

# M25 junction 10/A3 Wisley interchange TR010030

## 8.2 Statement of Common Ground with Natural England

Regulation 5(2)(q)  
Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009



## Infrastructure Planning

### Planning Act 2008

#### The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

#### M25 junction 10/A3 Wisley interchange improvement scheme Development Consent Order 202[x]

---

### 8.2 STATEMENT OF COMMON GROUND WITH NATURAL ENGLAND

---

<b>Regulation Number:</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010030
<b>Application Document Reference</b>	TR010030/APP/8.2
<b>Author:</b>	M25 junction 10/A3 Wisley interchange Project Team, Highways England

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 3	21 April 2020	Deadline 8
Rev 2	3 March 2020	Deadline 5
Rev 1	28 January 2020	Deadline 3
Rev 0	June 2019	Development Consent Order application



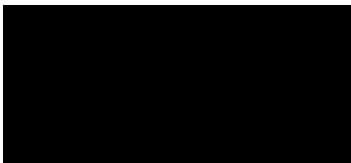
## STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) the Historic Buildings and Monuments Commission for England (Historic England).

**Signed**

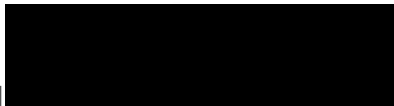
**Jonathan Wade**

**Project Manager  
on behalf of Highways England**



**Date: 20 04 2020**

**Signed**



**Marc Turner**

**Senior Advisor, Sustainable Development  
on behalf of Natural England**

**Date: 20 04 2020**

# Table of contents

Chapter	Pages
<b>1. Introduction</b>	<b>7</b>
1.1 Purpose of this document	7
1.2 Parties to this Statement of Common Ground	7
1.3 Terminology	7
<b>2. Record of Engagement</b>	<b>9</b>
<b>3. Issues</b>	<b>14</b>
3.1 Options selection of the Scheme	14
3.2 Habitats Regulation Assessment (HRA)	15
3.3 Air quality assessment	28
3.4 Protected Species Licenses	29
3.5 Replacement Land (outside of SPA) for the loss of common land	32
3.6 Environmental Statement	32
3.7 Water Framework Directive (WFD)	35
<b>Appendix A. Correspondence</b>	<b>39</b>
A.1 Meeting (24.03.16)	39
A.2 Meeting (26.04.16)	42
A.3 Meeting (28.02.17)	44
A.4 Email (12.06.17)	48
A.5 Meeting (28.07.17)	49
A.6 Meeting (27.10.17)	51
A.7 Email (12.12.17)	59
A.8 Meeting (18.12.17)	60
A.9 Email (26.01.18)	64
A.10 Meeting (16.03.18)	65
A.11 Email (16.03.18)	70
A.12 Email (23.03.18)	71
A.13 Meeting (27.03.18)	73
A.14 Meeting (09.10.18)	76
A.15 Letter (13.11.18)	81
A.16 Letter (19.11.18)	84
A.17 Email (22.11.18)	86
A.18 Email (07.12.18)	87
A.19 Meeting (19.12.18)	88
A.20 Email (18.01.19)	92
A.21 Meeting (30.01.19)	93
A.22 Email (04.02.19)	100
A.23 Email (05.03.19)	101
A.24 Email (11.03.19)	104
A.25 Email (13.03.19)	106
A.26 Letter (26.03.19)	107
A.27 Email (02.04.19)	110
A.28 Email (04.04.19)	111
A.29 Letter (09.04.19)	112
A.30 Letter (12.04.19)	114
A.31 Meeting (29.04.19)	117
A.32 Email (03.05.19)	123
A.33 Email (10.05.19)	124
A.34 Email (16.05.19)	125
A.35 Email (20.05.19)	126
A.36 Email (22.05.19)	129

A.37	Email (12.06.19)	130
A.38	Meeting (11.09.19)	134
A.39	Email (16.09.19)	139
A.40	Letter (16.09.19)	141
A.41	Email (14.11.2019)	143
A.42	Meeting (03.12.19)	146
A.43	Email (09.12.2019)	149
A.44	Meeting (24.01.20)	151
A.45	Email (26.02.2020)	160
<b>Appendix B. Technical Note: Air Quality Assessment</b>		<b>162</b>
B.1	Introduction	162
B.2	Nitrogen oxides (NOx) calculations	162
B.3	Nitrogen deposition rates	163
B.4	Findings	164
B.5	In-combination assessment	167
B.6	Conclusion	169

# 1. Introduction

## 1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed M25 junction 10/A3 Wisley interchange improvement scheme ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 The SoCG has been prepared in accordance with the guidance published by the Department of Communities and Local Government.<sup>1</sup>
- 1.1.3 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.4 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached.
- 1.1.5 This is the final version to be submitted at Deadline 8. It has been subject to updates and revisions as a result of further discussion with Natural England during the examination process. It is also acknowledged that there may be a need for further agreement between the parties during detailed design and the execution of works.

## 1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Natural England.
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 Natural England is the government's adviser for the natural environment in England, helping to protect England's nature and landscapes for people to enjoy and for the services they provide.

## 1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been

---

<sup>1</sup> Department for Communities and Local Government Planning Act 2008: Guidance for the examination of applications for development consent (2015)

resolved and Natural England are in agreement with the Highways England response.

- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Natural England, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Natural England.



## 2. Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Natural England in relation to the Application is outlined in table 2.1.

**Table 2.1 - Record of Engagement**

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
24.03.16	Meeting	To discuss land issues and in particular SPA/SSSI land and possible exchange/compensation land.
26.04.16	Meeting	Identification that the Scheme falls within the SPA and impacts to the SPA.
28.02.17	Meeting	Discussion on the Scheme options, possible habitat compensatory land and the Habitats Regulation Assessment (HRA).
12.06.17	Email	Natural England (NE) confirmed that they approve of the breeding bird survey methodologies.
28.07.17	Meeting	Compensation packages
27.10.17	Meeting	Outcome of the HRA screening, habitat reinstatement with the SPA temporary land take, recreational disturbance and evidence plans.
12.12.17	Email	NE confirmed that the Department for the Environment, Food and rural Affairs (DEFRA) Major Infrastructure and Environment Unit (MIEU) had been disbanded and therefore would no longer produce Evidence Plans.
18.12.17	Meeting	Evidence plans and introduction to the Scheme.
26.01.18	Email	NE confirmed that they did not have the resources to lead on producing an Evidence Plan for the HRA.
16.03.18	Meeting	Outcome of the HRA screening and compensation packages.
16.03.18	Email	NE confirmed that they had no comments on the HRA screening and that if Atkins have identified an air quality effect then an in-combination assessment would not be necessary.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
23.03.18	Email	NE confirmed they were satisfied with the proposed methodology for tree-climbing inspections of potential roosts.
27.03.18	Meeting	Compensation packages and air quality assessment
09.10.18	Meeting	Appropriate Assessment outcomes and compensation packages.
13.11.18	Letter	Announcement of Targeted Consultation.
19.11.18	Letter	NE respond to targeted consultation stating that they are pleased with consultation on the scheme to date and that their advice on environmental issues, loss of common land and open access land has been taken into account.
22.11.18	Email	NE confirm they agree with the findings and recommendations of the Bolder Mere Ecological Survey and Condition Assessment Report to mitigate the loss of habitat extent in connection with the widening of the A3. They propose some additional mitigations given condition of open water habitat.
07.12.18	Email	Agreement of valuation of ancient woodland, veteran trees and Habitats of Principal Importance.
19.12.18	Meeting	An approach was agreed on the method for progressing the Statement of Common Ground.
18.01.19	Email	Draft bat licence application sent to NE for their review.
30.01.19	Meeting	Final compensation package details were discussed.
08.02.19	Email	NE confirmed they were in agreement with the final compensation package.
05.03.19	Email	NE request further information be included in the formal bat licence application.
11.03.19	Email	Confirmation sent to NE that further information will be provided.
26.03.19	Letter	Letter of No Impediment (LONI) received from NE in respect of bat licence application.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
02.04.19	Email	Announcement of additional targeted consultation.
03.04.19	Letter	Letter of No Impediment (LONI) received from NE in respect of a badger development licence application.
04.04.19	Email	NE confirm they are content with the updates to the mitigation proposals at Bolder Mere outlined in Appendix F Water Framework Directive Assessment, specifically that the overall package of compensation is proportionate.
09.04.19	Letter	NE respond to additional targeted consultation raising concerns about the location of construction compounds and requesting the measures are taken in line with their advice, to minimise risk of disturbance to protected/designated species in the locality.
12.04.19	Letter	Feedback on the draft HRA (pre-consultation response). NE state that they in agreement with the scope of the assessment and conclusions and have no significant concerns. They refer only to the absence of any explicit reference to Heathrow Expansion in either modelling of traffic volumes or in combination effects.
29.04.19	Meeting	To discuss NE feedback on the HRA. Agreement to respond to NE on outstanding points (Heathrow Expansion and biodiversity net gain). Discussion regarding mitigation for Bolder Mere. Review of SoCG and agreement to submit draft to NE for approval following revisions.
05.05.19	Email	NE response to consultation on the draft DCO requirements.
16.05.19	Email	NE agree to amendments and corrections to the HRA as discussed at the meeting on 29.04.19.
20.05.19	Email	Draft Biodiversity chapter of the Environmental Statement sent to NE for their comment on classification of residual effects and significance for SSSI and Local Nature Reserve and the status of the project in respect of biodiversity net gain.
22.05.19	Email	NE confirm that they are content with the Biodiversity chapter of the Environmental Statement in respect of classification of

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
		residual effects and significance (SSSI and LNR) and biodiversity net gain.
12.06.19	Email	NE confirm that they are content with the proposed wording of the requirements for inclusion in the draft DCO, particularly in respect of the restoration of land used temporarily.
30.08.19	Letter	Receipt of NE's Relevant Representation. NE state that subject to proposed environmental safeguards and compensatory/enhancement measures being in place they have no outstanding objections to the Scheme.
11.09.19	Meeting	The meeting purpose was to review NE's Relevant Representation and agree updates to the SoCG. Points within the RR were raised and dealt with by HE. The group then reviewed the items in the SoCG which were 'under discussion'. The proposed process for site clearance was then discussed.
16.09.19	Email	NE confirm that they are content with the proposed changes to the timing of the bat mitigation, compensation and monitoring for the M25 Junction 10 Scheme for the LONI, subject to a revision to the dates for the demolition of B1 San Domenico.
16.09.19	Letter	NE issue an Assent for site clearance works on Ockham and Wisley Commons SSSI. Atkins calls NE to take steps to further the conservation and enhancement of the SSSI.
14.11.19	Email	Natural England confirm they are content with the proposed non-materials changes to the scheme (gas main works and impacts on compensatory measures; toad mitigation on Old Lane; Elm Lane reduced speed limit and changes to green bridge width).
03.12.19	Meeting	Meeting to discuss progression on the project, notably dDCO Requirement 8 and definition of 'begun' in terms of compensatory habitat creation measures; ExA questions in respect of HRA Air Quality Assessments, Ancient Woodland Inventory and non-material changes to the dDCO.
09.12.19	Email	NE confirm that they are content with all points raised in the meeting of 03.12.19 including the definition of the term 'begun' under Requirement 8 of the dDCO and in respect of the proposed non-materials changes.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
24.01.20	Meeting	Update on DCO progress, an discussion of some items to include in next update of the SOCG
26.02.20	Email	NE confirm that the air quality technical note is a true and accurate record of discussions over the air quality assessment and that they are in agreement with the conclusions set out in the note.

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Natural England in relation to the issues addressed in this SoCG.

### 3. Issues

#### 3.1 Options selection of the Scheme

	Issue	Sub-section	Natural England comment	Highways England Response	Status
3.1.1	Option selection	N/A	Natural England have examined the proposals presented at the consultation exercise and whilst noting that Option 14 had a smaller land take from designated land, consider that Option 9 may be preferable if it provides a longer-term solution and avoids the need for further works in this area in the short-medium term that might otherwise have a greater overall impact. NE note that compensatory habitat would be an inevitable requirement for both options (9 and 14) on the basis that they would be likely to affect the integrity of the SPA. This means that both options would be subject to IROPI tests.	It has been agreed with Natural England (A6, meeting 27.10.17) that Option 14 has the capacity to provide a long-term solution and is the least damaging option environmentally, with particular reference to the SPA and SSSI.	Agreed.

## 3.2 Habitats Regulation Assessment (HRA)

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
3.2.1	Habitats Regulation Assessment (HRA)	Screening (European Sites)	Natural England will need to agree the European sites that will need to be included in the HRA screening.	Natural England were consulted on the European Sites to be included in the HRA screening and agreed on these being limited to Thames Basin Heaths SPA, Mole Gap to Reigate Escarpment SAC and Ebernoe Common SAC.	Agreed.
3.2.2	HRA	Screening (visitor usage patterns)	Natural England is in agreement with the summary of the HRA screening. However, it may be advisable to add reference to risk of adverse impacts arising from changes in visitor usage patterns given that this aspect has been raised as a concern by consultees and has been discussed in the HRA document.	Highways England have incorporated this into the HRA and Natural England have reviewed and are in agreement with the findings.	Agreed.
3.2.3	HRA	Screening (methodology and findings)	Natural England will need to agree the potential impacts that will need to be included in the HRA screening	Natural England were consulted throughout the screening process. They have reviewed the findings and are satisfied with the outcomes.	Agreed.
3.2.4	HRA	Assessment and scope (Heathrow Expansion)	The only aspect which stands out is the absence of any explicit reference to Heathrow Expansion, either in modelling of traffic volumes or in-combination effects. It may be helpful to set out an argument for taking this approach given it is likely this question will arise. An HRA screening has been submitted to PINs which could be used as the basis of an initial	When producing traffic models for the Scheme, and when considering the plans and projects to be considered in combination with the Scheme, the Heathrow Expansion was scoped out.  The Department for Transport have provided no information on what strategy will be implemented at Heathrow. However, they have confirmed that it will not result in any additional traffic	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
			assessment of in-combination effects.	demand. Therefore, the decision from Highways England is that the Heathrow expansion should not be included within the forecasts. This decision was agreed with the Highways England Transport Planning Group officer. NE have agreed to this decision (A34, email 16.05.19) as discussed at a meeting on 29.04.19 (A31) and further explained in email of 10.05.19 (A33)	
3.2.5	HRA	Statement to inform appropriate assessment: (Scope and methodology)	Natural England will need to be consulted on and agree to the scope of the Appropriate Assessment.	Natural England were consulted on the LSEs to be considered in the HRA appropriate assessment, the information to be considered as part of the assessment and agreed with the proposed process for the appropriate assessment. Guidance has been obtained from Natural England on the scope of the in-combination assessment for the HRA stage.	Agreed.



	Issue	Sub-section	Natural England Comment	Highways England Response	Status
3.2.6	HRA	Air quality assessment has determined that increases in nitrogen deposition as a result of the Scheme are confined to the established woodland. This woodland acts as a protective buffer and does not support the qualifying species.	The areas classified as SPA which will be lost are currently occupied by mature woodland and do not include areas of habitat suitable for nesting by the Annex 1 birds for which the SPA is classified, nightjar, woodlark and Dartford warbler.	<p>The SIAA determined that the spatial extent of the air pollution impact is confined to the established woodland that separates the heathland from the roads, and acts as a protective buffer. The contribution made by this buffer to the ability of the site to support the qualifying features for which is had been classified will not be undermined or compromised by the changes in air quality which are predicted to occur.</p> <p>Whilst this woodland buffer may also provide an invertebrate source for the wider SPA, it does not itself support any of the qualifying species as a foraging or nesting habitat. It is important to recognise that, in the case of a classified SPA, the ecological interest is the bird species which occur within the site. The classification of the site as an SPA recognises the importance of the habitats within the site, but only so far as they support the populations of SPA species for which the site has been classified. The habitats are not protected in their own right as would be the case for a designated SAC.</p>	Agreed.

3.2.7	HRA	Air quality changes within the woodland buffer will not lead to a change in invertebrate resource that would lead to an adverse effect on any of the qualifying species of the SPA.	Agree with Highways England response	<p>The updated air quality assessment has determined that the established woodland buffer will receive lower levels of nitrogen deposition once the Scheme is operational than it currently does. As can be seen by comparing the existing baseline against the in-combination operational Scheme in Table 8 of the Revised nitrogen deposition rates within the SPA [REP5-024], the levels of nitrogen deposition will actually be lower than the existing baseline for all points of all transects within the SPA. Therefore, the established woodland will continue to exist in its current form and will provide the same buffer function and invertebrate resource that it currently does.</p> <p>The SPA qualifying species do not rely on a particular assemblage of invertebrates, and instead it is the overall prey biomass and distribution of key prey types (e.g. moths and beetles) which is of primary importance.</p> <p>It should be noted, as set out in Highways England's response to RHS's REP6-024 submission (TR010030/Volume 9.86 which is submitted at D7), that although a shift in vegetation composition as a result of changes in nitrogen deposition rates could bring associated minor shifts in invertebrate assemblage, these would be associated with sensitive lower plants/lichen species which are not a key component in the foodweb supporting the SPA qualifying species.</p> <p>Therefore, it is the opinion of Highways England that the overall invertebrate</p>	Agreed
-------	-----	---	--------------------------------------	---	--------

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				biomass available to the SPA qualifying species would remain stable.	

3.2.8	HRA	<p>Management of the Ockham and Wisley Commons SSSI component of the Thames Basin Heaths SPA does not include further clearance of wooded areas for heathland restoration.</p>	<p>It is perhaps important to point out that the proposed SPA enhancement works set out in Appendix 7.19 are additional to existing plans for habitat maintenance and management and, at present, there is no legal obligation on the part of Surrey Country Council or Surrey Wildlife Trust to undertake any of the proposed enhancement works, i.e. expansion of heathland, creation of 'wood pasture' and enhancement of retained woodland.</p>	<p>As has been recorded in Habitats Regulations Assessment Annex B [APP-041], in Item 4.0 of the meeting held on the 16th March 2018 the Surrey Wildlife Trust confirmed that the intention of the current management plan for the Ockham and Wisley Commons SSSI component of the SPA is to maintain existing areas of heathland, rather than creating new areas of heathland by removing additional areas of the coniferous woodland.</p> <p>Natural England confirmed this again by email on the 31st January 2020 'The current management plan for Ockham and Wisley Commons SSSI produced by Surrey Wildlife Trust, which Natural England has endorsed, is primarily focussed on the maintenance of the current areas of open heathland, and in particular the enhancement of the quality of the habitat so that it meets the basic objectives set by Natural England, so that the feature can be described as being in a 'favourable' condition. The current Countryside Stewardship agreement between Natural England and Surrey Wildlife Trust, which runs for 10 years, is also focussed on the management of the existing open heathland resource. It does not seek to extend the open heathland area through the felling of mature trees'.</p> <p>Therefore, Highways England can confirm with a high degree of confidence that the removal of conifer trees to extend the open heathland is not part of the current management of the site or required to achieve Favourable Conservation Status.</p>	Agreed.
-------	-----	--	---	---	---------

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
3.2.9	HRA	Future reduction in emissions		<p>For every point of all of the transects within the SPA including both the open heathland and the established woodland buffer, the predicted operational nitrogen deposition levels (even when taking into account updated velocities, RHS Wisley traffic along the A3 and ammonia) fall below the current baseline. This is due to predicted reductions in future emissions.</p> <p>It is correct to take future reductions in emissions into account, as has recently (20th December 2019) been concluded in the Wealden District Council Local Plan Examination. In this examination, the Inspector determined (when taking the Dutch Nitrogen case C-293/17 and C-294/17 into account) that the Council were incorrect to use an air quality model that did not include predicted emissions improvements.</p>	Agreed.
3.2.10	HRA	Did not include NOx in the air quality assessment for the HRA Statement to inform appropriate assessment		<p>Natural England requested information on nitrogen deposition rates to be provided within the SIAA, and did not specifically request information on the NOx concentrations to be provided. NOx concentrations are, however, included in the air quality assessment in the Environmental Statement for the transect points within the SPA.</p>	Agreed.
3.2.11	HRA	In-combination assessment	Natural England is in agreement with the scope and conclusion of the in-combination assessment, subject to consideration of the Heathrow Expansion.	When producing traffic models for the Scheme, and when considering the plans and projects to be considered in combination with the Scheme, the Heathrow Expansion was scoped out.	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				<p>The Department for Transport have provided no information on what strategy will be implemented at Heathrow. However, they have confirmed that it will not result in any additional traffic demand. Therefore, the decision from Highways England is that the Heathrow expansion should not be included within the forecasts. This decision was agreed with the Highways England Transport Planning Group officer. Natural England have agreed to this decision (A34, email 16.05.19) as discussed at a meeting on 29.04.19 (A31) and further explained in email of 10.05.19 (A33).</p>	
3.2.12	HRA	In-combination assessment		<p>An in-combination assessment requires the decision maker to consider the effects of a project either alone or in combination with other plans and projects. The key question to answer is whether the combined contributions represent a threat to the integrity of the site, or not. In this case the spatial scale over which traffic is likely to arise which may utilise the roads at junction 10 of the M25 is extensive. A pragmatic and proportionate approach has therefore been adopted which enables the predicted change in air quality as a result of the predicted growth in traffic flows overall, with the junction improvements in place, to be subject to assessment. In this case the traffic model used for the Scheme has been developed in accordance with the Department for Transport's webTAG guidance, which</p>	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				<p>takes account of traffic growth using National Trip End Model (NTEM) factors. The traffic model data included other plans and projects within the Affected Road Network (ARN), and therefore the air quality assessment in the Environmental Statement and the HRA assessed the Scheme in combination with other plans and projects.</p> <p>Natural England have advised on the in-combination assessment and are satisfied with the approach used by Highways England.</p>	
3.2.13	HRA	Statement to inform appropriate assessment: (Findings)	Natural England will need to agree with the findings of the Appropriate Assessment to determine whether the SPA is adversely impacted by the Scheme.	Natural England were consulted on the findings of the HRA (APP-043). Natural England agreed that the loss of the SPA land will lead to an adverse effect on the integrity of the SPA, and agreed with the potential impacts (LSEs) that were ruled out during the HRA (changes in air quality, water quality, noise, recreational disturbance, lighting and spread of invasive plant species).	Agreed.
3.2.14	HRA	Statement to inform appropriate assessment: (Findings after updated calculations, taking into account updated velocities, RHS Wisley traffic along the A3 and ammonia)		Taking into account the updated calculations, the changes in nitrogen deposition rates are negligible at the distance that the heathland occurs, and therefore all significant increases are confined within the woodland buffer that aligns the A3 and M25. Therefore, even when taking into account updated velocities and RHS Wisley traffic following the signed route along the A3, it is clear that no reasonable scientific doubt remains as to the absence of adverse effects to the integrity of the SPA in the SIAA, and that Highways England	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				<p>are certain that the changes in air quality as a result of the Scheme (alone or in combination with other plans and projects) will lead to no adverse effects on the Thames Basin Heaths SPA as a result of changes in air quality. Therefore, adverse effects to the integrity of the SPA from changes in air quality can be ruled out and there is no requirement to consider alternatives in respect of air quality.</p> <p>Refer to Appendix B for a technical note on the SIAA findings after the updated calculations.</p>	
3.2.15	HRA	Assessment of alternative solutions	<p>Given the impact of the Scheme on the integrity of the SPA, Highways England will need to undertake an assessment of suitable alternatives to determine if there are alternative ways of achieving the objectives of the project to establish whether there are solutions that would avoid or have a lesser effect on the SPA.</p>	<p>Natural England were consulted on, and reviewed, the alternative solutions section of the HRA as contained in the M25 junction 10/A3 Wisley interchange TR010030 5.3 Habitats Regulation Assessment (APP-044) and have confirmed that the consideration of alternative options and explanation of how the chosen scheme option was arrived at is well argued and explained. They state that the conclusion that no feasible, less-damaging options could have been selected is well argued and clear. Therefore, they agree with the approach to the assessment of alternative solutions undertaken by Highways England in relation to the IROPI tests.</p>	Agreed.
3.2.16	HRA	IROPI (Imperative Reasons of Overriding Public Interest)	<p>Given the absence of an alternative solution to the existing scheme, IROPI will be required to take forward the scheme.</p>	<p>Natural England were consulted on, and reviewed, the IROPI section as contained in the HRA Stages 3-5 (APP-044)) and consider that on the basis of the evidence presented in the HRA, there</p>	Agreed.



