mistakenly sent an incorrect extract from its Reptile Survey Report providing information for a survey site that was not Construction Compound 11. Highways England notified London Borough of Hillingdon of this error on 28 October 2015 and has sent the information for the correct survey site that relates to Construction Compound 11. No reptiles (or other protected species) have been found at Construction Compound 11.
2. Paragraph 9.13.9 of the ES (Application Document Reference 6-1) describes the habitats present at Construction Compound 11: *"The area proposed for construction compound 11 contains areas of dense scrub, broad-leaved plantation woodland, amenity grassland, tall ruderal and a species poor hedgerow."* Phase 1 habitat mapping for the site is shown on Drawing 9.2 Sheet 65 (Application Document Reference 6-2). These habitats were considered to be of not more than local value. No protected species were found; see Drawing 9.3 Sheets 14 and 15 (Application Document Reference 6-2).
3. Highways England commissioned reptile surveys at Construction Compound 11 in summer 2015, to expand the reptile survey area beyond that of ES, including land within the Order limits that lies outside the highway boundary fence, construction compounds, and potential off-site receptor sites. Ten survey visits were undertaken in accordance with Design Manual for Roads and Bridges Volume 10 Section 4 Part 7 (HA116/05) to confirm the presence or absence of reptiles, such as slow-worms, at the site. No reptiles were found.

DLA Piper UK LLP

On behalf of Highways England

5 November 2015