	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				would be strong grounds for the Secretary of State to conclude that there are imperative reasons of overriding public interest that the scheme should proceed.	
3.2.17	HRA	Suite of compensatory measures: consultation and agreement		Natural England were consulted on and agreed with the suite of compensatory measures as contained in the HRA Stages 3-5 (APP-044). This included the appropriate ratios for the permanent and temporary land take, and agreement on the SPA compensation land parcels and SPA enhancement areas, and their proposed management.	Agreed.
3.2.18	HRA	Suite of compensatory measures: the clearance of select areas of the woodland buffer as part of the Suite of compensatory measures does not conflict with Natural England's conservation objectives for the Thames Basin Heaths SPA.	Natural England has consistently advised against the removal of the woodland 'buffer' in areas of the site alongside the M25 and A3. There is strong evidence that the retention of belts of mature trees provides an effective mechanism to disperse vehicle emissions away from sensitive habitats alongside busy roads. As stated previously, the achievement of favourable condition for this component part of Thames Basin Heaths SPA is dependent upon improvement of condition of the existing heathland resource, not expansion of heathland through large-scale felling of woodland.	As explained in 3.2.17 above, Natural England were consulted on and agreed with the suite of compensatory measures.  The Suite of compensatory measures will retain the woodland buffer, with the exception of an area of woodland clearance either side of the proposed green bridge (areas E1 and E2 as shown in Figure 13 of the HRA figures [AS-006]). This is in order to maximise the effectiveness of this green bridge, and it has been agreed with Natural England. It is acknowledged that this newly created area of heathland closer to the A3 would be exposed to higher levels of nitrogen deposition than the existing areas of heathland and may require a greater level of management. However, the SPA management and monitoring plan [AS-	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				<p>014] allows for adaptive management where required, through the long-term provision of works and monitoring targets and under discussion with the steering group.</p> <p>In addition, the SPA enhancement area E5 also requires some clearance of the woodland buffer between the heathland and the A3. However, there will still be a retained belt of approximately 75m of woodland at this location separating the heathland from the A3 and this belt of woodland will continue to provide a buffer function.</p>	
3.2.19	Relevant Representation (Ref 3.2.1.11)	Monitoring during construction and post-Scheme implementation; SPA Enhancement works C1 and C2	<p>The proposed monitoring of the SPA enhancement works C1 and C2 has no direct link to the desired function of these areas, i.e. that they should have the potential to provide feeding habitat for nightjar. It is acknowledged that the proposed monitoring of tree establishment and plant diversity in the grassland will, to an extent provide a proxy measure of the likely suitability of the areas for nightjar. However, Natural England would encourage consideration of means of measuring habitat suitability and /or usage of the areas by nightjar, such as through use of bio-acoustic technology.</p>	<p>Highways England has agreed with Natural England that monitoring the of use of C1 and C2 by nightjars would not be an appropriate indication of whether the SPA compensation land is successful, as the primary purpose of the compensation land is to provide invertebrate resource for the SPA qualifying species, as opposed to providing foraging or nesting habitat. It has been agreed with Natural England (A38, meeting 11.09.19) that an assessment of vegetation structure and/or invertebrate or abundance surveys would be more appropriate than measuring usage by nightjars, in order to determine if the SPA compensation areas are successful. Highways England will continue to liaise with NE with</p>	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				regards to the scope of the surveys and monitoring.	
3.2.20	Relevant Representation (Ref: 3.2.3.1)	Indirect effects on habitat suitability for Annex 1 birds; monitoring during construction phase.	Natural England is satisfied that the applicant has properly considered these potential impacts and has proposed appropriate safeguards to manage risk. There are some matters of detail where we would welcome further discussion over the applicant such as proposals for monitoring Annex 1 birds during construction phase to enable appropriate measures to be put in place if it were to become evident that birds are being displaced due to disturbance.	Highways England has agreed with Natural England that there will be ongoing monitoring of Annex 1 birds during construction. Highways England will continue to review the on-going baseline with Natural England, acknowledging that the population of SPA qualifying species fluctuates on an annual basis at Ockham and Wisley Common, and therefore any fluctuations could occur for a range of reasons, and not necessarily as a result of construction. It is agreed that findings will be discussed with Natural England to determine whether any changes in baseline are due to construction or natural fluctuation, and if any remedial measures are required.	Agreed.
3.2.21	Draft DCO	Requirement 8 (3) (Thames Basin Heaths Special Protection Area (SPA) Compensatory Habitat Creation and Enhancement Measures)		Following discussion (A42, meeting 03.12.19) Natural England confirmed that they support (as described in Requirement 8(3); APP-018) the definition of works 'having begun' within the SPA compensation areas being 'as a minimum, commencing preparatory works within either of the SPA compensation land parcels (i.e. ground preparation or fencing).	Agreed.
3.2.22	Draft DCO	Proposed Scheme changes (non-material)		Natural England have confirmed (in a meeting on 03.12.19 (A42) and in an email of 09.12.19 (A43) that they are content with the proposed non-material changes to the Scheme.	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				Natural England have confirmed that the increase of the green element of the new Cockcrow bridge from 10m to 25m would have no effect on the findings of the SiAA, as the red line boundary will not change and the green bridge was not relied upon in the assessment.	

### 3.3 Air quality assessment

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
3.3.1	Air quality assessment	Ammonia is not required in the air quality assessment		The air quality assessment has been carried out in accordance with the Department for Transport's National Policy Statement for National Networks which requires consistency with Defra's published future national projections based on future emissions, traffic, and vehicle fleet, known as the Emissions Factors Toolkit (EFT). Ammonia is not included within this EFT, and hence there is no requirement for assessment. Highways England initially adopted a precautionary approach to double the changes in nitrogen deposition rates with the Scheme to demonstrate that there would be no material change in nitrogen deposition rates at the location of the heathland in the SPA (at 150 metres from the road). This	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				<p>approach was also considered to be precautionary by Natural England. Upon further analysis of the measured ammonia data provided by RHS Wisley within REP1-041 at Appendix A4, it could be seen that the concentrations decreased rapidly away from the road, such that concentrations could be considered to be at background levels by 30 metres from the road centre. Hence any changes from road traffic would not affect the nitrogen deposition rates at the distance at the location of the heathland in the SPA.</p>	

### 3.4 Protected Species Licenses

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
3.4.1	Protected Species Licenses	Great crested newts; sand lizards	<p>Natural England would like to be involved with the development of protected species licences and agreeing a process for determining whether a licence is required for which species and how these will be processed.</p>	<p>Natural England have agreed that due to their low presence within the DCO boundary, great crested newts and sand lizards would not require licences, and harm could be avoided through a Precautionary Method of Working (PMW). These measures are detailed within the Outline Construction</p>	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				Environmental Management Plan (APP-134)	
3.4.2	Protected Species Licenses	Common reptiles	Natural England would like to be involved with the development of protected species licences and agreeing a process for determining whether a licence is required for which species and how these will be processed.	Natural England agreed that due to the presence of abundant suitable habitats outside the DCO boundary, vegetation clearance could be carried out under a PMW for reptiles. These measures are detailed within the Outline Construction Environmental Management Plan (APP-134)	Agreed.
3.4.3	Protected Species Licenses	Bats and badgers	Natural England would like to be involved with the development of protected species licenses, as there are potential bat roosts and badger setts within the Scheme footprint.	<p>Natural England agreed that a licence would be required for the closure of bat roosts and badger setts.</p> <p>Natural England agreed to review draft licences for bats and badgers under their Discretionary Advice Service once satisfied that the draft licences indicated that the project is licensable.</p> <p>Draft licences for bats (including application form, method statement and accompanying figures, and reasoned statement) and badgers (including application form, method statement and accompanying maps) were provided to Natural England for review.</p>	<p>Agreed.</p> <p>Agreed.</p> <p>Agreed.</p>

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
				Natural England has provided full review comments / Letter of No Impediment (LONI) (A25)	Agreed.

### 3.5 Replacement Land (outside of SPA) for the loss of common land

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
3.5.1	Replacement Land	Loss of common and open access land.	The land affected is mapped as access land therefore there is a need for compensation.	Natural England were consulted on, and agreed to, the proposed replacement land (outside the SPA) which is to be provided as compensation for the loss of common land. The planting proposals were also agreed, with particular emphasis on benefiting the adjacent Ockham and Wisley Common SSSI.	Agreed.

### 3.6 Environmental Statement

	Topic	Sub-section	Natural England Comment	Highways England Response	Status
3.6.1	Ecology	Ancient woodland; veteran trees; Habitats of Principal Importance	Any losses of ancient woodland that cannot be avoided will need to be compensated for using a bespoke approach.	<p>Natural England were consulted on the proposed methodology for valuing ancient woodland, veteran trees and Habitats of Principal Importance. Natural England agreed to the proposed methodologies and valuations.</p> <p>Natural England were consulted on and agreed to the proposed woodland creation and woodland enhancement within the replacement land.</p>	Agreed.



	Topic	Sub-section	Natural England Comment	Highways England Response	Status
3.6.2	Ecology	Ancient Woodland	The project will need to demonstrate how it has avoided or compensated for any loss to ancient woodland.	Natural England have reviewed the measures that have been taken to reduce the loss of ancient woodlands and provide enhancements to existing ancient woodlands, as outlined in the Environmental Statement (APP-052). Natural England are content with the proposals.	Agreed.
3.6.3	Ecology	Biodiversity net gain	The project will need to demonstrate how it has achieved a net gain in biodiversity	Due to the scheme's location, it has not been possible to completely avoid loss of land from national and international statutory designated sites and irreplaceable habitat outside designated sites (ancient woodland and veteran trees). Therefore, in keeping with published guidance (Baker et al (2019) Biodiversity net gain. Good practice principles for development. CIRIA, CIEEM & IEMA) overall the scheme cannot achieve 'biodiversity net gain' and, in line with good practice, metrics to quantify the scheme's biodiversity outcomes have not been used. Rather, the ecological design has been based on the mitigation hierarchy to avoid and minimise losses as far as practicable, and a landscape-level approach for the compensation to deliver long-term benefits for nature	Agreed.

	Topic	Sub-section	Natural England Comment	Highways England Response	Status
				conservation. Natural England have agreed with this approach (A36, email 22.05.19).	
3.6.4	Ecology	Survey methodology	Natural England will need to agree the approach to survey methodology for qualifying SPA and protected species.	Natural England were consulted on the survey methods for breeding birds (including qualifying SPA species), bats (including the use of tree climbing to assess bat roost activity), invertebrates and reptiles. Natural England agreed to the proposed methodologies.	Agreed.
3.6.5	Ecology	SSSI – Natural England were asked to review the biodiversity chapter of the ES with regards to the residual impact assessment for the SSSI	Natural England are broadly satisfied with the content of the Biodiversity chapter of the Environmental Statement.	Natural England have reviewed the residual impact assessment for the Ockham and Wisley Commons SSSI and are in agreement with the findings.	Agreed.
3.6.6	Ecology	Local Nature Reserve – Natural England were asked to review the biodiversity chapter of the ES with regards to the residual impact assessment for the LNR	Natural England are broadly satisfied with the content of the Biodiversity chapter of the Environmental Statement.	Natural England have reviewed the residual impact assessment for the Ockham and Wisley LNR and are in agreement with the findings.	Agreed.
3.6.7	Ecology	Location of construction site compounds (impacts on qualifying SPA and protected/designated species)	The identification of the proposed locations for site compounds (Southern edge of Seven Hills Road; north east of the new Cockcrow Bridge and site at Elm Corner) and their design raises concerns. Care needs to be taken	The construction compounds are needed in these locations to enable the construction of the enlarged junction and structures. Highways England will work with Natural England on the design, layout and	Agreed.

	Topic	Sub-section	Natural England Comment	Highways England Response	Status
			over the design and layout and ways of working to minimize the potential for disturbance to qualifying SPA and protected species.	operation of these compounds to ensure that disturbance to the SPA qualifying species is minimised. NE agree with this approach (A38, meeting 11.09.19).	

### 3.7 Water Framework Directive (WFD)

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
3.7.1	Bolder Mere	Scheme impacts; Loss of habitat	<p>Natural England are concerned about the impact of the scheme on the habitat of the lake as a result of the widening of the A3 (particularly in relation to encroachment into the NW shore) and that appropriate mitigation is put in place to counteract the effect. Impacts include loss of a marginal reed bed (<i>Phragmites australis</i>) as well as trees and scrub located adjacent to the existing A3 carriageway/footpath alignment.</p> <p>Natural England are also concerned that plans of road drainage available at present show the existing road drainage system discharging runoff from the section</p>	<p>Mitigation has been discussed and agreed with Natural England as detailed in the M25 junction 10/A3 Wisley interchange (5.4) Water framework directive compliance assessment report (APP-045).</p> <p>This comprises of a scheme configuration that minimises the encroachment of the road into Bolder Mere and a significant upgrade to road drainage that replaces a direct untreated discharge to Bolder Mere with a treated discharge to a watercourse downstream of the lake. Additional mitigation, including measures relating specifically to Bolder Mere have also been developed as far as</p>	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
			<p>of A3 adjacent to Bolder Mere direct to the lake.</p>	<p>concept sketches and brief descriptions as detailed in the M25 junction 10/A3 Wisley interchange (5.4) Water framework directive compliance assessment report, Appendix F: Brief descriptions and concept sketches (APP-045). These are recorded in the M25 junction 10/A3 Wisley interchange, Outline Construction and Environmental Management Plan. Highways England is committed to the implementation of these measures, or measures generating equivalent environmental benefit.</p> <p>The package of embedded and additional specific measures has been agreed in principle as a) proportionate to the risk of adverse effect of the Scheme on the Bolder Mere SSSI unit and b) with potential to deliver additional biodiversity benefit.</p>	
3.7.2	Bolder Mere SSSI	Mitigation/enhancement; increased public access	<p>Any habitat creation or enhancement should not have the effect of encouraging greater public access around the lake shore. The lake is vulnerable to damaging impacts through increased amounts of litter, trampling of sensitive mire habitat, dogs entering the water</p>	<p>Noted. Natural England have reviewed the SPA Land Management Plan (APP-105) and are satisfied that the proposals give sufficient consideration to the issue of preventing increased public access (agreed at meeting on 11.09.19 - A38). Highways England will continue to work</p>	Agreed.

	Issue	Sub-section	Natural England Comment	Highways England Response	Status
			and disturbing sediments, and people feeding ducks.	with Natural England to ensure that this remains a key consideration and that measures are implemented to prevent increased public access around the lake shore.	
3.7.3	Relevant Representation (Ref: 3.2.3.1)	Indirect effects on habitat suitability for Annex 1 birds; monitoring during construction phase.	Natural England is satisfied that the applicant has properly considered these potential impacts and has proposed appropriate safeguards to manage risk. There are some matters of detail where we would welcome further discussion over the applicant such as proposals for monitoring Annex 1 birds during construction phase to enable appropriate measures to be put in place if it were to become evident that birds are being displaced due to disturbance.	Highways England has agreed with Natural England that there will be ongoing monitoring of Annex 1 birds during construction. Highways England will continue to review the ongoing baseline with Natural England, acknowledging that the population of SPA qualifying species fluctuates on an annual basis at Ockham and Wisley Common, and therefore any fluctuations could occur for a range of reasons, and not necessarily as a result of construction. It is agreed that findings will be discussed with Natural England to determine whether any changes in baseline are due to construction or natural fluctuation, and if any remedial measures are required.	Agreed.

# Appendices

# Appendix A. Correspondence

## A.1 Meeting (24.03.16)

ATKINS

### Meeting notes

<b>Project:</b>	Road Investment Strategy M25 J10		
<b>Subject:</b>	Stakeholder Meeting with Natural England		
<b>Date and time:</b>	24/03/2016	<b>Meeting no:</b>	1
<b>Meeting place:</b>	NE Offices, Winchester	<b>Minutes by:</b>	██████████
<b>Present:</b>	██████████ ██████████ ██████████ ██████████ ██████████	<b>Representing:</b>	Natural England Natural England Atkins Atkins Atkins Atkins

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1	<b>Health &amp; safety</b>  No issues raised		
2	<b>Introductions</b>  Apologies for delayed arrival were received from ██████████		
3	<b>Purpose of meeting</b>  The purpose of the meeting was to discuss land issues and in particular SPA/SSSI land and possible exchange/compensation land.		
4	<b>Items discussed</b>  Any of the option types under consideration will require land from the SPA, therefore, HRA will be required. One of the elements of making the scheme suitable to get through HRA is the inclusion of appropriate compensatory habitat creation for that lost; the loss to compensation ratio will depend on how the losses relate to the areas used by the three bird species on which the SPA designation is based (nighthawk, Dartford warbler and woodlark), all of which are ground-nesting and hence susceptible to disturbance by humans and their pets.  SPA land ideally should have limited human activity so can be in parts of the site less attractive to dog walkers, cyclists		

<b>Next meeting:</b>	TBA		
<b>Distribution:</b>	As per attendance list plus ██████████ and ██████████		
<b>Date issued:</b>	10 <sup>th</sup> June 2016	<b>File ref:</b>	

NOTE TO RECIPIENTS:  
These meeting notes record Atkins understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>etc. Bird species generally undisturbed by traffic noise so those areas of and around the site closest to the M25/A3 are potentially suitable as replacement SPA land.</p> <p>Generally, the west quadrant is the main focus for habitat protection and enhancement (apart from the end nearest Wisley Lane), whilst the east quadrant is the main focus for walkers etc; the north quadrant is seen as the most logical area for further habitat enhancement, as it is relatively little used by walkers, apart from the end near Redhill Road. The merits of a green bridge over the M25 were discussed to connect the west and north quadrants, but NE felt this would make little difference to the species on which the SPA is based.</p> <p>NE suggested using parts of the site less suitable as SPA habitat (change to for SPA bird species) for the construction of slip roads, overbridges etc</p> <p>Any land acquired as compensation for lost SPA land must have the capability to become suitable as SPA</p> <p>There is obvious potential to integrate the provision of Exchange Land with provision of compensatory habitat, but they do not have entirely complementary intentions and so this may be only partially achievable. However, good management of visitor pressure, including good path surfacing to discourage wandering, is seen as the main mechanism for enabling joint benefits from additional (and existing) land.</p> <p>There is potential for compensation adjacent to any of the disparate parts of the Thames Basin Heaths SPA but the closer the compensation land is to the affected location the better</p> <p>Areas of existing SSSI to the north west and north east have potential to become SPA land with the right intervention/management and are less disturbed by public than land to the south of M25; however, as such improvements could, arguably, be undertaken as part of the current management regime, this could be argued against as being appropriate compensation for loss of SPA habitat. It is still a worthwhile element of the package of proposals overall, though.</p> <p>Biodiversity Opportunity Maps and Surrey Opportunity plans should be available from SWT (they have been requested)</p> <p>There is an unofficial BMX bike track in the north east quadrant – tolerated/licensed by SWT but finding an alternative location could help the site gain favourable status (which is probably not possible with current use by bikers) – this could be a twist that would make the consequent upgrading of this part of the SSSI an appropriate compensation measure.</p>		



ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>Need to clarify what rights the Access Land confers – parts of the site are Section 194 Commons [TBC] which, as with registered commons, allows right to roam on horseback</p> <p>Treatment of soils will be a key issue in creating suitable habitat – review the Soil Handling and Management Strategy from the A3 Hindhead scheme, as the range of soil conditions is likely to be very similar (Hindhead Common forms part of the same SPA).</p> <p>Expect opposition from residents if propose to remove trees that screen the A3.</p> <p>Hatchford Wood – outside SSSI but within Access Land. Could be enhanced for public access to reduce pressure on SPA. Ancient woodland but potential for creation of heathland glades and rides, which would also enhance biodiversity.</p> <p>Pond Farm – SWT cattle management and breeding centre – potential to be restored to heathland if the cattle business could be relocated. Surrounded by SPA (and registered common)</p>		

## A.2 Meeting (26.04.16)

ATKINS

### Meeting notes

<b>Project:</b>	Highways England - Road Investment Strategy (PCF Stage 1)		
<b>Subject:</b>	M25 J10/A3 Wisley Interchange Options Meeting with Surrey Wildlife Trust and Natural England		
<b>Date and time:</b>	26 Apr 2016 - 09:00	<b>Meeting no:</b>	1
<b>Meeting place:</b>	Atkins, Epsom Gateway	<b>Minutes by:</b>	██████████
<b>Present:</b>	██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████	<b>Representing:</b>	Highways England (PM) Highways England (Project Support) Surrey Wildlife Trust Natural England Atkins (Engineering) Atkins (Engineering) Atkins (Environment) Atkins (Environment) Atkins (Environment) Atkins (Environment)

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1	Scheme currently at Options Identification stage. Aiming for Option Selection in November. Three options were discussed – Option 16, 9 & 14. Not all options meet aim of free-flowing traffic. Some options may involve additional temporary land-take for roads during construction.	n/a	n/a
2	SWT to be involved in value management stage. ██████████ had indicated he would also like to be involved. NE sees its' role as providing feedback on the environmental work.	Mid-June	Atkins to arrange
3	South of the M25 is internationally designated SPA and therefore most important. IROPI likely to be required to take forward any option which involves significant loss of SPA. More flexibility with land-take to the north of the M25.  Public access very high on the common. Common Land must be compensated for by contiguous compensation land which could be complicated (particularly as a result of development at Wisley Airfield).	Consider throughout Options Identification and Selection Stages	Atkins design

<b>Next meeting:</b>	Site meeting ASAP
<b>Distribution:</b>	Attendees plus ██████████ (HE) and ██████████ (Surrey CC)
<b>Date issued:</b>	<b>File ref:</b> 5145620

NOTE TO RECIPIENTS:  
 These meeting notes record Atkins understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	NE requested a tunnel option to minimise loss of internationally designed site be added to the options being considered.		
4	<p>SWT to provide any existing information on Biodiversity Opportunity Areas which could help identify areas for ecological compensation. Will also identify any other SWT nature reserves that could provide opportunities for compensation.</p> <p>Lots of ecological data available across the site – survey reports to be provided and meeting between ██████████ and SWT Ranger ████████</p> <p>SWT to provide data on visitor numbers from main car park counter.</p>	May 16	SWT/Atkins ecologists
5	Thames Basin Heaths SPA visitor surveys have been carried out. NE to forward information		NE
6	Requirement to engage with Surrey CC (the landowner – ██████████), – invite to site meeting	ASAP	Atkins/SCC
7	Site visit required with SWT (and NE) to identify constraints and opportunities (both engineering and environmental aspects of the project).	ASAP	Atkins, SWT, NE & SCC
8	<p>Limited data available on water. Water level data available for Bolder Mere as classified as a reservoir.</p> <p>Drainage issues on the slip roads have been identified by SWT (████████) and fed back to Connect Plus. Atkins to obtain information from Connect Plus.</p> <p>Arrange meeting with EA.</p>		Atkins (██████ ██████)

## A.3 Meeting (28.02.17)

ATKINS

### Meeting notes

<b>Project:</b>	M25 J10/A3 Interchange		
<b>Subject:</b>	Natural England		
<b>Date and time:</b>	28 February 2017 - 14:30	<b>Meeting no:</b>	2
<b>Meeting place:</b>	NE Offices Winchester	<b>Minutes by:</b>	████████
<b>Present:</b>	██████████ ██████████ ██████████ ██████████ ██████████ ██████████	<b>Representing:</b>	Natural England Natural England Highways England Atkins Atkins Atkins Atkins

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1.0	Health & safety – safety moment was discussed	N/A	All
2.0	<b>Background and Initial Views</b>	N/A	██████████

█████ briefly set out the background to the Road Investment Strategy and the history of the J10 project to date. █████ then explained the current options (9 and 14) and proposals for side roads/accesses. Option 16 was noted as having been rejected for environmental and other reasons.

█████ noted that NE had examined the proposals presented at the consultation exercise and whilst noting that Option 14 had a smaller landtake from designated land, Option 9 may be preferable if it provides a longer term solution and avoids the need for further works in this area in the short-medium term that might otherwise have a greater overall impact.

█████ noted that the land take figures presented currently exclude land for temporary works and construction compounds so that Option 14 may affect more land than currently indicated in the ESR report for the scheme.

<b>Next meeting:</b>	TBA
<b>Distribution:</b>	Those present and ██████████
<b>Date issued:</b>	<b>File ref:</b>

**NOTE TO RECIPIENTS:**  
 These meeting notes record Atkins understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

Contains *sensitive* information  
 meeting notes - Natural England 28.02.17.docx

---

### 3.0 Ecological Assessment Work and NE feedback

█ described the ecological assessment work undertaken to date, and the surveys completed or planned. He noted that the PCF 1 AIES covered all three options considered at that time (9, 14 and 16) and thus presented an overall worst case scenario. At least one of the options was considered likely to affect the integrity of the SPA. It was agreed that █ would forward a copy of the AIES to Natural England for comment.

█ suggested that reference be made to bird data reported by volunteers and local groups, but cautioned that this data may under-record the presence of birds close to the roads, if watchers and observers tended to visit the quieter parts of the common. It was agreed that some areas of the area are better for birds than others. █ noted that the NW quadrant was being actively managed/improved by SWT and becoming suitable for Nightjar (POST MEETING NOTE – DID █ MEAN SW QUADRANT WHERE WORKS HAVE TAKEN PLACE?)

█ enquired about the extent to which account had been taken of the Wilsey Airfield proposed development. █ explained that HE's design takes account of growth generally but not necessarily to facilitate the Wilsey development specifically, given that it does not have planning permission. From an assessment perspective, █ acknowledged that the cumulative assessment would need to take this into account.

Further ecological work would take place during PCF 2 to gauge the effect on the integrity of the SPA.

---

### 4.0 Key Issues for Natural England

█ commented that he thought compensatory habitat would be an inevitable requirement for both options (9 and 14) on the basis that they would be likely to affect the integrity of the SPA. This means that both options would be subject to IROPI tests. █ explained that further on-going assessment of Option 14 may ultimately rule that out as a feasible alternative as it currently stands. █ also indicated that further work is being undertaken to see if Option 9 can be modified in any way to reduce impacts and whether Option 14 needs to be modified to deliver longer term benefits and/or improved operational performance to meet the overall objectives of the scheme. It was agreed that if IROPI is a requirement for both options, then it will be important to ensure that the options deliver the right level of operational performance bearing in mind the scheme requirements in the RIS.

█ noted that nitrogen deposition from air pollution will be a further key consideration. █ indicated that the design speed of the schemes is being considered further as part of on-going scheme development, which could potentially offer some environmental benefits.

Other issues and concerns for NE included: noise, lighting, extent of parking and associated disturbance to the birds, water quality and

pollution risks at Bolder Mere. ■■B noted that the scheme would provide a low noise surface on new/resurfaced sections of road and lighting would be minimised and designed to reduce light spill. ■■ also noted that the scheme would include pollution control to current standards that would improve pollution control. ■■ noted that laybys would be closed as part of the scheme. ■■ considered that this would be of benefit to the designated sites by reducing disturbance and litter.

■■ noted that veteran trees were an important aspect of and contributed to the SSSI designation. ■■ noted that areas of recent plantation on ancient woodland sites were still valuable as ancient woodland and Habitats of Principal Importance included veteran trees and ancient woodland.

---

#### 4.0 Compensation and Mitigation

The approach to identifying compensation habitat was discussed. ■■ confirmed that there is no statutory requirement for compensation for the loss of SSSI, although clearly much of the SSSI area was also SPA, where there would be a statutory requirement for compensatory habitat.

It was agreed that geology/soil types would be important in determining if these areas could be made suitable as SPA compensation land. ■■ offered to share a suitable methodology for the appraisal of alternative compensation sites (based on the SANGS approach). Mitigation areas have not yet been included in the overall land take calculations.

There was a discussion about the amount of land likely to be required, which may need to be greater than that lost, to additionally compensate for any time lag in achieving its fully functioning ecological status. ■■ advised that the approach is normally to require delivery of the mitigation in advance of completion of the development. ■■ queried whether the approach for SANGS is likely to be directly comparable as in this case we are seeking to replicate the habitat lost and not simply to provide a suitable alternative recreational open space. It was agreed that NE would provide a short note setting out their preferred approach to the provision of mitigation and compensation land.

■■ confirmed that Atkins was also looking at compensation for loss of common land and raised the possibility of this land also being used as compensation for loss of ecologically designated land.

■■ noted NE had a public recreation remit as well as the ecological responsibilities but that SPA land was not necessarily compatible with land used for public access. ■■ indicated that alternative land may be required or that access would need to be managed, but the potential for combined mitigation areas was not ruled out.

Various land parcels identified as common land compensation were discussed. The area surrounding the SWT farm was identified by NE as being suitable for heathland creation and would link up surrounding designated land. The RHS Wisley land by the M25 would also be suitable for heathland creation.

## 5.0 Next Steps

■ welcomed the opportunity to continue close involvement with the project. She outlined two possibilities:

- Using NE's chargeable Pre-Submission Screening Service (PSS) for informal engagement on licences. ■ emphasised that a draft licence application generally needs to be submitted and considered in advance of submitting the DCO application, so that a Letter of No Impediment can be issued to the Planning Inspectorate by the examination; and
- Using NE's chargeable Discretionary Advice Service, for engagement on the HRA etc.

In the meantime, ■ agreed that NE would provide its comments to HE's option consultation exercise in writing, noting that it is not normal policy to express a preference at this stage.

■ enquired about the merits of agreeing an evidence plan. ■ thought this is something that would need to be addressed through the DAS process, which would be HE/Atkins responsibility to initiate.

A Statement of Common Ground would be required for the DCO and NE undertook to work with Atkins to develop this for their area of interest.

■ summarised what the next steps in the development of the scheme would be including a Value Management Workshop to help choose a Preferred Route later in PCF 2 and statutory consultation in PCF Stage 3.

■ noted that Forestry Commission hadn't received an invitation to the consultation but would send a response to it. RSPB were also concerned about the scheme and would like a meeting to discuss the proposals. NE would like to be consulted further during PCF 2. Atkins undertook to send a copy of the PCF 2 Scoping Report and the AIES when ready.

## A.4 Email (12.06.17)

[REDACTED]

---

**From:** [REDACTED] >  
**Sent:** 12 June 2017 11:17  
**To:** [REDACTED] (NE)  
**Cc:** [REDACTED]  
**Subject:** RE: Summary of ecology methodologies for M25 Junction 10  
**Attachments:** @

**This message has been archived.**

Dear [REDACTED]

Thank you for sending the methodologies. I am satisfied that the proposals for both birds and invertebrates appear sound and fit-for-purpose.

I can confirm that Natural England is happy for you to undertake invertebrate surveys using pitfall traps on the land, assuming that you have the permission of the landowner/tenant.

Best wishes

[REDACTED]

Land

**Attachments:**

[image002.jpg](#)

(20 KB)





ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	would need to be compensated (not mitigated) for at a ratio to be decided. ■■■ queried whether alignments were fixed or could be amended to reduce effects, ■■■ confirmed that these were initial layouts that were subject to change and improvement.		
4.0	The Painshill options were then discussed and Painshill Trust/Historic England's preference for options that avoided or minimised impacts on the Gothic Tower which had led to them. ■■■ noted concerns over the loss of ancient woodland with PAIN 10. It was noted that PAIN 4C was closer to the SSSI than 4A but did not directly affect it.	N/A	N/A
5.0	CAMP 03 was also discussed and whilst the 'green bridge' concept was welcomed concern was raised that its location could make public access to the west of the A3 too attractive/easy being close to the Ockham Bites car park. It was noted that the bridge would need to accommodate forestry lorries and farm vehicles but the access for vehicles would be gated as with the existing Cockrow bridge.	N/A	N/A
6.0	It was noted that SWT had various proposals for thinning the wooded areas around the junction and any similar proposals as part of the scheme could not be considered as mitigation. The scheme proposals would need to tie into SWT's programme of works	N/A	N/A
7.0	■■■ explained the consenting route and the likely timetable for this. ■■■ went over the future stakeholder engagement arrangements and the Statement of Common Ground (SOCG) processes and procedures. The Letter of No Impediment in relation to protected species licences in the DCO was also discussed.	N/A	N/A
8.0	■■■ then showed the draft red line drawing in confidence to indicate potential areas of compensation land for SPA/SSSI and common/access land at the ratios from the original M25 works of 3:1 replacement: taken. The information needed to justify the choice of land parcels were discussed and ■■■ requested that NE/RSPB provide a list of information that they would like to see to inform/justify the replacement land.	■■■	18 <sup>th</sup> August
9.0	AOB – there was discussion about the HE Designated Funds that were available but applications were required urgently as this fund was being closed soon. ■■■ undertook to provide copies of the side road options drawings noting that these would have a draft stamp and were to be treated in confidence	■■■	11 <sup>th</sup> August
Click	Click to enter text	Click to enter text	Click to enter text



ITEM	DESCRIPTION & ACTION	ACTION /DEADLINE	RESPONSIBLE
04	<p><a href="https://www.gov.uk/government/news/15billion-road-upgrade-plan-updated-to-minimise-congestion">https://www.gov.uk/government/news/15billion-road-upgrade-plan-updated-to-minimise-congestion</a></p> <ul style="list-style-type: none"> <li>█ advised that the Red Line Boundary has now been agreed with Highways England and it will include replacement and compensation land.</li> </ul> <p>█ talked through the hand annotated map explaining the impacts of the junction upgrade, A3 widening and side road options including overbridges, compounds and drainage</p> <ul style="list-style-type: none"> <li>█ advised that the lifespan of the scheme is modelled to 15 years post opening, so 2037 and the modelling accommodates the growth outlined in the Local Plans</li> <li>Query on ancient woodland identification – Atkins clarified that we are using EA Geostore data sets and the habitat surveys have not yet picked up any extra parcels. Veteran tree surveys not yet undertaken (just desk study of veteran trees from Woodland Trust website). Atkins to review SCC ancient woodland inventory and survey on site to identify veteran trees or potential ancient woodland not currently identified. A slight discrepancy between EA Geostore and MAGIC was noted and is being investigated (note after meeting – review indicates that the MAGIC map reflects the correct boundary based on 2011 Surrey update).</li> <li>Query on opportunity to enhance rights of way – █ clarified this is very much part of our consideration, in particular the Painshill quadrant (north east) where the ability to cross at j10 will be removed due to free flow design</li> <li>Bridges will need to be replaced and some will be vehicular and NMU accessible</li> <li>█ outlined the habitat creation opportunities in the replacement land areas in the four quadrants. █ queried why Deers Farm was not considered and █ explained that it already had recreational use or was not suitable.</li> <li>█ outlined the assumption of a 3:1 replacement common/access land ratio based on precedent set when the M25 was built</li> </ul>	<p>Atkins to review ancient woodland inventory, by mid-December</p>	█
05	<p>HRA discussion</p> <ul style="list-style-type: none"> <li>█ outlined the view from the project team that we want to ensure that all parties can work together to be sure we are in agreement on the impacts of the Scheme and the mitigation and compensation proposals.</li> <li>█ outlined the bat survey work undertaken to date and that Atkins feels that likely significant effects on SACs designated for bats can be ruled out based on our current findings.</li> </ul>		

ITEM	DESCRIPTION & ACTION	ACTION /DEADLINE	RESPONSIBLE
	<ul style="list-style-type: none"> <li> <p>■■■ outlined 2017 breeding bird survey results for the qualifying features of the SPA. These have been discussed with Surrey Wildlife Trust, and appear to be in keeping with their findings. Due to the qualifying bird species being confined to existing areas outside the footprint of the Scheme, initial findings suggest that no displacement is anticipated as a result of the Scheme.</p> </li> <li> <p>■■■ queried if Atkins have obtained 2Js Ecology bird survey data for the SPA. ■■■ confirmed that it had not been possible to make contact. ■■■ agreed to provide contact details of the relevant persons(s) to speak to. NOTE: this data has since been obtained for 2013-2017.</p> </li> <li> <p>Atkins clarified that due to the land take we will be saying there is "likely significant effect" on the SPA within the HRA Screening report and as such we will be going to a full appropriate assessment with regards to the SPA (SACs have been ruled out) There were discussions on whether this would affect the integrity of the SPA. ■■■ and ■■■ advised that the combined temporary/permanent land take of c 12ha would suggest it would and hence trigger the IROPI test. It is a complex decision because area of land take does not directly support breeding territories of the qualifying SPA species in its current state, it may provide other benefits, such as supporting invertebrate food sources. Atkins explained that specialist advice on the Habitats Regulations is to be obtained to ensure the final decision is robust. ■■■ advised that Atkins has secured the services of ■■■ (DTA Ecology) to provide independent review, which was welcomed by all attendees.</p> </li> <li> <p>Traffic modelling for the Scheme has not yet been finalised. Should the traffic modelling data identify any additional European sites that could be impacted by the Scheme, the HRA screening will be revisited to include these in the assessment.</p> </li> <li> <p>■■■ queried the condition of the SPA - ■■■ advised that there are a number of parcels so it is difficult to give a single answer but this years' record bird numbers suggest it is in favourable condition. ■■■ proposed that condition assessment should be based on the recent 5-year mean, due to annual fluctuations. ■■■ queried if there is an</p> </li> </ul>	Now complete	

ITEM	DESCRIPTION & ACTION	ACTION /DEADLINE	RESPONSIBLE
	<p>opportunity to increase bird habitat – ■■■ advised that it would be via ongoing heathland management rather than further opening woodland</p> <ul style="list-style-type: none"> <li>• ■■■ advised he has also raised concern with the land managers (Surrey Wildlife Trust) regarding the impact of screening woodland as he is keen to see retention of deep screening</li> <li>• ■■■ raised concerns over effect of windthrow on retained vegetation when clearance had taken place and highlighted the need for sensitive felling and management.</li> <li>• It was considered that cleared areas should not necessarily be replanted in the same way as before. There is potential to incorporate open areas of heathland features, such as sandy mounds/banks (suitable for invertebrates, a qualifying feature of the SSSI) and heather, with some scrub planting along the road edge for visual screening purposes.</li> <li>• ■■■ advised that he would recommend bringing specific experts out on site to advise on air quality effects once the RLB is published</li> <li>• NMU access/route discussion - ■■■ advised large parts of the land are registered common, plus access land with designated bridleways and dead-end paths. Question raised as whether there is an opportunity to better show NMU routes or if designated routes have potential negative impact? ■■■ advised that we may be able to better manage access but it needs expert review, in particular understanding the access patterns now and impact of local by-laws. SWT wardens could have useful information on current access/use. ■■■ raised the issue that access and habitat mitigation / compensation need to be considered holistically to ensure that the access arrangements do not undermine the value of the habitat. If granted, the implications of the Wisley development will need to be considered.</li> <li>• ■■■ advised that the project team will be seeking Statements of Common Ground from all the groups present to ensure all concerns are logged. ■■■ advised that he sees that it would be a short document with no major concerns raised as the project team is being thorough and addressing issues in the right way. ■■■ advised he did</li> </ul>		

ITEM	DESCRIPTION & ACTION	ACTION /DEADLINE	RESPONSIBLE
	<p>not envisage giving evidence to the planning hearing as a result.</p> <ul style="list-style-type: none"> <li>The requirement for an Evidence Plan with regards to the HRA process was discussed, and it was agreed by all attendees that this would be advantageous. ■■■ advised that this would need to be arranged very quickly.</li> </ul>		
06	<p>Air Quality</p> <ul style="list-style-type: none"> <li>■■■ confirmed that he assessed the condition of the SSSI units in 2011.</li> <li>■■■ questioned if the habitat type ascribed to some SSSI units may not accurately represent the actual habitat types present (for example the woodland around Boldermere Lake is described as dwarf shrub heath). ■■■ confirmed that the latest Phase 1 data can be used to determine the most suitable habitat types within the SPA/SSSI with regards to AQ assessments.</li> <li>■■■ outlined general concerns with regard to air quality such as nutrient deposition and impact on scrub/bramble growth levels within a zone from 30-40m from the source at roadside, and that any habitat proposals for replanting the temporary land take areas within the SPA and/or SSSI will need to consider a management plan that could cope with this accelerated regrowth.</li> <li>All agreed that we need to be confident that any changes to the road are attenuated and that vegetation has an important role in this.</li> </ul>		
07	<p>Mitigation and Compensation</p> <ul style="list-style-type: none"> <li>■■■ clarified that terminology will need to be as consistent as possible to satisfy legal requirements but points out that different documents have different definitions and this is a risk Atkins are very aware of. In relation to the SPA compensation means compensation in the terminology of the Habitats Regulations. There will be a statement in the ecology chapter to clarify terminology.</li> <li>■■■ advised that the project team's current focus is on making any loss of habitat/ancient woodland as small as possible, or avoiding all together but will report residual loss.</li> <li>■■■ advised that the Forestry Commission would be looking for multiple benefits of new woodland planting (such as helping to filter run off) and stressed the importance of edge habitats. ■■■ advised caution given the nature of pollutants that can come from the road with pollution incidents etc. ■■■ advised that they can help look at hazard areas.</li> <li>Atkins queried how Natural England and Forestry Commission work together as Statutory Consultees on Ancient Woodland? ■■■ advised that it is</li> </ul>		

ITEM	DESCRIPTION & ACTION	ACTION /DEADLINE	RESPONSIBLE
	<p>largely on a case by case basis but they are committed to working together on this scheme.</p> <ul style="list-style-type: none"> <li>█ made a quick summary of the sketch proposals plan – and to note that these are still options being investigated, there may well be change as not all parcels of land may be required.:</li> </ul> <p><u>█ quadrant</u>            Woodland to increase connectivity, with patches of open heathland which could in future support more bird species</p> <p><u>SW quadrant</u>            Similar opportunities as █ quadrant, creation of woodland with open glades.█ was concerned that provision of easier access to this quadrant via a ‘green’ multi-function Cockrow Bridge would threaten its value so access would need to be managed to reduce the impact. All agreed to contribute to development of proposals for this bridge.</p> <p><u>NE quadrant</u>            Dense Scots Pine at present and direct connection to SSSI. Selective clearance and ongoing management would be undertaken to enhance its biodiversity value would be undertaken but █ noted this would require a felling licence and replanting.</p> <p><u>SE quadrant</u>            Opportunity to extend the common, but relatively low usage at present █ advised that Natural England wouldn’t want to see this massively increased in any case. Major land opportunity/risk lies in the airfield site which is being considered for housing.</p> <ul style="list-style-type: none"> <li>█ advised that most landowners have been contacted and some plots we have identified are already up for sale.</li> <li>█ queried who would be responsible for taking on the management of any replacement land and restored land required temporarily for construction in the long term?</li> <li>█ raised the issue that the habitat within the SPA/SSSI to be lost to the Scheme does not currently support breeding territories of the qualifying SPA bird species, although it may provide food resources by supporting invertebrates. It would take a similar timescale to convert to functional habitat (i.e. heathland) once cleared as any new areas of habitat creation. Therefore, it is proposed that any new areas of heathland creation do not need to be established prior to the clearance of the SSSI/SPA woodland habitat within the Scheme footprint. This was acknowledged by all attendees.</li> </ul>	<p>To be clarified by project team</p>	<p>█ to seek answer</p>



ITEM	DESCRIPTION & ACTION	ACTION /DEADLINE	RESPONSIBLE
	<ul style="list-style-type: none"> <li>Detailed soil sampling will be required to understand the conditions at the replacement land sites and inform mitigation proposals.</li> </ul>		
08	<p><u>AOB</u></p> <ul style="list-style-type: none"> <li>█ requested Natural England to provide a list plans or project with HRAs for the Thames Basin Heaths SPA they would like Atkins to consider in the HRA screening. █ requested that this be shared with RSPB once list is compiled.</li> <li>█ requested Natural England to review valuations of different features. █ advised he will check if this is chargeable activity before Atkins issues anything.</li> <li>█ noted that if replacement SPA land was provided north of the M25 i.e. at Park Barn Farm this would extend the influence of the SPA on local planning policies and could generate objection from Elmbridge BC. This made Pond Farm more favourable as replacement SPA if conditions there were/could be made suitable.</li> <li>It was noted that Natural England anticipate that SPA replacement would be designated as SSSI/SPA as soon as it was acquired and would not be dependent on establishment of suitable habitats or species.</li> <li>Discussions were held on integrity effects leading to IROPI and suggestions that if the replacement land was technically reducing a risk of harm to the SPA, rather than compensating for harm, then integrity might not be affected and the replacement land could be noted as mitigation rather than compensation.</li> </ul>	█ to HRA information by end November	█
09 - Summary discussion	<ul style="list-style-type: none"> <li>█ stated he is pleased to hear the ambition of very minimal or no ancient woodland land take. He would like clarity on compensation ratios being considered. He encouraged any compensatory woodland to be multi-functional and productive. He wants to see no net loss of woodland. He would like Forestry Commission to be involved in discussion on woodland habitat enhancement.</li> <li>Point of query from our notes: █ accepted that woodland loss within the SPA could be replaced with heathland, as that is the key habitat for the site</li> <li>RSPB view is that habitats assessments need to be done quickly and that Atkins share early drafts of the HRA Screening report with █ to ensure any concerns can be addressed quickly.</li> <li>█ raised a question for Natural England on the licences and method statements required for the DCO process. To be followed up separately as █ will advise on what will be counted as a "paid for" service.</li> </ul>	To be clarified as notes are unclear.	█

ITEM	DESCRIPTION & ACTION	ACTION /DEADLINE	RESPONSIBLE
	<ul style="list-style-type: none"> <li>• [REDACTED] advised that the PRA is the next activity in the programme and the Statement of Common Ground work would begin after that. Statutory consultation is expected in early 2018.</li> <li>• [REDACTED] advised that the ongoing maintenance and monitoring regime is not yet defined but would be required, HE keen to minimise impacts first wherever possible.</li> <li>• [REDACTED] advised an NMU workshop is being held 31 October and the views from this meeting will be taken forward to inform discussions</li> <li>• [REDACTED] advised that he will continue to focus on the HRA and there will be ongoing conversations.</li> <li>• [REDACTED] noted there would be further meetings and stakeholder telecons to discuss the issues. [REDACTED] noted that there would be an environmental design workshop on site before Christmas.</li> </ul>	<p>Atkins to advise on meeting dates</p>	<p>[REDACTED]</p>

## A.7 Email (12.12.17)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 12 December 2017 13:12  
**To:** [REDACTED]  
**Subject:** RE: M25 Junction 10/A3 Wisley Interchange Improvement - issues with contacting the Major Infrastructure and Environment Unit

[REDACTED]

I've been given the following advice:

"I have tried myself previously in relation to NSIP Evidence Plans - the major projects team has disbanded - I did try their mailbox and reported to them that it was not being monitored. I was put on to someone called [REDACTED]. I suggest an email/call to [REDACTED] asking if he can help or direct them to the right person."

Hope that helps.

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 12 December 2017 12:07  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25 Junction 10/A3 Wisley Interchange Improvement - issues with contacting the Major Infrastructure and Environment Unit  
That would be greatly appreciated [REDACTED], thanks

[REDACTED]

Senior Ecologist

**ATKINS**

Woodcote Grove, Ashley Road, Epsom, Surrey KT18 5BW

---

**TEL:** [REDACTED]

## A.8 Meeting (18.12.17)



### Meeting notes

<b>Project:</b>	M25 J10/A3 Wisley Interchange Improvement		
<b>Subject:</b>	Natural England		
<b>Date and time:</b>	18 December 2017	<b>Meeting no:</b>	Stage 3 - 001
<b>Meeting place:</b>	NE offices, Winchester	<b>Minutes by:</b>	██████████
<b>Present:</b>	██████████ ██████████ ██████████ ██████████	<b>Representing:</b>	Natural England Atkins Atkins Atkins Atkins

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1.0	Health & safety – ██████ started the meeting with a safety moment concerning recent cold weather affecting visibility whilst driving		
2.0	<p>Introductions – ██████████ explained that none of his technical specialists from the relevant fields could attend but that he would be liaising with them after the meeting. ██████████ introduced herself as the Atkins stakeholder lead and explained that all strategic engagement should go through her. Technical correspondence/discussions would be via the relevant team. Other attendees explained their roles and responsibilities on the project</p> <p>██████ made an update on the PRA that was announced in November 2017. She explained that the option is preferable from an environmental point of view and design work since the consultation closed at the beginning of 2017 has allowed the performance and safety of this option to be improved. She further spoke about the side road options being taken forward. ██████ then spoke about the DCO process and the upcoming statutory consultation, that the Statement of Community Consultation (SoCC) is under consultation and that a consultation report will be published once consultation has closed. ██████ requested to see the SOCG template.</p> <p>██████ commented that the work is ongoing on the PEIR which will be available ready for the</p>	TBC	██████ to check with Highways England that the template has been approved and can be shared

<b>Next meeting:</b>	TBA
<b>Distribution:</b>	All present plus ████████████████████
<b>Date issued:</b>	20/02/18
<b>File ref:</b>	

NOTE TO RECIPIENTS:  
 These meeting notes record Atkins understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

Contains *sensitive* information  
 180110\_M25J10\_minutes\_Natural England\_FINAL

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
3.0	<p>statutory consultation and he stated that Design Fix 2 has been reached and that this is the design that is being taken forward to consultation. After the consultation has closed, the design team will amend the scheme in light of any valid feedback. This will result in Design Fix 3 which is taken forward.</p> <p>Licenses and consents – [REDACTED] explained that work on the HRA and protected species licenses runs parallel to the consultation preparation. The DCO process allows for the protected species licenses to be wrapped up by PINS but they could be drafted it in collaboration with Natural England, alongside the Letter of No Impediment, prior to making an application for consent. [REDACTED] stated that either process is fine so long as there is an agreed process up front that we all agree to work to.</p> <p>[REDACTED] stated that there is still a lot of information to gather – surveys are starting again in January 2018 and will continue into the spring. This will include bat roost assessments of trees, and he believes that it is likely we will encounter one or more bat roosts. There will be both permanent and temporary land take – it may be possible to avoid a bat roost if a tree is in the temporary land take but not if it falls within the permanent land take boundary. We will explore all options but may require a mitigation licence for the loss of bat roosts.</p> <p>[REDACTED] explained that a walkover is due to take place in January that will identify any badger setts within the Scheme footprint– again, it is likely that some badger setts will be identified. If active setts fall within the temporary land take, then we will investigate whether we can avoid disturbing them. Any sett closures would be likely to require a licence and mitigation.</p> <p>He believes that these are the key licences to consider and explained that a timeline is being produced and Atkins will keep Natural England informed of progress.</p> <p>[REDACTED] stated that low numbers of great crested newts have been recorded around the Scheme and may occur within the footprint in very low numbers. In addition, only a single sand lizard has been recorded during surveys to date. Therefore, [REDACTED] does not anticipate a licence being required for these species, but rather a Precautionary Method of Working, or Method Statement.</p> <p>[REDACTED] agreed that a Method Statement may be appropriate for great crested newts and reptiles</p>	Ongoing	[REDACTED]

Contains sensitive information  
 180110\_M25j10\_minutes\_Natural England\_FINAL

Plan Design Enable

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	(including sand lizard which may occur in very low numbers). In discussing the DAS process and the timelines involved ■■■ believes that it could potentially lead to weeks of work. It was agreed to keep communication open so that everyone was in the loop.		
4.0	Evidence Plan – ■■■ advised that with DEFRA no longer being involved that the key organisation to talk to about the evidence plan is PINS who will have a clear understanding about which evidence is required (see Advice Note 11). In the absence of guidance from DEFRA we could do our own version. ■■■ noted that this would feed into the SOCG and would need to involve others apart from NE.		
5.0	<p>HRA Screening – ■■■ advised that the HRA screening is ready, it has been submitted to Highways England and once it has been approved it can be shared with stakeholders. The red line boundary was discussed and that it encompasses all replacement land. ■■■ stated his view that all replacement land should be in one location and not fragmented. ■■■ was supportive of Pond Farm as compensation for lost SPA as it is directly connected to other SPA areas and could provide supporting environment for the qualifying breeding bird species. Heathland was discussed – and the possibility of removing conifers and opening up Surrey Wildlife Trust land. ■■■ related some evidence gathered by Natural England that indicates that tall, dense ‘screens’ of trees along side major roads can be effective in dispersing traffic emissions and that whilst heathland creation or restoration may be considered as part of the overall mitigation package, there may be a need to consider whether there are potential benefits in retaining trees in some locations.</p> <p>■■■ advised that there could be more extensive barriers put into place than the number in place at the current time. This is primarily for noise impact but could also have air quality benefits. ■■■ advised that all environmental mitigation proposals will be ready for consultation in 2018.</p>		
6.0	<p>Bolder Mere</p> <p>■■■ explained that the proposed scheme widens the A3 immediately adjacent to the (artificial) ■■■ edge of Bolder Mere. The proposed scheme would encroach into Bolder Mere, taking some wet woodland and reedbed habitat. The extent of this encroachment needs to be confirmed by topographic survey.</p> <p>Current designations of Bolder Mere were discussed. The lake is designated as part of the (Thames Basin Heaths) SPA, and as part of the</p>		

Contains *sensitive* information  
 180110\_M25J10\_minutes\_Natural England\_FINAL

Plan Design Enable

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>(Ockham and Wisely Common) SSSI. It is also identified as a heavily modified lake water body in its own right under the EU Water Framework Directive. The lake is a habitat of particular value under the SSSI designation, less so to the species designated under the SPA. Further information is needed to properly understand the effect of works on WFD status.</p> <p>█████ feels that any impact will need to be mitigated, he explained how and why Bolder Mere is a good quality water body (for instance the value of the lake and its margins to dragon and damsel fly). Discussion around how to mitigate the effects of the scheme took place – in particular around whether, from the perspective of the area as a whole, there would be more value in investigating opportunities to improve habitats along the margins of Boldermere, or, instead to focus mitigation effort on improvements to smaller ponds and mires in the same catchment to the north of the A3. Implications of implementing mitigations outside of the current red line boundary were discussed.</p> <p>█████ explained that the next steps would be a walk over in January to better understand the lake habitats and potential for mitigation. It was agreed to bring the Environment Agency into the discussion about this topic due to its unusual circumstances, but in particular to understand better how the requirements of the WFD would influence mitigation works. It was felt that there could be a number of creative possibilities to improve what is currently there.</p>	<p>9 Jan</p>	<p>█████</p>
<p>7.0</p>	<p>AOB – █████ clarified that a clear method statement would be produced for the GI works.</p>		

## A.9 Email (26.01.18)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 26 January 2018 10:30  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Evidence plan for M25 J10 - request for your thoughts

[REDACTED]

I have discussed this with my colleagues in our planning section.  
I am afraid that Natural England is currently unable to take on the role formerly taken by MIEU. We do not currently have the capacity to increase our time input to the M25/A3 junction improvement scheme and we are also concerned that it might compromise Natural England's role as an impartial advisor.  
I am sorry if this is not the response you wanted but hope that you can find a way forward.  
Best wishes

[REDACTED]

Land Management Advisor  
Thames Valley Team  
Natural England  
Cromwell House  
15 Andover Road  
WINCHESTER SO23 7BT Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**  
**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)



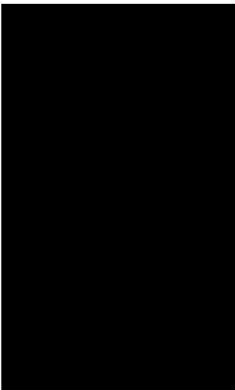
## A.10 Meeting (16.03.18)



# Meeting notes

<b>Project:</b>	M25 J10/A3 Wisley Interchange		
<b>Subject:</b>	Environmental Mitigation/Compensation and HRA		
<b>Date and time:</b>	16 Mar 2018 - 09:00	<b>Meeting no:</b>	1
<b>Meeting place:</b>	Pond Farm	<b>Minutes by:</b>	██████████

**Present:**



**Representing:**

- Natural England (NE)
- Forestry Commission (FC)
- Forestry Commission
- RSPB
- RSPB
- Surrey Wildlife Trust (SWT)
- Surrey Wildlife Trust
- Surrey County Council (SCC)
- Surrey County Council
- Highways England
- Atkins
- Atkins
- Atkins
- Atkins
- DTA Ecology
- Atkins

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1.0	<b>Health &amp; safety</b> ██████████ highlighted the risk from ticks and noted that this was likely to increase with warmer weather coming	N/A	All
2.0	<b>Overview and site walkover</b> ██████████ outlined the main features of the current scheme. ██████████ noted SWT's objection to inclusion of 5ha of Pond Farm as a replacement land parcel, although he understood the reasons why this area was included. All attendees then undertook a site walkover looking at the site scheme area located with SCC land, with particular interest in the replacement land areas at Pond Farm, Park Barn Farm and Chatley Heath Wood. After the walkover, attendees were invited to express their views on the proposals.	N/A	All
3.0	<b>Pond Farm</b> ██████████ set out the SWT view that this parcel was unsuitable as compensation for SPA as he felt it was too wet to create sustainable heathland habitat and would be damaging to SWT's operations and hence their ability to	N/A	All

**Next meeting:** TBA

**Distribution:** All attendees and ██████████

**Date issued:** ██████████ **File ref:** ██████████

**NOTE TO RECIPIENTS:**  
 These meeting notes record Atkins understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

Contains *sensitive* information  
 16.03.2018 - NE - Minutes.docx

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
4.0	<p><b>SPA compensation</b></p> <p>manage the rest of the SPA. Although he felt it would have some habitat value, the change to open public access would be incompatible with SWT's need to use the land as winter grazing for their herd and a location for cattle with calves and stock needing to be quarantined. The ability to maintain the stock levels and herd management at Pond Farm is vital to the management of the entire SPA, not just the Wisley part of it. He felt it would be unattractive to users due to the wet ground conditions for much of the year and that there was no evidence of public pressure to access the farm fields. [REDACTED] was also of the same view. The RSPB also stated that Pond Farm was not suitable as SPA replacement as it would not be possible to provide appropriate habitat in this location. [REDACTED] noted that, with management, it could be suitable for certain aspects of the SPA, providing habitat that would contribute to supporting the qualifying species. He noted that the SPA land to be lost was of low value being closest to the M25 and A3. [REDACTED] noted that specific areas identified as compensation for lost SPA would by preference be south of the M25 to avoid extending the planning restrictions arising from the SPA in local authority areas. It was noted that the Pond Farm area was ideally placed as replacement SPA and common land as it sat within areas covered by both designations. This lead onto discussions about alternative means of compensating for lost SPA land.</p> <p>[REDACTED] noted that it might be possible to provide compensation for the impacts resulting from the loss of SPA land by enhancing the habitat value of land within the currently designated boundary (i.e. by clearing woodland to allow areas of heathland to regenerate). However, it was noted that there would be an expectation to avoid physical loss of SPA total land area, thus requiring Pond Farm (or additional land associated with the wider Thames Basin Heaths SPA) to form part of the compensation package.</p> <p>It was noted that clearance of woodland/tree cover to achieve this would require agreement from Forestry Commission. [REDACTED] noted that Forestry Commission could support this approach subject to agreed areas/proportions of canopy cover being maintained and new areas of planting within the replacement land being provided. [REDACTED] referring to the EC guidance (<i>Guidance Document on Article 6(4) of the 'Habitats Directive' 92/43/EEC 2012</i>) on this noted at 1.4.1 that to be allowable the SPA enhancement must not be something that would have been done as 'normal practice' under the Habitats and Birds Directives or obligations laid down in EC law. SWT confirmed that their obligations were to 'maintain' the SPA and SSSI and hence additional enhancement did not form part of 'normal practice'. [REDACTED] confirmed that enhancement must not be what was going to happen anyway and understood that restoration of further areas of heathland was an aspiration. It was noted that enhancement of the SPA could include NMU provision and dog control orders that would encourage public use of the replacement land areas and reduce pressure on the main heathland areas of the SPA which were most used by the qualifying species. The effectiveness of dog control orders was</p>	N/A	All

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	questioned by the RSPB, these require significant resource to enforce and the TBH strategy has opted for responsible behaviour through positive messaging to date rather than enforcement so far. ██████████ noted that any enhancement that formed part of a compensation package would need to be identified with and funded by the project and ██████████ agreed to investigate the mechanism for doing this with HE legal team.		
5.0	<p><b>Park Barn Farm</b></p> <p>All agreed that Park Barn Farm appeared to provide excellent opportunities as replacement common land/public open space and has scope for habitat creation to support heathland species. New planting and some tree clearance/diversification of single species plantations would be proposed along with heathland/dry acid grassland habitat creation which ██████████ was supportive of. ██████████ noted that identification as common land rather than public open space imposed more difficulties on the use of grazing as a management tool, as specific consent is needed for any fencing, which is a legally complex process. This may have an influence on the arrangement of the two types of replacement land relative to the types of habitats intended. RSPB thought there was some potential but required more information on the current state and the proposals to enable proper evaluation of the merits of these areas.</p>	N/A	All
6.0	<p><b>Chatley Wood</b></p> <p>It was noted that this area could provide good opportunities for public recreation, helping to take the pressure off the SPA. This would need encouragement through provision of signposting, appropriate path surfacing and tree clearance to open up routes to it from NMU routes and the Ockham Bites car park. The proposed NMU bridge would be of benefit for this, creating a new direct access between the north-east and south-east quadrants, which currently does not exist. In addition, the possibility of providing a new car park off Pointers Road was raised. The existing grass areas could be managed to provide a mixture of open and scrub habitats mixed with native wood pasture and/or orchard habitats, both of which were noted as being in decline nationally. The current SWT work to manage the SSSI woodland at Redhill Bottom and Chatley Wood was observed.</p>	N/A	All
7.0	<p><b>Hatchford End</b></p> <p>There was concern that this parcel would provide little ecological value for the SPA and SSSI due to its size and location, separated from the heathland. ██████████ pointed out the benefits in providing rights of way linkages enabling better access to the other areas of public access, particularly bearing the Wisley Airfield draft housing allocation in mind. It also has benefits in linking areas of woodland and providing safer NMU access than along Old Lane.</p>	N/A	All
8.0	<p><b>Land adjacent to M25/A3</b></p> <p>██████████ explained that the land within the red line boundary but outside the permanent highway boundary would</p>	N/A	All

Contains sensitive information  
 16.03.2018 - NE - Minutes.docx

Plan Design Enable

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>be used to construct the scheme and is likely to be cleared of vegetation during the works. The intention is to return this land to the landowner (mainly SCC) in a condition where it can provide environmental benefit. There was agreement that this should have a varied vegetation profile with scrub (excluding gorse) and some larger trees to benefit the SPA and should have a scalloped edge to create diverse edge habitat. The available land within the highway boundary (such as embankment slopes) would be treated similarly but also provide screening for views of the M25/A3 where appropriate. Environmental barriers would be provided to mitigate noise effects and which could serve to enhance the SPA by reducing noise levels for the qualifying species and encourage their spread. SWT also favoured lighting proposals that reduced the light spill from the M25/A3 where possible.</p> <p>The potential provision of one or more green bridges (as enhanced provision at bridges that would be replaced anyway, particularly Cockcrow and Clearmount bridges) was discussed and all agreed that this would be of significant benefit to the scheme and should be explored through the Highways England designated funds. SWT confirmed willingness to input advice to the design process for such features and to look at ideas for work they might potentially undertake to add value to such bridges. ██████████ noted that careful consideration would be needed to ensure such bridges did not encourage recreational pressure in sensitive areas. RSPB agreed with the need to consider the potential for change in recreational pressure as a result of these bridges and also this is something that the wider scheme needs to consider holistically as the improvement of NMU provisions through the junction has the potential to change access to the SPA and therefore recreational disturbance.</p>		
9.0	<p><b>HRA Discussion</b></p> <p>██████████ set out the current situation regarding the HRA work noting that the Screening document confirmed that a likely significant effect had been identified with regard to the Thames Basin Heaths SPA. The draft had been circulated for comment to NE, RSPB and SWT. NE and SWT confirmed that they had no comments (apart from an email comment from Natural England ahead of a meeting booked for 27 March regarding specifically to consideration of air quality). ██████████ confirmed that the RSPB have already provided their comments. Some aspects were discussed in the meeting and it was agreed that a response to all comments would be provided with an updated version of the screening report. ██████████ noted that the Screening should clearly set out which aspects of the scheme could have likely significant effects as only these should be addressed in the Appropriate Assessment. It was agreed that these would be limited to peripheral habitat loss in areas that are not currently heathland, habitat degradation (by changes in air quality and/or hydrology), and disturbance (visual, light, noise and changes in recreational usage patterns). RSPB highlighted the need for clarity regarding what is being proposed as avoidance, mitigation, compensation and enhancement measures.</p>	N/A	All

Contains *sensitive* information  
 16.03.2018 - NE - Minutes.docx

Plan Design Enable

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>Atkins stated that it is anticipated that the Appropriate Assessment will record that it is not possible to ascertain no adverse effects on the integrity of the SPA. In this situation, it will be necessary to demonstrate an absence of alternative solutions and imperative Reason of Overriding Public Interest why the project should, nevertheless, proceed. Compensatory measures to ensure that the overall coherence of Natura 2000 is protected will then need to be secured. It was noted that an 'in combination' assessment would not be needed as the project will be having an adverse impact on the integrity of the SPA 'alone'. Should the project go ahead under the derogation provisions, sufficient compensatory measures would be secured to address all associated adverse impacts so there would be no <i>residual</i> effects to act in combination with other plans or projects.</p> <p>Note: RSPB commented in these minutes stating that <i>'The RSPB consider it essential that an in-combination assessment is undertaken. Its key role is to identify and assess interactions with other proposals (particularly applicable to issues arising from recreational disturbance and housing development in the vicinity). This is important as it is difficult to be sure that mitigation measures will not leave even the smallest residual effects – on their own they do not amount to an adverse effect, but have the potential when combined to cause an adverse effect. This "sense check" provides confidence that no effects have been overlooked by the assessment process.'</i></p> <p>Noise impacts on the SPA were noted as likely to be significant during construction but not in operation.</p>		
10	<p><b>Other matters</b></p> <p>NE/SWT/RSPB/FC would like to be involved in the programming of clearance works, with woodland areas left till last if possible.</p> <p>Visitor numbers were expected to drop during construction. It was noted that the Wisley Airfield ES may have included a visitor survey that could contain useful baseline data. It was suggested that employing access consultants/behavioural psychologists might provide benefits in planning NMU provision.</p>	N/A	All

## A.11 Email (16.03.18)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 16 March 2018 12:13  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: HRA Screening report

Hi [REDACTED],

Thank you for sending your HRA screening document through to Natural England. My colleague [REDACTED] recently forwarded this onto myself.

On the whole, we're happy with the issues discussed within the screening document and have no further comments of real note to make at this stage. In terms of air quality, you've stated that you intend to carry out an in-combination assessment for the Thames Basin Heaths SPA. As you've established that there will be an effect alone, an in-combination assessment would not be necessary (as an in-combination effect is already implied from establishing one in isolation). I hope this makes sense.

We would be happy to discuss the document further at the meeting scheduled for the 27<sup>th</sup> March, if you feel this would be helpful.

All the best,

[REDACTED]

[REDACTED]  
Planning Lead Advisor  
Thames Team  
Natural England  
**Tel:** [REDACTED]

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

## A.12 Email (23.03.18)

**From:** [REDACTED]  
**Sent:** 23 March 2018 06:56  
**To:** S [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Request for survey methodology approval: Aerial Tree-Climbing Approach for Roost Surveys  
**Importance:** High

Dear [REDACTED],

As you are aware, we have undertaken Ground Level Tree Assessments (GLTAs) of trees within and immediately adjacent to the DCO boundary. This has identified trees with potential roost features, and we have undertaken tree climbing inspections of these potential features (where safe to do so) in trees that were assessed as moderate potential or higher. This process has identified up to 70 trees to date that have moderate or high potential. Traditionally the next step would be to undertake emergence/re-entry surveys within the appropriate season. However, due to the setting of the majority of these trees within dense woodland, it is known from experience that traditional ground level emergence/re-entry surveys may be challenging and could potentially lead to uncertainty in determining which location a bat appeared from.

Therefore, I would really like to gain approval from Natural England, to replace emergence/re-entry surveys of trees with aerial tree-climbing surveys under the following circumstances:

- The tree is safe to climb;
- The tree is easily accessible.

Trees with moderate potential will be climbed twice within the optimal survey season (May – August/September), while trees with high potential will be climbed three times. If the first aerial tree-climbing assessment of the tree was undertaken during the optimal survey season (May – August/September) and in the same survey season as the proposed surveys, then it will count towards one of the roost (emergence / re-entry) surveys. If roosts are identified during any of the aerial tree-climbing inspections, and it is not clear as to how many bats or bat species are present, a standard Roost Survey(s) (either emergence or re-entry) will be carried out to supplement the existing information, confirm the species present and provide a roost count.

Following the GLTA and Aerial Tree-Climbing surveys, trees with moderate – high potential for roosting bats that cannot be safely climbed will be subject to traditional emergence / re-entry surveys. We feel that this method will improve accuracy and confidence in our bat roost assessments, whilst increasing efficiency of the assessment of a large number of trees. Please can you confirm if you agree with the proposed methodology. If you require further information, please do get in touch.

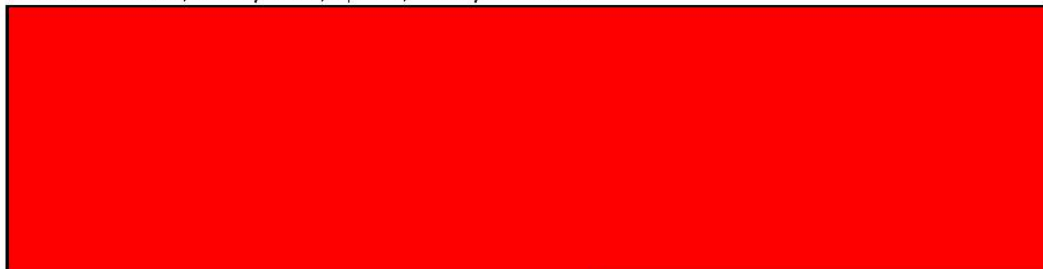
Many thanks

[REDACTED] *CEcol, MCIEEM*

Senior Ecologist, Infrastructure  
UK & Europe  
Ecology



[REDACTED]  
Woodcote Grove, Ashley Road, Epsom, Surrey KT18 5BW



Company

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 23 March 2018 15:33  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Request for survey methodology approval: Aerial Tree-Climbing Approach for Roost Surveys

**Importance:** High

[REDACTED]

One of my protected species licensing colleagues has had a careful look at your proposal. Natural England is satisfied that the proposed methodology is appropriate given the circumstances, is in line with best practice guidance, and is likely to provide an adequate level of survey effort. I can therefore confirm that we agree with the proposed method.

[REDACTED]

Land Management Advisor  
Thames Valley Team  
Natural England  
Cromwell House  
15 Andover Road  
WINCHESTER SO23 7BT Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**  
**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)



## A.13 Meeting (27.03.18)



### Meeting notes

<b>Project:</b>	M25 J10/A3 Wisley interchange improvement scheme		
<b>Subject:</b>	HRA Assessment and Air Quality		
<b>Date and time:</b>	27 March 2018 – 10am	<b>Meeting no:</b>	002
<b>Meeting place:</b>	Cromwell House, Winchester	<b>Minutes by:</b>	[REDACTED]
<b>Present:</b>	[REDACTED]		
<b>Representing:</b>	Natural England (NE) Natural England (NE) Natural England (NE) Atkins Atkins Atkins Atkins		

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1.0	<p><b>HRA Assessment</b></p> <p>There was a discussion about the need for compensation for any loss of land. [REDACTED] spoke about clearing some areas of woodland to create heathland. Natural England stated that they were in agreement with this approach in principle if it supported habitat creation. [REDACTED] stated that with six hectares of the SPA being lost Natural England would expect six hectares to be re-provided, and that Natural England saw this as part of a package with enhancement works within the SPA boundary. [REDACTED] emphasised that meeting the requirements of the legislation was key. While it was agreed that the scheme is not anticipated to result in a reduction in numbers of birds of SPA species, there will be a loss of habitat that contributes to the site fabric (e.g. by providing a woodland edge to the heathland and contributing to the invertebrate resource for the SPA qualifying bird species).</p> <p>[REDACTED] advised that in terms of discretionary advice the protected species advice team were the most stretched in terms of resources and timings. It was agreed that Atkins would put together a draft of the proposed vegetation clearance methodologies (a method statement), for Natural England to review under DAS and provide comment. This would allow Natural England to confirm if they agreed on Atkins' proposal that the Scheme does not require licences with regards to great crested newts and sand lizards.</p>	End April 2018	[REDACTED]
2.0	<p><b>Method of assessment</b></p> <p>[REDACTED] and [REDACTED] both shared comments made by PINS on the Scoping Opinion that advised speaking to Natural England about the assessment of air quality. PINS had advised that the</p>		

<b>Next meeting:</b>	TBA
<b>Distribution:</b>	All attendees, [REDACTED]
<b>Date issued:</b>	<b>File ref:</b>

**NOTE TO RECIPIENTS:**  
 These meeting notes record Atkins understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

Contains sensitive information  
 180409\_j10\_minutes\_air\_int approved



ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>project should also be looking at assessment across other non-designated sites, including ancient woodland, and not just the statutory designated sites, which differs from the Highways England's DMRB guidance. Natural England confirmed that they do not require an assessment of non-designated sites. [REDACTED] noted that none of the local authorities who have responded to consultation have asked for any further sites to be looked at. [REDACTED] advised that in their experience, post Wealden judgement, local authorities are only tending to look at sites designated under European Union Directive (e.g. SPA) and not even SSSI. In this case, Atkins would follow DMRB and include SSSIs as well as sites covered by international designations.</p> <p>It was discussed that reduced idling as a result of the scheme would lead to a decrease in emissions. However, volumes of traffic are predicted to increase due to the improved junction potentially drawing more traffic to the area through more efficient and improved journey time. Overall, this would result in predicted increased emissions around the junction, but reductions on the wider road network. [REDACTED] said that this should be made clear in the ES.</p> <p>Natural England advised that PINS are looking very closely at air quality on other schemes – this was likely due to the Wealden judgement. [REDACTED] advised that we should respond to the PINS comment and offered to share their advice notes to assist with this. [REDACTED] advised that we should look at the Windsor &amp; Maidenhead local plan where the air pollution assessment has been agreed since the Wealden judgement.</p> <p>There was discussion about the assessment being looked at in isolation as an 'in combination' assessment would not be needed as the project will be having an adverse impact on the integrity of the SPA 'alone'. [REDACTED] explained the 1,000 extra vehicles or 1% increase threshold and the 200m buffer zone.</p> <p>[REDACTED] explained that our modelling indicates an increase in emissions but that the 200m zone is woodland. It was noted that the woodland that currently lines the A3/M25 within the SPA is fairly robust to nitrogen and that any heathland creation will be exposed to higher levels of nitrogen, potentially leading to increased dominance of competitive plant species. It was agreed that this should be acknowledged in the ES, and the management strategy for the compensation package should include measures to tackle the increased dominance of competitive plant species within any heathland restoration areas. [REDACTED] stated that the baseline data needed by Natural England was the distance within the 200m zone where levels increased by 1% and exceeded the critical load, identifying the increases against critical loads, so that they can identify the risks and advise on the appropriate avoidance and/or mitigation measures to put into place. This would inform the management strategy for the compensation package.</p>	<p>April 2018</p>	<p>[REDACTED]</p>

Contains sensitive information  
 180409\_j10\_minutes\_air\_int approved

Plan Design Enable



ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
3.0	<p><b>Designated site boundary – MAGIC GIS</b>            [redacted] advised that the paper map issued at the time of SSSI designation contains the definitive boundary and provided copies to Atkins. [redacted] advised that the SPA and SSSI boundaries were now mirrored.</p> <p>[redacted] confirmed that there would be no monitoring using NOx diffusion tubes as the diffusion tubes are no longer being supplied. All work would be done via modelling.</p>	N/A	All
4.0	<p><b>AOB</b>            Engagement contract – the contract has been sent to Atkins for signing. [redacted] to follow up with an email to [redacted]</p> <p>It was agreed that keeping in regular touch was worthwhile and meetings were productive.</p>	29 March 2018	[redacted] and [redacted]

## A.14 Meeting (09.10.18)



### Meeting notes

<b>Project:</b>	M25 J10/A3 Wisley Interchange Improvement		
<b>Subject:</b>	Catch up meeting with Natural England		
<b>Date and time:</b>	09 October 2018	<b>Meeting no:</b>	
<b>Meeting place:</b>	Natural England office, Reading	<b>Minutes by:</b>	██████████
<b>Present:</b>	██████████ ██████████ ██████████ ██████████	<b>Representing:</b>	Natural England (NE) Natural England (NE) Natural England (NE) Atkins Atkins

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1.0	<p>Overview of final Scheme</p> <p>█████ gave a recap on the previous design fix (DF2), and how the cost of the Scheme and the consultation feedback has led to the final design fix (DF3).</p> <p>█████ ran through the DF3 Scheme, explaining the key changes:</p> <ul style="list-style-type: none"> <li>• The reroute of the gas main and NMU route to the western most side of the A3, avoiding Bolder Mere.</li> <li>• The amendment of the residential access route at Painshill to reduce the impact on Painshill Park and also the ancient woodland at Heyswood.</li> <li>• The removal of bridges at the northern most and southern most extent of the M25 from the Scheme (these were included in DF2)</li> </ul> <p>It was agreed by all that the changes in DF3 would reduce the land take and thus help reduce impacts of the Scheme.</p>		
2.0	<p>Compensation package</p> <p>█████ showed the common land replacement areas at Park Barn Farm, Chatley Wood, and along Old Lane, with a description of the proposed habitat enhancement proposals for these locations. The proposals were met favourably.</p> <p>However, █████ commented that the change at Chatley Wood (avoidance of taking █████ best field and instead including some new areas of woodland) reduces some of the connectivity of this compensation area for recreational users. This was discussed further, and it was agreed that with the additional of a new bridge across the M25, it may encourage recreational users to the new compensation areas, plus there are opportunities for a circular route the incorporates the existing bridge at Hatchford Wood.</p> <p>█████ discussed potential improvements for these areas, including planting wooded areas, and managing existing woodland areas</p>		

<b>Next meeting:</b>	TBA
<b>Distribution:</b>	All present plus ████████████████████
<b>Date issued:</b>	<b>File ref:</b>

NOTE TO RECIPIENTS:  
 These meeting notes record Atkins understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

Contains sensitive information  
 091018 meeting notes NE final

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>for improvement (such as felling Scots pine plantations and planting diverse deciduous woodland, and tackling dense rhododendron understoreys within existing woodland to allow a more diverse understory to develop).</p> <p>The SPA compensation package contains two elements: physically extending the SPA by adding land currently outside the SPA, and additional compensation by enhancement works to improve the biological value of the land within the SPA, so that the carrying capacity is increased.</p> <p>The SPA physical compensation areas were discussed. The total area of these compensation areas will equal the permanent land take within the SPA. The proposed habitat creation at these compensation areas was described by ■■■:</p> <ul style="list-style-type: none"> <li>• Elm Corner SPA compensation land– an additional area of woodland will be added to the SPA. This will undergo some thinning, in combination with the adjacent enhancement area, to allow a more diverse and open woodland.</li> <li>• Old Lane SPA compensation land – two open grass fields will be designated as compensation areas. These currently undergo occasion grazing but are heavily dominated by ruderal vegetation, suggesting low usage. It is proposed that these areas would be planted with a mixture of scrub and woodland to increase their diversity, and contribute invertebrate resource to the SPA. This needs to be agreed with Surrey Wildlife Trust.</li> <li>• Wisley SPA compensation land – an area of grazed grassland to the south of the M25, near Buxton Wood is proposed for a compensation area. The size of this area will be determined by the final permanent and take figure. The usage of this compensation area is not proposed to change as woodlark and nightjar are both known to forage within short grass areas. However, the adjacent enhancement works will open up the woodland, providing increased connectivity between existing open heathland habitat and the compensation area.</li> </ul> <p>NE agreed that these compensation areas are appropriate, and they are satisfied with the proposals.</p> <p>The SPA enhancement areas were discussed, and ■■■ stated that it was essential (under the Briels ruling) that the HRA document needs to be clear that the enhancement areas (improving the biological value of land beyond what normal planned management would achieve on land areas within the SPA) will contribute to the compensation package and these works are not for 'mitigation' (as any mitigation will have already been taken into account in the Appropriate Assessment).</p> <p>■■■ explained the proposals for the different SPA enhancement areas, the total area of which adds up to 3:1 of the combined permanent and temporary land take. The enhancement areas will consist of a combination of:</p> <ul style="list-style-type: none"> <li>• areas of total clearance (where only mature trees and/or trees with potential bat features will be retained) to encourage heathland regeneration and</li> </ul>		

Contains *sensitive* information  
 091018 meeting notes NE final

Plan Design Enable

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>provide open habitats for SPA qualifying species, and;</p> <ul style="list-style-type: none"> <li>• areas of thinning, where the woodlands will be thinned by up to 80% (focusing on young silver birch trees and Scots pines), to encourage increased woodland diversity and provide more open habitats. This thinning will include widening existing rides and increasing the size of existing open patches within woodlands.</li> </ul> <p>These enhancement works will increase the diversity of the retained woodland within the SPA, increasing the invertebrate resource that it supports, as well as increasing the areas of open heathland habitat, enabling the populations of SPA qualifying species within the SPA to increase.</p> <p>■■■ confirmed that physical compensation areas outside the SPA should be set up prior to construction of the highways works, but enhancement works within the SPA could be staged and could take place after construction if required – improvements to biological value can be delivered once the Scheme is live if appropriate (■■■ pointed out that clearance adjacent to a construction area could potential encourage woodlarks to use habitat that will be disturbed by construction works).</p>		
	<p><b>Bolder Mere</b>            The mitigation measures at Bolder Mere were discussed. These measures focus on marginal habitat improvement rather than replacing the lost volume of water as a result of the Scheme.            ■■■ questioned if the loss of volume water within a WFD waterbody was acceptable. ■■■ agreed to discuss with the water team.  <b>Post Meeting Update:</b>            A response has now been received by ■■■■■■■■■■:            'We have talked through lake volume with various people in the EA. Volume is not a criteria used to measure water body health by the WFD. Rather, we need to demonstrate whether loss of volume will cause failure against any of the biological, ecological or chemical criteria. The EA have asked us to do this for Phosphorous; we have done so and demonstrated no deterioration. In summary, we have agreed with the competent authority that loss of volume should not be an issue to WFD compliance.'</p>		
	<p><b>Green bridge</b>            ■■■ confirmed that a green element to the Cockcrow Bridge is included in the Scheme design, and that a feasibility study is underway to determine the potential design and cost implications of incorporating a green bridge here and at potentially at Clearmount bridge.</p>		
	<p><b>HRA update</b>            ■■■ provided an update on the Appropriate Assessment, confirming that it is currently considered that the only</p>		

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>adverse effect that will not be ruled out will be the loss of SPA land reducing the amount of habitat contributing to the fabric of the SPA, and potentially contributing to the invertebrate resource for SPA qualifying species (however, it was acknowledged that the amount of available heathland habitat is likely to be the limiting factor for the number of SPA qualifying species breeding territories within the site, rather than the invertebrate food resource).</p> <p>█ and █ agreed that due to the access and parking availability not changing for the SPA as a result of the Scheme, the Scheme will not lead to increased visitors, and indeed the provision of new compensation, a new bridge across the M25 and improved NMU routes may increase the options for users and draw users away from the SPA.</p> <p>█ queried if a green bridge may attract more users to Wisley Common, but it was agreed that the provision of a new bridge across the M25 leading to new compensation areas, plus improved paths, may take the pressure off the SPA, and any users that choose to use the green bridge from Ockham Common car park to visit Wisley Common will have chosen this area instead of Ockham Common, reducing visitor pressure in Ockham Common, where the majority of the SPA qualifying species occur.</p> <p>█ explained that air quality models are depicting increases of greater than 1% of the critical load for heathland being confined to the first 10 m of the road within the SPA, and even reducing in some locations. Therefore, adverse effects on the SPA as a result of emissions increases has been ruled out. This was agreed by all.</p> <p>█ advised that the title of the HRA clearly states that it incorporates an Appropriate Assessment.</p> <p>█ requested advice on the 'In Combination assessment' section of the Appropriate Assessment. This is because there are several SSSI components of the SPA.</p> <p>█ advised that as the predicted adverse effects are confined to the Ockham and Wisley Commons SSSI, and that the scheme will not have any significant air quality impacts on the SPA (all increases over 1% of critical load are within 10 m of the road or less), will not increase user pressure, nor affect the hydrology of other component SSSIs, then Atkins should focus the In Combination assessment on Local Plans for boroughs within 10 km of the Scheme.</p> <p>Species licences</p> <p>█ discussed protected species licences with █. █ explained that the licences will be restricted to bat licences for loss of bat roosts in trees, and San Domenico compound, and badger licence for a sett closure.</p> <p>The San Domenico site was discussed as the building is known to support maternity roost of brown long eared bats and common pipistrelles. This building will need to</p>		

Contains *sensitive* information  
 091018 meeting notes NE final

Plan Design Enable

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>be demolished or significantly renovated in order for the site to be used as a compound. Access has not yet been achieved and the most recent data available is from 2017. ■■■ confirmed that as the data proves a roost is present, then as long as the conditions on site haven't significantly changed, then the licence application would take into account the loss of maternity roosts and the data should be fine. ■■■ confirmed that more recent data would be necessary if Highways England were aiming to demonstrate a building did not support roosting bats. The proposed mitigation tower was discussed, and it was agreed that any mitigation tower would need to be protected from disturbance (e.g. by a buffer between the compound and the mitigation tower, screening such as hedge and tree planting, and directional lighting).</p> <p>■■■ confirmed that Atkins should keep NE informed on how the licences are progressing. With enough notice, they should be able to turn around a review of Highways England's draft licences within a couple of days of receipt (under the DAS). This would be followed up by a Letter of No Impediment (LONI) once any substantive comments have been resolved.</p> <p>■■■ has since confirmed that in order for NE to produce a LONI, the draft licences will need to provide a clear description of the location of protected species, the condition/suitability of the supporting habitat and the proposed basic safeguards and precautionary procedures in order to minimise the risk of disturbance or habitat loss/degradation.</p>		



## A.15 Letter (13.11.18)



██████████  
Natural England  
Cromwell House  
15 Andover Road  
Winchester  
SO23 7BT

██████████  
Highways England  
Bridge House  
1 Walnut Tree Close  
Guildford  
GU1 4LZ

Direct Line: ██████████

13 November 2018

Dear ██████████,

**M25 Junction 10/A3 Wisley Interchange improvement scheme  
Pre-application consultation  
Section 42 Planning Act 2008**

I am writing to you with regards to Highways England's proposed M25 junction 10/A3 Wisley interchange improvement scheme and to invite you to respond to our targeted non-statutory consultation on changes to the scheme.

This consultation will run from 14 November to 14 December 2018 and is aimed at statutory organisations and specific land owners.

As previously advised, the project is recognised as a nationally significant infrastructure project, under the Planning Act 2008, and Highways England must apply to the Secretary of State for a Development Consent Order (DCO) to obtain authorisation for its construction.

### **Statutory Consultation**

In accordance with the Planning Act 2008, Highways England undertook a statutory, pre-application, consultation on the proposed scheme between 12 February 2018 and 26 March 2018.

We would like to thank you for sharing your views on the proposed scheme. These have been considered in detail by the project team and have helped to inform the changes to the current design and will continue to inform the development and delivery of the scheme.

While the changes are not material, they have been made primarily to reduce the impacts on the environment and local community. A list of the improvements and scheme changes are outlined in the enclosed brochure.

### Targeted consultation on scheme changes

We are due to hold a targeted, non-statutory consultation with directly affected landowners and those with property interests and prescribed bodies (as defined by the Planning Act 2008) on the changes to the scheme design.

The consultation will commence on **14 November** and close at **23.45 on 14 December**.

We would be keen to hear your views on the scheme changes in terms of how they relate to your statutory role and responsibilities and areas of interest.

Any feedback received during this targeted consultation will be taken into consideration in the scheme design process and outlined in the Consultation Report, which will be published with the DCO in early 2019.

### Information Enclosed

Enclosed with this letter you will find:

- Information brochure which outlines the scheme changes and why the changes are being made
- Scheme drawing showing the changes

### Meet with us

We would like to offer you a meeting with Highways England and the project team during the consultation period to discuss the changes in detail and any specific queries or concerns you may have.

To arrange a meeting please contact [REDACTED] by telephone on [REDACTED] or email at [REDACTED].

### How to respond to the consultation

You can provide your feedback on any aspect of the changes by emailing:

[info@highwaysengland.co.uk](mailto:info@highwaysengland.co.uk)

or by writing to us at:

FREEPOST  
M25 junction 10/A3 Wisley interchange

### Further information

Please visit our website for further information regarding the scheme:

<https://highwaysengland.co.uk/projects/m25-junction-10-to-a3-wisley-interchange/>

If you have any other queries about this letter, please contact us by:

- email – [info@highwaysengland.co.uk](mailto:info@highwaysengland.co.uk)

- telephone – 0300 123 5000; or
- by writing to me using the address given at the top of this letter

We look forward to receiving your response to the targeted consultation on the changes to the scheme design.

Yours sincerely



Project Manager, Regional Investment Programme (South East)  
Highways England

## A.16 Letter (19.11.18)

**HIGHWAYS ENGLAND CUSTOMER CONTACT CENTRE  
 CALL REFERENCE: 18922489**

**To:** MPArea5\_M25Jn10A3WisleyInterchange\_RIS **Also Advised:**  
 <MPArea5\_M25Jn10A3WisleyInterchange\_RIS@highwaysengland.co.uk>  
**Area Team:** M25 J10 / A3 ( Planned not in operation until 2020) Interchange

<b>Callers Details:</b> [REDACTED]  Phone : eMail: [REDACTED]	<b>Motorway/Trunk Road Details:</b> M/way,TR : Junction : Nr. Town : Direction:
<b>Date and Time of Journey (if known):</b>	<b>Call details last saved:</b> 19 November 2018 12:26
<b>Reply to Customer by:</b> Email	<b>(for CCC Use only)</b>
<b>Comments/Remarks:</b> Please can you reply to the attached e-mail as soon as possible and keep me informed of any progress. Thank you. ~~~~~ Thank you for including Natural England in the current informal consultation over proposed changes to the scheme.  Natural England has been closely involved in the development of this scheme and we have provided advice and input at various stages. We are pleased that advice that we have provided over environmental issues and the loss of common land and open access land has been carefully considered and taken into account in the scheme design.  We are pleased to see that further reductions in the extent of land take affecting both the Thames Basin Heaths SPA and Ockham and Wisley Commons SSSI have been incorporated in the revised proposal in order to reduce overall environmental impacts. Where land take is unavoidable and affects statutory designated sites Natural England will provide advice on appropriate compensation and mitigation measures. We are actively engaged with Atkins, the scheme environmental consultant over this aspect.  We are pleased to see that 43 hectares of land will be provided as compensation land and enhancement areas to further the protection of the designated interest features of the Thames Basin Heaths SPA. We look forward to seeing the detail of these proposals and we will provide advice on this aspect where required.  I am also pleased to see reductions in the extent of registered common land and ancient woodland which will suffer permanent loss as a result of the scheme. We will be providing advice on appropriate compensation over these aspects as part of our advice prior to the submission of an application for Development Control Order.  [REDACTED] Land Management Advisor ===== Fwd to M25 J10 / A3 Improvement SJDemail	

Please advise the CCC, quoting the Reference 18922489 when the call has been satisfactorily resolved by clicking on [this link](#).

**HIGHWAYS ENGLAND CUSTOMER CONTACT CENTRE  
CALL REFERENCE: 18922489**

██████████  
**Customer Operations**  
3 Ridgeway  
Quinton Business Park  
Birmingham  
B32 1AF  
GTN  
FAX  
Tel ██████████

19 November 2018

## A.17 Email (22.11.18)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 22 November 2018 10:51  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Boldermere - mitigation / compensation associated with M25 J10 scheme

[REDACTED]

Thank you for sending the very comprehensive report. The findings and recommendations are very much in line with Natural England's view of the site and possible actions to mitigate the loss of habitat extent in connection with the widening of the A3. However, I have to say that the condition of the open water habitat was found to be worse than I had anticipated! That increases the range of options which could be included in a mitigation package to improve the overall quality of the lake and its immediate surroundings.

My initial thoughts are that Natural England share the vision for Boldermere set out in the report and we would be supportive of the proposed list of mitigation measures to include:

- Translocation or replacement of the strip of reed and sparse willow alongside the A3;
- Removal of carp and bream (if any present);
- Investigation of sources of raised nutrient levels and consideration of means of controlling input;
- Thinning of some of the marginal woodland to reduce shading of the margins.

In additional, although not discussed in the report I wonder whether there is merit in considering management to reduce the abundance of *Elodea nuttallii*, with a view to promoting an increase in diversity of aquatic macrophytes. There are obvious practical challenges in achieving this but it would be useful to consider options to assess whether this might be possible.

A further thought that may be worth consideration is whether some means of allowing controlled drawdown of water in the lake could be installed at the outflow. This would allow for a greater range of options in managing the lake, particularly in relation to aspects affecting the shallow margins such as *Crassula*.

Finally, although I am not generally keen on the modification of lakes I wonder whether there is merit in considering options to increase the amount of variation in the lake bed, ie works to create shallow and deeper areas. This might improve habitat suitability for shallow-water species such as *Littorella* and increase the diversity of the macrophyte assemblage.

I hope that this is helpful. I'd be happy to discuss further.

[REDACTED]  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob: [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## A.18 Email (07.12.18)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 07 December 2018 12:17  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25/A3 J10 valuation of ancient woodland, veteran trees and HPis

[REDACTED]

I can confirm that Natural England is in agreement with the proposed valuation.

With respect to the Ancient Woodland I would suggest adding reference to the ground flora as this is often used to assess the quality of sites mapped as Ancient Woodland. The sparse and impoverished nature of the ground flora, with the majority made up by bramble *Rubus fruticosus* and broad buckler-fern *Dryopteris dilatata*, and low frequency or absence of 'Ancient Woodland Indicators' will generally indicate low habitat quality.

In relation to veteran trees it may be worth adding something about trees of exceptional value for specialised invertebrates of decaying wood, epiphytic bryophytes and lichens, and bats being for the most part associated with larger aggregations of veteran trees and veteran trees set in a context of surrounding high quality woodland. Smaller aggregations of veteran trees, trees at the edge of woodlands and trees in woodland of low habitat quality will generally be of lower value for associated species.

I hope that this is helpful.

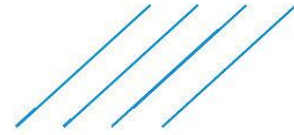
[REDACTED]  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## A.19 Meeting (19.12.18)



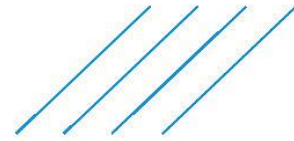
### Meeting Notes

Project:	M25 J10 / Wisley Interchange Scheme		
Subject:	Natural England meeting - 19.12.18		
Meeting place:	Telephone meeting	Meeting no:	
Date and time:	19.12.18, 14.00	Minutes by:	██████████
Present:	██████████ ██████████ ██████████	Representing:	Natural England Highways England Atkins Atkins

ITEM	DESCRIPTION	RESPONSIBLE
1.	<b>Welcome and introductions</b>	All
2.	<b>Health and safety moment</b>	All
3.	<b>Statement of Common Ground aims and objectives</b> ■■■ talked through the aims for the Statement of Common Ground (SoCG) and what we hope to achieve and when. ■■■ asked if licences and a letter of no impediment would be covered. ■■■ confirmed that these would be included. ■■■ confirmed that Atkins is looking to get the draft licenses by January when these will be issued to Natural England. ■■■ has been liaising with the licencing people.	■■■
4.	<b>Timeline</b> ■■■ confirmed that the Development Consent Order submission is planned in early 2019 so over the next few months it is hoped that the issues and concerns identified will be resolved or marked as 'disagreed' prior to this.	■■■
5.	<b>Governance</b> ■■■ advised that colleagues would need to be involved in the signing off of the SoCG, including ██████████.	■■■
6.	<b>Historic England SoCG experience</b> ■■■ confirmed that he has had experience with SoCGs before.	■■■

**NOTE TO RECIPIENTS:**  
 These meeting notes record SNC-Lavalin understanding of the meeting and intended actions arising therefrom.  
 Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

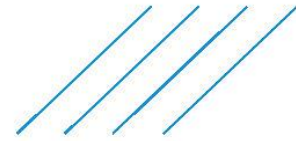




ITEM	DESCRIPTION	RESPONSIBLE
7.	<b>Key Natural England issues</b> Natural England would like clarity on the compensation on the habitat regulations in terms of habitat loss of the Special Protection Areas. ■■■ confirmed that this has been noted and this will be clear in the SoCG.	



**SNC • LAVALIN**



8. ■■■ talked through the impacts from the scheme on the Heyswood camp site and the updates to the scheme.

There are a number of options:

- 1) Keeping the access onto the A3 but Atkins anticipates an increase in traffic speed and this would be a danger.
- 2) A bridge over the site over the ancient woodland and gas pound but this could not work.
- 3) A tunnel would have a similar alignment to 2 but there are the same issues with costs.
- 4) Coming over San Dominico site but given the size we could not get the height of the bridge.
- 5) Not providing access at all.
- 6) Looked for a route through the listed gates but there are issues with the width and impacts on the local houses.
- 7) Alternative access for the Girl Guides and giving them buggies.
- 8) 9m of ancient woodland taken next to the carriageway.

To avoid the ancient woodland and take no more than 9m Atkins had to reroute the access route and Non-Motorised User (NMU) route and this led to the current alignment, avoiding the ancient woodland but cutting the Girl Guides in two and impacts about 9% of their site. There is already a road. The northern section is wooded and the southern is wooded and open. This has caused them considerable issues. Their issues are that this is currently an unknown site and not used. This would effectively open it up to the public. They've raised traffic safety, fencing to ensure security, loss of space, safeguarding (people walking by and looking in), cost of works (which would be covered) and parking. Security fencing would be needed.

■■■ explained that the Ministry of Defence use unobtrusive fencing around their sites but it is effective.

■■■ talked about swinging the route back towards the A3. This would require an extra 2m width for approximately 270m in the ancient woodland which would leave the Girl Guides site intact.

This was shared with the Girl Guides and Atkins promised that this would be considered and that Atkins would consult with other interested bodies, like Natural England.

■■■ talked about tests that need to be undertaken to prove that there are no other options. It looks like the Scheme will be hitting ancient woodland to keep a landowner happy which could cause problems. Every possible alternative should be looked at.

■■■ talked about some areas of ancient woodland being better quality and better managed than others but at the end of the day it is still ancient woodland. For any loss there needs to be valued planting which will be of good quality in 100 years.

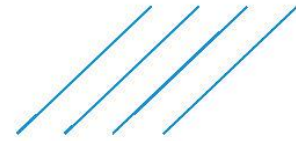
■■■ explained that in terms of safeguarding surely there are options that can be explored? ■■■ explained that Atkins would need to ensure bushes, trees, etc. are in keeping with the woodland. There are issues about what can be done in the parkland.

■■■ said that the Scheme must get over the national policy line – this is regarded as irreplaceable loss and it has to be demonstrated that there are not any other alternatives.

■■■ explained that the planning inspectorate would be the arbitrator of this.





**SNC • LAVALIN**

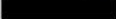



ITEM	DESCRIPTION	RESPONSIBLE
	<p>■■■ advised that the Forestry Commission (FC) would say the same thing.</p> <p>■■■ confirmed that there is a good relationship with the FC. The National Policy Statement advises against taking ancient woodland unless it is an exceptional circumstance it is in the national interest. PINS will likely say they don't accept this part of the scheme.</p> <p>■■■ asked if there any merit in talking to the FC? ■■■ said that they can be spoken to but I they will just point to the guidance. The presumption in the NPPF has recently been upgraded.</p>	
9.	<p>■■■ explained that the draft HRA was developed and submitted to the legal team and Highways England a few weeks ago to get feedback. Highways England's feedback was quite hard hitting and it was a tough decision on whether to submit the HRA to the PIN but it was submitted in a revised format. It's now being considered and PINs are due to come back on 11 January. The feedback so far is that they're quite happy with the submission sent to them and recognise it's a work in progress. When it's in a state that Highways England is happy with it will be shared with Natural England.</p> <p>SPA – the compensation enhancements have been outlined and these are drawn up and included in the HRA.</p>	
10.	<p><b>AOB</b></p> <p>There is a new planning contact at Forestry commission - ■■■■■■■■ ■■■ asked about discussions with Bolder Mere with the Forestry Commission. ■■■ said yes. ■■■ advised that a meeting was held on Friday to discuss protected species including badgers.</p>	

## A.20 Email (18.01.19)


---

 Fri 25/01/2019 10:09  
  
**RE: Update of M25 J10 draft licences**




To: 

 You replied to this message on 06/02/2019 09:14.

---

Thank you 

All received and the Wildlife Licencing team is now working through the information.


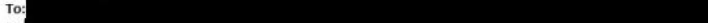

  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel:  Mob. 


**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**


**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**


[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

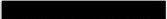
---

**From:**   
**Sent:** 18 January 2019 15:45  
**To:**   
**Cc:**   
**Subject:** RE: Update of M25 J10 draft licences

Afternoon 

I hope you and  have received the draft bat EPSM licence documents a few moments ago?

Further to  email below, the badger licence is being finalised and will follow shortly next week.

Best wishes,  
  
Senior Ecologist, Infrastructure  
UK & Europe  
Engineering, Design and Project Management

## A.21 Meeting (30.01.19)



# Meeting notes

<b>Project:</b>	M25 J10/A3 WISLEY INTERCHANGE		
<b>Subject:</b>	SPA COMPENSATION PACKAGE MEETING		
<b>Date and time:</b>	30 Jan 2019: 10:00 - 15.30	<b>Meeting no:</b>	x
<b>Meeting place:</b>	PAINSHILL PARK	<b>Minutes by:</b>	██████████
<b>Present:</b>	██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████ ██████████	<b>Representing:</b>	NATURAL ENGLAND NATURAL ENGLAND FORESTRY COMMISSION RSPB RSPB RSPB SURREY WILDLIFE TRUST ATKINS ATKINS ATKINS

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1	The aim of this meeting was to visit all of the SPA compensation package areas and agree on the proposed management measures for each area. The broad principles i.e. complete clearance of some enhancement areas for heathland restoration and thinning of other woodland areas for the enhancement of the biodiversity of woodland (both in terms of structure and species richness) has already been agreed and documented in previous meetings. No concerns over these previously agreed proposals were raised by any attendees during the meeting.	N/A	N/A
2	One of the temporary land take areas (on Wisley Common) was visited by the group. The proposed replanting was discussed, and it was agreed that this should consist of dense shrubs, including some evergreen species. The intention will be to provide dense visual cover (year-round) that can be managed and will also provide a woodland edge to protect the retained woodland belt. The following points were raised for the reinstatement of temporary land take areas: <ul style="list-style-type: none"> <li>████ explained that the replanting areas would be best off being managed by contractors with machinery, cutting</li> </ul>	N/A	████, Atkins (████) and HE to work together

<b>Next meeting:</b>	TBA
<b>Distribution:</b>	ATTENDEES PLUS ██████████
<b>Date issued:</b>	18.1.2019
<b>File ref:</b>	

NOTE TO RECIPIENTS:  
 These meeting notes record Atkins understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

Contains *sensitive* information  
 30.01.2019 - NE - Minutes.docx

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>different sections in rotation. This will have cost implications and these need to be agreed and secured, This will need to be captured in the management plan. Atkins will need to work with SWT and HE to identify costs and agree timescales.</p> <ul style="list-style-type: none"> <li>In some locations, the temporary land take area is bound by dense birch (e.g. in the NW quadrant surrounding J10). In these locations, natural regeneration of the temporary land take area may be appropriate, rather than replanting.</li> <li>It was also agreed that there should be some bare scrapes and mounds to provide micro habitats for invertebrates.</li> </ul> <p><u>Attenuation ponds</u>            [redacted] confirmed that designs are being finalised. However, the attenuation ponds shown on the plans are the current proposals at DF3.0. It was agreed that at detailed design it should be investigated whether these can be designed as biodiversity enhancement features (e.g. reed bed planting to benefit dragonflies, a feature of the Ockham and Wisley Commons SSSI). [redacted] confirmed that the Newbury bypass scheme had attenuation ponds designed as biodiversity enhancement features.</p>		<p>Feedback: [redacted] has confirmed that he does not have any detailed information on Newbury. However, there are many online examples of constructed wetlands for road schemes.</p>
3	<p>The following general principles for the enhancement areas were agreed:  <u>Clearance for heathland restoration</u>            The process for areas of clearance for heathland restoration, some trees will be retained. These will be a mixture of:</p> <ul style="list-style-type: none"> <li>Veteran trees and trees with veteran features</li> <li>Trees with potential bat roost features</li> <li>'Granny trees' – these were discussed, and it was agreed there is not an official definition. [redacted] and [redacted] agreed to try and help define what a granny tree is for the management plan.</li> </ul> <p><u>Thinning of woodland areas</u>            The thinning of woodland areas was discussed, and [redacted] suggested it should be divided into two types of thinning:  <b>Regeneration thinning:</b> this is the selective thinning of a woodland area (retaining all veteran trees or trees with veteran features, trees with bat roost potential and granny trees). This will include measures such as:</p> <ul style="list-style-type: none"> <li>'punching holes' into the woodland (some of which will be managed to remain open</li> </ul>		<p>[redacted] and Atkins ([redacted])</p>

Contains sensitive information  
 30.01.2019 - NE - Minutes.docx

Plan Design Enable

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>and some will be allowed to regrow with more diverse woodland, both in age and species diversity);</p> <ul style="list-style-type: none"> <li>• increasing the size of existing open areas;</li> <li>• creating and widening existing glades (some of which may be planted at the edges to provide a shrubby woodland edge habitat, some will be managed as heathland habitat);</li> <li>• selective fell of some trees and groups of trees, to allow retained trees to flourish, and encourage a more diverse species assemblage to regrow.</li> </ul> <p><b>Standard thinning:</b> This is a more typical selective thinning, where the number of trees within a woodland is reduced by removing up to 80% of the trees (retaining all veteran trees or trees with veteran features, trees with bat roost potential and granny trees), allowing the retained trees to flourish and encouraging a more diverse species assemblage to return. This may include some selective planting, where necessary, to increase the species diversity.</p>		
4	<p>The following section is a description of what was agreed for the SPA compensation land areas:  <u>C1 - Old Lane SPA compensation land</u>            This land area consists of two fields:  <b>Field 1:</b> This is the larger of the two fields. This field will continue to be grazed, but trees will be planted in order to increase the invertebrate abundance of this field. This conversion to wood pasture will ensure that the florally diverse grass understory will be retained (providing a nectar resource), but will also enhance the invertebrate assemblage that the field supports by providing 20% canopy cover (based on the coverage of the canopy once the trees have reached maturity).            Benefits over the existing field:</p> <ul style="list-style-type: none"> <li>• The increase of trees within the field will increase the invertebrate resource that the field contributes to the SPA;</li> <li>• The open nature of the wood pasture will ensure that nightjars (and possibly woodlarks) will be able to continue foraging within the field (should they currently do so), but also that the likelihood that they will use the field for foraging may increase as there will be a greater invertebrate resource within the field.</li> </ul> <p><b>Field 2:</b> This field will be planted with a scrub edge, with flower-rich species such as hawthorn and blackthorn. This will provide a woodland edge for the surrounding mature woodland, and will provide an important invertebrate resource for</p>	N/A	N/A

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>the SPA. This scrub will be managed by SWT. The majority of the field will be retained as grazed grass. The combination of a grazed field with a scrubby woodland edge will enhance the invertebrate resource of the field and therefore its invertebrate resource contribution to the SPA, and will also enhance the foraging opportunities for nightjars (known to forage within grazed fields, and also woodland edges) and possibly woodlarks (known to forage in grass areas).</p> <p><u>C2 - Elm Corner SPA compensation land</u>            This area of woodland will be managed in a similar way to the adjacent Elm Lane SPA enhancement area. This will be managed with regeneration thinning methods, but may involve additional planting (such as holly), to retain a year-round visual screen from the A3 for the houses along Elm Lane.</p> <p><u>C3 - Wisley SPA compensation land</u>            This grass field will continue to be grazed, but additional trees will be planted in order to increase the invertebrate abundance of this field. This conversion to wood pasture will ensure that the grass understory will be retained (providing a nectar resource), but will also enhance the invertebrate assemblage that the field supports by providing 20% canopy cover (based on the coverage of the canopy once the trees have reached maturity). Benefits over the existing field:</p> <ul style="list-style-type: none"> <li>• The increase of trees within the field will increase the invertebrate resource that the field contributes to the SPA;</li> <li>• The open nature of the wood pasture will ensure that nightjars (and possibly woodlarks) will be able to continue foraging within the field (should they currently do so), but also that the likelihood that they will use the field for foraging may increase as there will be a greater invertebrate resource within the field and an enhanced linkage to the existing open habitats of the SPA due to the opening up of a glade within the Pond Farm west SPA enhancement area.</li> </ul> <p>It was discussed and agreed by all parties that, should the amount of compensation land need to be increased, it would be appropriate to increase the size of the Wisley SPA compensation land to include the whole of this field (see proposed red line on attached drawing).</p> <p>UPDATE 07/02/19 – As discussed at the meeting, we have now confirmed that we will be increasing the size of the Wisley SPA compensation land to include the whole of this field. This will provide approximately 5 ha of additional compensation land.</p>		



ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>It is proposed to use this whole field and the large field within the Old Lane SPA Compensation Land, but remove the small field within the Old Lane SPA Compensation Land and the Elm Corner SPA Compensation Land from the SPA compensation package.</p> <p>It is considered that the proposed compensation land areas at Wisley SPA compensation land (C3 on the map) and Old Lane SPA compensation land (C1 field 1) will provide greatest value to the SPA as they are immediately adjacent to open heathland areas, and will benefit from wood pasture planting whilst maintaining open grazed grass for foraging nightjars and woodlarks.</p>		
5	<p>The following section is a description of what was agreed for the SPA enhancement areas:</p> <p><u>E1 - Cockcrow Hill SPA enhancement area</u>          This area will be cleared to allow heathland regeneration. This will link the existing heathland by Pond Farm with Cockcrow bridge.</p> <p><u>E2 - Ockham Common / Sand Hill SPA enhancement area</u>          This consists of an area of clearance for heathland (which will increase the continuous area of heathland on Ockham Common, whilst also providing a link with Cockcrow bridge) and an area of woodland thinning. The following key points were noted:</p> <ul style="list-style-type: none"> <li>• The edge between the cleared area and the thinned woodland should be a 'wavy edge' rather than a 'straight edge'. This was recommended by [REDACTED], because nightjars regularly utilise woodland edges for foraging, and the wavy edge would not only increase the length of available foraging habitat, but will also provide sheltered pockets in differing wind directions;</li> <li>• The area for clearance will include Sand Hill. The sides of this mound will be felled for heathland regeneration, but the top of the mound will be selectively thinned to leave a number of Scots pine trees;</li> <li>• The area of woodland thinning will be regeneration thinning, with the widening of rides, opening of areas of the woodland, and selective felling of the outer edge of the woodland to provide a diverse woodland edge effect for foraging nightjars (as mentioned previously, this edge will also be wavy).</li> </ul> <p><u>E3 - Ockham Common / Old Lane SPA enhancement area</u>          This consists of an area of clearance for heathland, which will increase the continuous area of heathland on Ockham Common and also</p>	N/A	N/A

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>an area of woodland thinning adjacent to the car park on Old Lane. The following key points were noted:</p> <ul style="list-style-type: none"> <li>The edge between the cleared area and the thinned woodland should be a 'wavy edge' rather than a 'straight edge'. This was recommended by [REDACTED], because nightjars regularly utilise woodland edges for foraging, and the wavy edge would not only increase the length of available foraging habitat, but will also provide sheltered pockets in differing wind directions;</li> <li>The area of woodland thinning will be regeneration thinning, with the widening of rides, opening of areas of the woodland, and selective felling of the outer edge of the woodland to provide a diverse woodland edge effect for foraging nightjars (as mentioned previously, this edge will also be wavy).</li> </ul>		
	<p><u>E4 - Elm Lane SPA enhancement area</u>            This will mainly consist of thinning, with a belt of woodland to be cleared along the southern edge of Bolder Mere.            The area of clearance adjacent to Bolder Mere will reduce the shading of the lake edge, and will enhance the invertebrate resource that the lake provides to the wider SPA.            The remainder of the woodland will undergo regeneration thinning. The primary objective of this thinning will be to increase the diversity of the woodland, and therefore its invertebrate abundance. This will also include some planting, potentially with evergreen species such as holly, to provide a visual screen between the A3 and the housing properties along Elm Lane.</p>		
	<p><u>E5 - Wisley Common SPA enhancement area</u>            A portion of this area has been recently thinned as part of the ongoing management of the woodland. It is proposed that this area will be felled to allow heathland regeneration, to increase the area of continuous heathland habitat on Wisley Common.</p>		
	<p><u>E6 – Hut Hill South SPA enhancement area</u>            This area was not included in the site visit. This consists of a small area of birch regrowth that will be clear felled to increase the area of open heathland habitat in this location.</p>		
	<p><u>E7 - Pond Farm south SPA enhancement area</u>            This consists of two pockets of woodland either side of a path, that separate two open areas of heathland. One section (to the north) consists of mature trees such as oaks. Selective thinning of some of the younger tree specimens will enhance the diversity of this woodland area. The other section (to the south) contains dense birch</p>		

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<p>growth. This area will be significantly cleared by up to 80%, including widening the existing path to provide an open linkage between the two areas of heathland.</p> <p><u>E8 - Pond Farm west SPA enhancement area</u> This will include some selective thinning, with the creation of an open ride linking the existing heathland area to Wisley SPA compensation land.</p> <p><u>E9 – Proposed new area</u> It was also discussed that it may be necessary to provide an additional enhancement area. This is proposed to be the area of birch woodland adjacent to the Pond Farm west SPA enhancement area. This would consist of selective thinning of birches and the creation of an open ride, providing an open linkage between two open areas of heathland.</p>		

## A.22 Email (04.02.19)

██████████

---

**From:** ██████████  
**Sent:** 04 February 2019 13:31  
**To:** ██████████  
**Subject:** RE: Meeting minutes from M25 J10 site meeting 30/01/19

Thank you ██████. From my perspective this looks like an accurate record of our discussion.

With regard to the additional proposed enhancement works that were not discussed on site, Natural England would be supportive of these. There is nothing proposed that is contrary to the objectives of the SPA or SSSI.

It was me who mentioned the Newbury By-Pass as a good potential case study for the design of run-off attenuation ponds. Unfortunately, I can't locate the report that was produced on this but there appears to be a body of literature about constructed wetlands for road schemes available on-line. These typically involve the creation of a large pond with inflow and outflow with a bunded area planted up with site-appropriate wetland plants such as Typha, Iris, Carex acutiformis and reed, all of which are reported to be effective in capturing heavy metals and hydrocarbons. Obviously, to be successful these ponds should be constructed so that they receive a lot of light.

You have picked up the point about the importance of the cost of longer-term management and maintenance of the enhancement and compensation areas, and perhaps also roadside planting. This will have an important bearing on our views about the practical deliverability of the package and long-term sustainability. Are you able to say at this stage when we might be able to see a draft management plan with projected costings?

██████████  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: ██████████ Mob. ██████████

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## A.23 Email (05.03.19)

---

**From:** [REDACTED]

**Sent:** 05 March 2019 14:48

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** M25 Junction 10 - Further Information required. BATS NSIP.

Dear [REDACTED],

I am writing in reference to above NSIP draft application for Bats. If the below changes can be agreed to Natural England can issue a Letter of No Impediment (with caveats for example relating to updated surveys, and any new figures and the MS being updated with the below requested changes).

Please discuss with the applicant and confirm the following changes can be made from the information contained within the method statement, and/or re-submit the specified figures, and/or provide the additional clarification required. Please note this email relates only to the method statement and supporting documents. There is no need to re-submit the method statement. If

Changes to be made which would form part of the licence conditions when all three tests are met:

**Ecologist experience:**

Section 10 of the application form requires completion ("For Ecologists applying for a bat species for which they have not previously been licensed"). The proposed named ecologist has not, to my knowledge, been named on a past mitigation licence for Noctule or Natterer's bat. Section 10 should be completed and two independent, written references submitted.

*Either send ecologist experience to me now for assessment or agree that the relevant information will be submitted in the formal application.*

**Surveys:**

Whilst sufficient surveys have been done to date there should be an updated survey in the bat survey season prior to submission to demonstrate that roost status has not changed. This should be 2021 if works are to commence that September.

You have indicated that the survey coverage is sufficient however none had been undertaken during the mating/swarming season, please justify this decision or undertaken further surveys.

A walkover survey should occur within three months of the formal application being submitted.

*Please confirm that this can be done prior to formal submission.*

**Impacts:**

In the formal submission to be updated to include the Noctule hibernation roost recently discovered.

*Please confirm that this can be done prior to formal submission.*

**E Mitigation:**

Figure E2: Unless novel techniques are being proposed Natural England no longer required this figure (for information only).

**E3.3. New Roost creation:**

Mitigation structure- In the formal application provide additional information on the size of the access points proposed within the new structure.

Also provide information on how the climatic conditions will be adequate to support a brown long eared maternity roost – detailing for example how the building will be heated, what aspects of the new structure will be in the sunlight.

Noctule hibernation roost T155- Provide at least two hibernation boxes, suitable for the species, in a suitable location ensuring options for orientation and aspect. Any replacement roost must be available to bats well in advance of the hibernation season.

Figure E3a- This figure should be updated to show the 2 new roots required for mitigation of the hibernation roost.

**E4.2 Post development monitoring:**

Mitigation structure (BLE maternity roost)- A minimum of one emergence survey during the latter part of the breeding season and an annual check post maternity peak period are required as part of each year's monitoring.

T155 replacement Noctule hibernation roosts- Given the evidence that T155 is a hibernation roost for Noctule bats 2 years post development is now required. The aim should be to show that the compensation measures are being used for hibernating bats and that the conditions are suitable.

All monitoring requirements, as listed above, should be staggered between years, and do not start the 1st year of monitoring until after the development works end i.e. 2023 and 2025.

Please confirm all changes to the mitigation and monitoring can be done prior to formal submission.

What you (the named ecologist) need to do:

1. Discuss with your client the specified changes.
2. Make or agree to the changes above and send back to me the relevant documents with revised dates and references on them (these will be included on your licence).
3. Confirm to me by 12.03.2019 that your client has agreed to the changes.
4. Please ensure you "Reply to all" when responding to this email.
5. If your client does not agree to the above changes, or a response is not received by the above date a formal 'Further Information Request' will be issued to allow time to resolve these issues. A 'Further Information Request' will require a resubmission of the Method Statement together with all Figures and appendices and may take up to 30 working days in which to receive a licensing decision.

Please contact me if you have any queries

Kind Regards,

██████████

Wildlife Management Lead Adviser  
Natural England Wildlife Licensing Service  
4<sup>th</sup> Floor, Eastleigh House Upper Market Street, Eastleigh, Hampshire, SO50 9YN  
office no. ██████████  
mobile no. ██████████

<http://www.naturalengland.gov.uk>

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

**Natural England offers two chargeable services – The Discretionary Advice Service (DAS) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service (PSS) provides advice for protected species mitigation licence applications.**

**These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.**

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

## A.24 Email (11.03.19)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 11 March 2019 16:02  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25 Junction 10 – Further Information required. BATS NSIP.  
**Attachments:** Licence 2016-24518-EPS-MIT-1.pdf

Dear [REDACTED],

Many thanks for your email providing clear and helpful comments on the draft bat licence application. By issue of this email we intend to meet the 12<sup>th</sup> March 2019 deadline, set in your email dated 5<sup>th</sup> March 2019, to confirm that the changes required to the bat licence will be provided in the formal application. On this basis, we understand that Natural England can issue a Letter of No Impediment.

Please find further supplementary information in response to the specific information requests below. We can confirm that the following changes have been discussed and agreed with the client ([REDACTED], cc'd, is Highways England's environmental advisor for this scheme).

### Ecologist experience:

- We will provide appropriate information to confirm the experience of the named ecologist in the formal application. However, just for your records, please find attached a licence document as evidence of my having mitigation licence experience with Natterer's bat.

### Surveys:

- Further survey of tree T155 will be undertaken during the period August-October 2019 to determine potential use as a mating roost.
- A walkover survey will be carried out for B1 and T155 within 3 months prior to the formal submission.
- We will undertake an updated survey of building B1 in the bat survey season prior to demolition to confirm that roost status has not changed. This will be carried out during 2021 (based on existing access limitations it is anticipated that access permission will not be received to B1 prior to Sept 2020). Further survey of B1 will also be undertaken during September/October 2020 to determine potential use as a mating roost.

### Impacts:

- The formal submission will be updated to include the recently discovered noctule hibernation roost.

### E Mitigation:

- Figure E2 will be removed from the formal submission.

### E3.3 New Roost Creation:

- Additional information will be provided on Figure E3b of the formal application to include the size of the access points proposed within the new bat mitigation structure.
- The formal application will include information on how the bat mitigation structure will be heated, as follows. B1, in its current state is unheated and supports a brown long-eared maternity roost. The new bat mitigation structure will be orientated to replicate the positioning of B1, with no shading and exposing the south-east facing elevation and roof pitch to full sunlight, providing natural heating to the internal roof space. The roof void will be enclosed and lined with bitumen felt type 1f, further insulating from any draught or sudden changes in temperature. Roof tiles will be clay laid onto sarking boards to replicate the original roofing materials used on B1, and insulation will be provided in the floor of the roof void to retain heat in the ground floor space.




- The formal application will be amended to include two hibernation boxes for the loss of T155, suitable for noctule, in a suitable location ensuring options for orientation and aspect. The hibernation boxes will be established well in advance of the hibernation season (i.e. September 2020 at the latest).
- Figure E3a will be updated in the formal application to show the two new hibernation roots required for mitigation of the loss of the noctule hibernation roost.

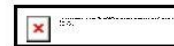
**E4.2 Post development monitoring:**

- Monitoring for the bat mitigation structure will be amended to include a minimum of one emergence survey during the latter part of the breeding season and an annual check post maternity peak period during each year's monitoring.
- The monitoring period for the two hibernation boxes will be amended to 2 years post development.
- The monitoring period will be amended to be staggered between years, and will not start until after the development works end i.e. monitoring will be undertaken during 2023 and 2025. Please note, as set out in the method statement, construction will commence in Sept 2020 and is scheduled to be complete by Aug 2023. T155 is scheduled to be felled in autumn 2020 (pending survey results from the mating survey), and B1 is scheduled to be demolished in autumn 2021 (pending survey results from the mating survey).

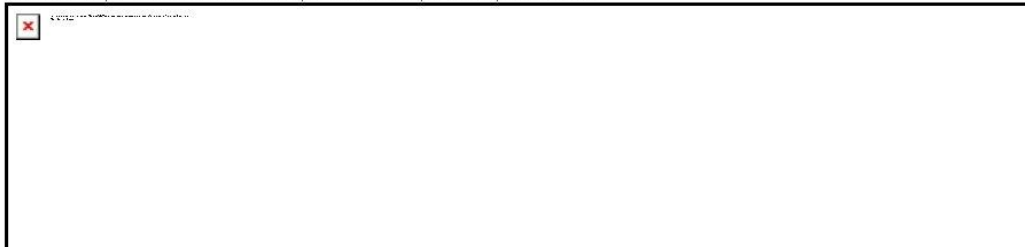
Thank you again for your assistance with this draft licence,



  
Associate Director of Ecology: Infrastructure  
UK & Europe  
Ecology



Nova North, 11 Bressenden Place, Westminster, London, SW1E 5BY



Company 

## A.25 Email (13.03.19)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 13 March 2019 16:24  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25 Junction 10 - Further Information required. BATS NSIP.

Dear [REDACTED]

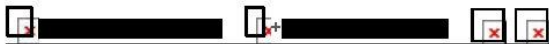
Thank you for confirming safe receipt of my email.

One thing we noted reading through our response is that as construction is scheduled to finish in August 2023, you may feel that it would be more appropriate for us to carry out the monitoring surveys of B1 and T155 in 2024 and 2026 rather than 2023 and 2025, as it is stated that monitoring should not take place in the first year that development is complete. If you would prefer that timing I confirm we could make this change.

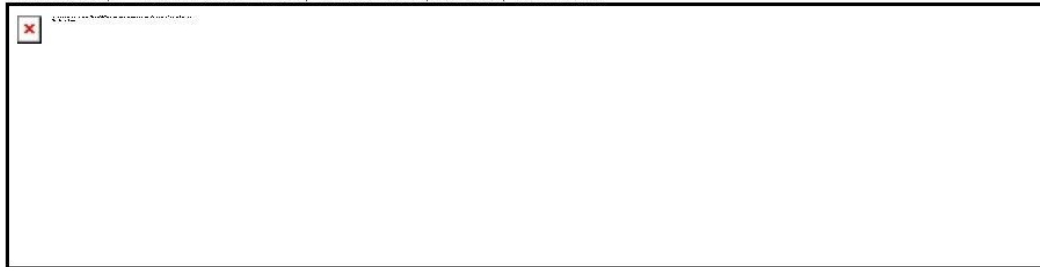
If you have any queries when you review the response we would be very happy to discuss them.

[REDACTED]

[REDACTED] *FCIEM CEcol CMLI CEnv*  
Associate Director of Ecology: Infrastructure  
UK & Europe  
Ecology



Nova North, 11 Bressenden Place, Westminster, London, SW1E 5BY



Company 

## A.26 Letter (26.03.19)

Date: 26 March 2019  
Our ref: 258963  
(NATIONALLY SIGNIFICANT INFRASTRUCTURE  
PROJECT)



Balfour Beatty as applicant  
[REDACTED] as named ecologist

*Sent by e-mail only*

Dear [REDACTED],

**DRAFT MITIGATION LICENCE APPLICATION STATUS:** INITIAL DRAFT APPLICATION  
**LEGISLATION:** THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017  
(as amended)  
**NSIP:** M25 Junction 10, Wisley, Surrey, GU23 6QS  
**SPECIES:** Brown long-eared, common pipistrelle, soprano pipistrelle, noctule and Natterers' bat.

Thank you for your subsequent draft bat mitigation licence application in association with the above NSIP site, received in this office on the 18/01/2019. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'letter of no impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

### Assessment

Following our assessment of the resubmitted draft application documents, I can now confirm that, on the basis of the information and proposals provided, Natural England sees no impediment to a licence being issued, should the DCO be granted.

However, please note that several issues have been identified within the current draft of the method statement that will need to be addressed before the licence application is formally submitted. Our wildlife adviser, [REDACTED], discussed these matters with [REDACTED] via e-mail correspondence on 11/03/2019 where it was confirmed that the necessary amendments would be made. Please do ensure that the Method Statement is revised to include these changes prior to formal submission. The required changes are detailed in the attached document: 'LICENSING CONSULTATION ON THE FAVOURABLE CONSERVATION STATUS (FCS) TEST AS PART OF THE PRE-SUBMISSION SCREENING SERVICE'

### Next Steps

NSIP LONI (03/12)

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted. Please note that there will be no charge for the formal licence application determination, should the DCO be granted, or the granting of any licence.

If other minor changes to the application are subsequently necessary, e.g. amendments to the work schedule/s then these should be outlined in a covering letter and must be reflected in the formal submission of the licence application. These changes must be agreed by Natural England before a licence can be granted. If changes are made to proposals or timings which do not enable us to meet reach a 'satisfied' decision, we will issue correspondence outlining why the proposals are not acceptable and what further information is required. These issues will need to be addressed before any licence can be granted.

Full details of Natural England's licensing process with regards to NSIP's can be found at the following link:

[http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/Images/wml-g36\\_tcm6-28566.pdf](http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/Images/wml-g36_tcm6-28566.pdf)

As stated in the above guidance note, I should also be grateful if an open dialogue can be maintained with yourselves regarding the progression of the DCO application so that, should the Order be granted, we will be in a position to assess the final submission of the application in a timely fashion and avoid any unnecessary delay in issuing the licence.

I hope the above has been helpful. However, should you have any queries then please do not hesitate to contact me.

Yours sincerely

██████████  
Wildlife Management Lead Adviser  
Natural England Wildlife Licensing Service

██████████  
██████████

**Annex - Guidance for providing further information or formally submitting the licence application.**

**Important note: when submitting your formal application please mark all correspondence 'FOR THE ATTENTION OF [REDACTED]**

**Submitting Documents.**

Documents must be sent to the Customer Services Wildlife Licensing (postal and email address at the top of this letter).

**Changes to Documents –Reasoned Statement/Method Statement.**

Changes must be identified using one or more of the following methods:

- underline new text/strikeout deleted text;
- use different font colour;
- block-coloured text, or all the above.

**Method Statement**

When submitting a revised Method Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively three paper copies. The method statement should be submitted in its entirety including all figures, appendices, supporting documents. Sections of this document form part of the licence; please do not send the amended sections in isolation.

## A.27 Email (02.04.19)

---

**From:** [REDACTED]  
**Sent:** 02 April 2019 15:23  
**To:** [REDACTED]  
**Subject:** Highways England M25 Junction 10/A3 Wisley Interchange improvement scheme - additional non-statutory targeted consultation

Dear [REDACTED]

I am pleased to advise that tomorrow, Highways England will launch an additional non-statutory targeted consultation on the M25 junction 10/A3 Wisley Interchange improvement scheme.

We are consulting on minor scheme changes made since the previous targeted non-statutory consultation held in November-December last year. As the scheme changes are non-material, we are aiming this consultation at relevant directly affected land owners and statutory organisations.

The consultation runs from **3 April to 3 May**.

For ease of reference, a copy of the letter and the scheme drawings will be file transferred to you by [REDACTED] from Atkins.

We look forward to receiving your response to the consultation.

Kind regards

[REDACTED]

[REDACTED]  
Stakeholder Engagement Team

Tel: [REDACTED]  
DD: [REDACTED]

*Please note my working days are Tuesday to Thursday*

Atkins – South East Roads Investment Programme

**Working on behalf of Highways England**

**Highways England Customer Contact Centre**  
0300 123 5000  
[www.highways.gov.uk](http://www.highways.gov.uk)

## A.28 Email (04.04.19)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 04 April 2019 10:19  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Boldermere - mitigation / compensation associated with M25 J10 scheme

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thanks [REDACTED]

I am pleased to see the incorporation of further elements suggested by Natural England, in particular the proposal to seek to improve interception of road run-off. I am a lot more assured that the overall package is now proportionate in relation to the scale of loss of extent of habitat.

[REDACTED]  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## A.29 Letter (09.04.19)

Date 9 April 2019  
BY EMAIL ONLY

██████████  
Project Manager  
Regional Investment Programme  
Highways England



Natural England  
Northgate House  
21-23 Valpy St  
READING  
RG1 1AF

Dear ██████████

**M25 J10 JUNCTION IMPROVEMENT SCHEME  
ADDITIONAL NON-STATUTORY TARGETED CONSULTATION  
THAMES BASIN HEATHS SPECIAL PROTECTION AREA**

Thank you for consulting Natural England over the proposed changes to the scheme made in response to stakeholder engagement.

I have the following comments:

The identification of the proposed locations for site compounds raises concerns. The proposed location of a compound at the southern end of Seven Hills Road is close to the larger compound at the San Domenico site where a known bat roost is located. It will be important that Natural England's advice on measures to reduce the potential for the disturbance of bats which we have provided to Atkins over the design and layout of the compound at San Domenico is also applied at this further compound to the north east.

The location of a compound to the north east of the new Cockrow Bridge is also of concern. This location is close to good quality open heathland which supports woodlark and nightjar, birds which could be affected by changes in lighting, noise and general human activity. It will be important that measures are put in place to minimise the risk of increased disturbance from this source.

The proposal to locate a large site compound at Elm Corner raises concern. Although this is previously developed land which is part of the former Wisley airfield it is immediately adjacent to woodland which has been identified as supporting roosting bats. Natural England has provided advice to Atkins on measures to mitigate for the loss of a tree used as a bat roost as a result of construction of the new Wisley Lane realignment. These measures could be jeopardised by poor design of the compound. Natural England can advise on means of reducing risk from this source.



Natural England is satisfied with the proposal to remove the SPA compensation land adjacent to Elm Lane and to reduce the area at Old Lane, and to enlarge the area of compensation land opposite Clearmount.

I am pleased to note that efforts have been made to minimise the loss of Ancient Woodland in the vicinity of the Heyswood Girl Guides Camp Site.

Natural England is pleased with the additional habitat enhancement proposed around Boldermere.

I hope this is helpful.

Yours sincerely

A large black rectangular redaction box covering the signature of the Conservation Advisor.

Conservation Advisor

## A.30 Letter (12.04.19)

12 April 2019  
BY EMAIL ONLY

██████████  
Atkins  
Acting for Highways England



Natural England  
Northgate House  
21-23 Valpy St  
READING  
RG1 1AF

Dear ██████████

**M25 J10 JUNCTION IMPROVEMENT SCHEME  
DRAFT HABITATS REGULATIONS ASSESSMENT - THAMES BASIN HEATHS SPECIAL  
PROTECTION AREA - PRE-CONSULTATION ADVICE**

Thank you for allowing Natural England to comment and advise on the draft Habitats Regulations Assessment prepared for submission with an application for a Development Control Order. There is nothing in the draft document which causes significant concern from the Natural England perspective and I can confirm that we are in agreement with the scope of the assessment and conclusions. The only aspect which stands out is the absence of any explicit reference to Heathrow Expansion in either modelling of traffic volumes or in-combination effects. There may be good reasons why this has been done but it may be helpful to set out an argument for taking this approach given that it is likely that this question will arise. I appreciate that there is still a lack of detail over the Heathrow proposals but an HRA screening has been submitted to PINs which could be used as the basis of an initial assessment of in-combination effects.

I have only a few other comments and suggestions.

3.7 There may be value in adding wording to the effect 'there are no plans in current site management plans to clear woodland in the areas within the SPA directly affected by the scheme in order to restore or create heathland. It is essentially maintained to provide a 'buffer' between open heathland and the A3/M25. This is considered an important function in reducing aerial pollution, traffic noise, spread of litter and visual disturbance.' This might help to explain why pine woodland has been retained and why this is considered acceptable in this case. It is an aspect which sets this case apart from similar projects involving heathland where it is clear that pine woodland is treated as habitat with potential for restoration to heathland or as temporary habitat for Annex 1 birds in the course of rotational forestry management. So I think that it is useful to explain this clearly.

5. I can confirm that Natural England is in agreement with the summary of the HRA screening. However, it may be advisable to add reference to risk of adverse impacts arising from changes in visitor usage patterns given that this aspect has been raised as a concern by consultees and has been discussed later in the document.

6. Document C715 has been superseded by C762 Environmental Good Practice on Site Pocket Book 4<sup>th</sup> edition (CIRIA 2016).

Table 6 Is it advisable to state that suitably qualified ecologists will supervise site preparation, construction works and all works related to environmental compensation and mitigation?

7.2 I can confirm agreement with the assessment of impacts from aerial N deposition.

I can confirm agreement over the threshold noise levels applied and assessment conclusions relating to noise impacts. However, it might be advisable to provide detail on how noise might impact on bird behaviour more explicitly, i.e. by interfering with territory establishment and attraction of potential mates so that this is more transparent.

I note that there is no reference to noise reduction from traffic through re-surfacing or use of noise-reducing surface on 'new' sections road. Is this not something that could usefully be added?

I can confirm agreement over the conclusion of no likely significant effect arising from recreational disturbance. However, the section describing the modelled reduction in traffic levels past the Wisley and Old Lane car parks and the suggestion that this might result in a decrease in visitor numbers is open to challenge. I would advise removing this statement altogether. It is sufficient to say that the scheme is not likely to result in increased visitor numbers or changes in usage patterns.

7.4 I can confirm that Natural England is in agreement with the scope and conclusion of the in-combination assessment, subject to consideration of the comments above re Heathrow Expansion.

8.4 The consideration of alternative options and explanation of how the chosen scheme option was arrived at is well-argued and explained. Table 15 includes reference to an SAC. It might be helpful to refer to the specific site(s) for clarity.

8.6 The conclusion that no feasible, less-damaging options could have been selected is well-argued and clear.

9.2.1 The current wording here leaves room for confusion and challenge. It might be advisable to amend to read 'the Birds Directive upon which the selection and classification of Special Protection Areas is based does not refer to Priority Species. So this aspect does not apply and the competent authority can consider other reasons of overriding public interest without referring the case to the European Commission.'

9.4.29 The SSSI should always be referred to by its legal title Ockham and Wisley Commons SSSI.

It might be helpful to add reference to the term 'supporting habitat' when discussing the possible function of the land subject to temporary or permanent loss. The term is in common use with respect to SPA features.

It might be helpful to add that SPA land lost temporarily will be restored to a condition which provides an enhanced function or benefit to the SPA features in comparison with the existing situation.

10.3.4 It might be useful to add the following general principles here:  
Management objectives in the areas identified for enhancement will specifically focus on creating and maintaining suitable habitat and structural conditions to support the qualifying bird species of the SPA.

Suitable provision will be made to ensure that adequate resources are in place to secure the long-term maintenance of enhancement areas. Management of enhancement areas will include measures to discourage conflicts between recreational use and potential utilisation by qualifying bird species. Measures will be put in place to monitor the success of the enhancement areas for a period of 5 years.

10.3.5 It might be advisable to add a caveat here to the effect "subject to approval of the Forestry Commission" to demonstrate that this will require consultation and the normal licensing and impact assessment processes.

I have identified the following minor corrections needed:

3.2.2 'Cobham Common' should read 'Chobham Common'.

Table 10 p60 in second column relating to Mole Valley 'effects' should read 'affects'.

Table 10 section relating to Mole Valley is a little out of date, even if this is correct in terms of what is stated in the current local plan. In practice, Mole Valley consult Natural England over any housing development over 50 dwellings within 7 km driving distance of the SPA boundary.

P65 footnote 'locla' should read 'local'.

8.2.37 appears to have text missing as does not make sense.

8.2.40 as above.

8.4.22 'of the' is repeated.

8.5.3 Second sentence is missing 'to'.

8.5.6 Third sentence does not make sense as currently written.

10.6.6 'Potential' should read 'potentially'.

I hope this is helpful.

Yours sincerely



Conservation Advisor

## A.31 Meeting (29.04.19)



### Meeting Notes

<b>Project:</b>	M25-J10/A3 Wisley Interchange Scheme		
<b>Subject:</b>	Project update (Programme; Draft DCO requirements; Statement of Common Ground)		
<b>Author:</b>	Ruth Heatherley		
<b>Date:</b>	29/04/2019 2.00-4.00pm	<b>Project No.:</b>	<project no>
<b>Attendance</b>	<p>■■■■■■■■■■</p> <p>■■■■■■■■■■■■■■■■■■■■</p> <p>■■■■■■■■■■■■■■■■■■■■</p> <p>■■■■■■■■■■■■■■■■■■■■</p> <p>■■■■■■■■■■■■■■■■■■■■</p>		
<b>Representing:</b>	<p>Natural England</p> <p>Highways England</p> <p>Atkins</p> <p>Atkins</p> <p>Atkins</p>		

ITEM	DESCRIPTION	RESPONSIBLE
1.	<p><b>Welcome and introductions</b></p> <p>■■■ welcomed all to the meeting and introductions were given.</p>	
2.	<p><b>Project and Programme update</b></p> <p>■■■ gave an update on the project, highlighting the statutory consultation which took place February/March 2018 and changes to elements of the scheme that were re-designed during April to August as a result of feedback received. ■■■ added that the changes to the design were moderate and as such a further targeted non-statutory consultation took place in Nov/December 2018. As a result, further revisions to the design were incorporated in March this year and Highways England are currently out for a further round of consultation.</p> <p>■■■ outlined the DCO programme noting that the target date for DCO submission is 04 June. Following this there will be a 28 day acceptance period followed by a three-month pre-examination period to September which is preparation for the examination itself. The DCO examination will take six months to March 2020 with award expected September 2020.</p> <p>■■■ referred to Balfour Beatty as being the appointed Regional Delivery Partners for M25 J10 and that work at present is at package as opposed to scheme level (due diligence and cash flow forecast activities). He confirmed that detailed design and planning will take place alongside the DCO process. Balfour Beatty will take over the management of the scheme at some point during Stage 4. ■■■ confirmed that Atkins are the technical consultants that will take forward detailed design.</p> <p>■■■ asked what input will be needed from Natural England after DCO submission. ■■■ stated that this was unclear at present. ■■■ added that this is referred to in the draft DCO requirements and there will be discussion with NE required. ■■■ stated that as NE have stated they are</p>	

broadly in agreement with everything that Highways England are proposing that therefore there won't be any issues that PINS will need to come to NE for or to resolve.

A discussion was had in relation to the Statements of Common Grounds (SoCGs) that are being put in place with all statutory environmental bodies and the need to record both points of agreement and disagreement/in-discussion. ■■■ agreed that Highways England will need to be clear about what might be expected of stakeholders and when during the DCO process.

Construction preparation will take approximately 4-5 months following DCO. In terms of land to be acquired for the scheme, replacement land acquisition and site compounds will be prioritised. Construction is due to start March 2021 for 2.5 years.

■■■ referred to Balfour Beatty (appointed Regional Delivery Partner) keen to look at environmental work (tree felling for example outside of bird nesting period) and statutory service diversions (BT e.g.) as part of advanced works (post award of DCO).

■■■ referred to ground investigation (GI) works which are due to commence this week. Osborne are the appointed contractors. The work includes a drainage and gas survey. Information gathered will feed into the design and planning – some aspects of GI are required during examination, for example in relation to works at Bolder Mere.

■■■ referred to the Smart Motorway Programme (SMP), another scheme to turn J10 and 16 into a smart motorway. M25 J10 project will be undertaking the works on J10 on behalf of SMP to keep it in one package.

**ACTION: ■■■ to send e-copy of programme to NE. PMN: Sent on 31.05.19**

3. **Draft DCO Requirements**

■■■ asked how this fits into the broader DCO document. He confirmed that NE colleagues had some comments. ■■■ confirmed that ■■■ was pleased with how the SPA elements had been covered. He added that there will be a need to get started on the compensatory habitat creation before the authorised development starts.

A question was raised in relation to whether there should be a specific reference to net gain for biodiversity. ■■■ commented that ostensibly as a result of the works some of the SPA qualifying species would be improved but that the loss of 02.hectares of ancient woodland and up to 9 veteran trees (minimum 2) and some SPA, meant that the projects position in relation to the definition of 'net gain' could be contentious. When looking at the scheme as a whole due to the irreplaceable habitats, this opens Highways England to challenge. ■■■ advised that he would seek advice from ■■■ as to how to address the issue. **PMN: NE provided advice and confirmed they are content with the proposed approach to net gain for biodiversity (22.05.19)**

■■■ referred to point 17 in the draft requirements which states after the completion of the authorised development a scheme of restoration and landscaping will be agreed. ■■■ questioned whether this was how this was normally done in the planning system. ■■■ confirmed that there is a high-level proposal and plan in place and this will be agreed in the detailed design phase. ■■■ referred to a technical note which precedes the management plan of the proposed restoration and landscaping works (planting) and outlines the principles. This is being agreed at present in consultation with Surrey County Council and Surrey Wildlife Trust.

A discussion was had about the land management plan (which will follow on from the technical note). ■■■ confirmed there will be two, one for the SPA and one general plan.

■■■ referred to the SPA compensation land needing to be in place prior to the start of works and the need to get this on MAGIC. ■■■ to email ■■■ about this to give confidence with regards to the HRA. ■■■ confirmed that there is not the expectation from NE that the habitats will be established, but that the process will be started (i.e. tree planting taking place).

A discussion was had regarding the feasibility of the Cockrow green bridge due to lack of funding. Designated funds have been allocated for the feasibility study and the design and no more funding can be obtained at present. ■■■ referred to the drawings that showed a wide green strip to the east side of the roadway (10 metres) which has been considered inadequate by SWT who are requesting 50 or 25 metres width which would extend into common land and SPA. PINS are aware that proposals are not included in the DCO submission, but Highways England are supportive of a proposal should it be feasible.

**ACTION: Natural England (■■■■■■■■■■) to advise the project on net biodiversity gain issue. PMN: Completed 22.05.19**

**ACTION: Highways England to share the land management technical note with Natural England for their review (subject to internal review).**

**ACTION: ■■■ to email ■■■ regarding SPA compensation land and getting this on MAGIC. PMN: Completed.**

4. **Habitats Regulation Assessment (HRA)**

■/W confirmed that comments received from NE and from Highways England do not contradict each other and ■■■ is working to incorporate the comments. ■■■ confirmed that he will send an excel document with the changes incorporated to ■■■.

**ACTION: ■■■ to send summary of response to NE comments on the HRA. PMN: Sent on 10.05.19. NE response received on 16,05.19**

■■■ referred to the point of the Heathrow Expansion. He confirmed that on agreement with the Highways England transport planning group, the Heathrow Expansion has not been included in the forecast model. DfT have not provided any information on what the strategy will be, only that

stating it will not result in any additional traffic demands. ■ commented that this is widely seen as an unrealistic expectation.

**ACTION: ■ to send ■ an explanation re the Heathrow Expansion and the rationale for the decision. The response to NE comments on the HRA to include position on Heathrow Expansion.**

A discussion was had in relation to IROPI and the unprecedented nature of the project in this respect. ■ confirmed that the HRA explains adequately why IROPI has been needed and therefore Highways England should not be concerned. ■ confirmed that feedback from Highways England does not change the case for IROPI.

5. **Water Framework Directive Assessment – Bolder Mere mitigation proposals.**

■ outlined what the project is proposing for Bolder Mere in terms of mitigation and what the project is proposing from a water environment perspective for mitigation in the replacement and enhancement areas.

■ stated that he had sent ■ an outline of proposed mitigation for Bolder Mere based on the Goldsmith Ecology report re good management practice and confirmed that the preliminary design does include an element to re-direct road runoff that is currently discharging to Bolder Mere via treatment into the ditch downstream. ■ confirmed that he was very pleased with this aspect. ■ confirmed that the type of treatment couldn't be confirmed at present but would be better understood during detailed design.

■ referred to NE's earlier request to include some rotational management of the Alder, Birch and Willow woodland in the south east shore of Bolder Mere. ■ confirmed that this was included in Appendix F of the WFD report as an area marked as 'habitat 10'. ■ explained that they had identified the low-lying areas SE of Bolder Mere as areas for rotational management of these species. ■ confirmed this was the area he was referring to and reiterated that the management should target reduced shading on the lake shore and encouraging more development of the marsh and mire habitat whilst not destroying another useful habitat (boggy alder woodland). He added that it was about reducing the height of canopy maintaining it on rotation as more of a scrub edge habitat but doing this light touch with a coppicing regime every 10 years or so. ■ confirmed that he will check the Management Plan to see if this is included.

■ asked if ■ was comfortable with what the project is proposing for Bolder Mere. ■ confirmed that yes he agreed the package of mitigation was proportionate to the loss and added that the package will enhance the habitat.

A discussion was had about ephemeral drainage ditches impacted by the scheme (moved or subsumed within the scheme). ■ outlined a primary mitigation will be to make the ditches (within the replacement and enhancement areas) as natural as possible when they are relocated dependent on their location. For Chatley Wood Pond the proposal was to excavate the pond so that during wetter periods of the year it will be an open water habitat. ■ noted that there seems to be a historical decline in the open water resource on the site of this pond and in the wider area and therefore recreating this wetland interesting and redistributing across the



site is a positive contribution. ■ confirmed that this would be looked at in greater detail during detailed design.

**ACTION: ■ to share text with ■ on proposals for drainage ditch mitigation (including sketches).**

The item in the SoCG regarding the WFD was discussed (Appendix F outline of proposed mitigation on water environment). ■ confirmed that this could be marked as 'agreed'. A discussion was had in relation to the on-going management of land and the need to reduce public access to the lake shore (item on SoCG). It was agreed to add an item on the land management plan technical note to the SoCG for NE to review.

**ACTION: Item on SoCG to include reference to technical note for land management. PMN completed.**

6. **Statement of Common Ground (SoCG)**

The SoCG was reviewed. Reference was made to historic items in the SoCG that could be deleted now given that NE had given their agreement on the HRA. ■ stated that it was a useful way of tracking the discussion and demonstrating how much interaction there had been.

■ referred to the report of consultation that has been produced as evidence of engagement undertaken for PINS.

**Points raised: HRA**

- Screening (visitor usage patterns). Response agreed. ■ referred to RSPB. ■ confirmed that this had been discussed with the RSPB and they were satisfied that the project had looked into changes to access and any impacts and that measures taken had reduced the potential for this

The question of a SoCG with the RSPB was discussed and it was thought that this was not required. ■ took an action to confirm this with the project. **ACTION: ■ to confirm whether a SoCG with RSPB will be required. PMN: A SoCG will be developed with RSPB.**

- Screening (findings) ■ suggested more neutral wording. Edit agreed.
- Assessment and Scope (Heathrow Expansion) – to be agreed once ■ provides response.

**Points raised: Protected Species Licences**

Discussion was had regarding Great Crested Newt licences. ■ confirmed that this has been ruled out following review. It is considered that this can be done under a Precautionary Method of Working. If something is found, it would be possible to stop works and apply for a licence. ■ suggested that some enhancement work could be done around the pond to encourage the newts to stay. ■ confirmed that we can do that within the enhancement area but not outside of the RLB.

**Points raised: Environmental Statement:**

- SSSI and LNR – ■ stated that he will send extracts of the ES (evaluation and proposed mitigation and residual impacts) to seek NE agreement on the proposals. These items on the SoCG can then be completed. **ACTION: ■ to send extracts of ES**

	<p>chapter re SSSI and LNR. PMN: Completed. Response received on 22.05.19</p> <p><b>Points raised: Location of construction compounds</b> (additional targeted consultation response): [redacted] stated that the Cockrow compound is for the bridge construction and will be buffered from the heathland to prevent effects on qualifying species. Line items on SoCG to be rationalised into one and to reference general issue raised by NE.</p> <p><b>Points raised: Ancient woodland loss:</b> Feedback from NE on net gain to inform position on ancient woodland loss. [redacted] stated that this should be referenced and that NE and the project have worked hard to reduce the loss. <b>ACTION: to include reference in the SoCG to efforts to reduce the loss of Ancient Woodland. PMN: Completed.</b></p>	
<p>7.</p>	<p><b>Next steps/AOB</b></p> <p>[redacted] referred to the DCO and uncertainty around whether there will be any additional requirements imposed as a result of the DCO and the need to update the SoCG in light of this.</p> <p>[redacted] referred to land acquisition. [redacted] stated that replacement land and principal site compounds are being prioritised in this respect and discussions have commenced.</p> <p>[redacted] stated that we would be hoping to have a signed copy of the SoCG by 13.05.19.</p> <p>DCO draft requirements. [redacted] confirmed they will respond in writing on their comments.</p>	
<p>8.</p>	<p><b>Actions:</b></p> <ol style="list-style-type: none"> <li>1. [redacted] to send e-copy of programme to NE: <b>PMN: Completed.</b></li> <li>2. Natural England ([redacted]) to advise the project on net biodiversity gain issue. <b>PMN: Completed.</b></li> <li>3. Highways England to share the land management technical note with Natural England for their review (subject to internal review).</li> <li>4. [redacted] to email [redacted] regarding SPA compensation land and getting this on MAGIC. <b>PMN: Completed.</b></li> <li>5. [redacted] to send summary of response to NE comments on the HRA. <b>PMN: Completed.</b></li> <li>6. [redacted] to send [redacted] an explanation re the Heathrow Expansion and the rationale for the decision. The response to NE comments on the HRA to include position on Heathrow Expansion. <b>PMN: Completed.</b></li> <li>7. [redacted] to share text with [redacted] on proposals for drainage ditch mitigation (including sketches).</li> <li>8. Atkins to update SoCG and send to NE for review/approval for sign by 13.05.19. <b>PMN: Completed. Sent on 31.05.19</b></li> <li>9. [redacted] to confirm whether a SoCG with RSPB will be required. <b>PMN: Completed.</b></li> <li>10. [redacted] to send extracts of ES chapter re SSSI and LNR. <b>PMN: Completed.</b></li> <li>11. SoCG to include reference in the SoCG to efforts to reduce the loss of Ancient Woodland. <b>PMN: Completed.</b></li> <li>12. [redacted] to provide feedback in writing on the draft DCO requirements. <b>PMN: Completed.</b></li> </ol>	<p>Atkins ([redacted])          NE ([redacted])</p> <p>Highways England ([redacted])          Atkins ([redacted])          Atkins ([redacted])          Atkins ([redacted])</p> <p>Atkins ([redacted])</p> <p>Atkins ([redacted])          Atkins ([redacted])          Atkins ([redacted])          Atkins ([redacted])</p> <p>NE</p>

A.32 **Email (03.05.19)**

**From:** [REDACTED]  
**Sent:** 03 May 2019 12:26  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25 J10 Draft DCO Requirements

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thank you for sending the draft document. I am writing to set out the key points that we discussed at our meeting on 29 April in connection with this document.

8(3) – It is acknowledged by Natural England that it should not be a requirement that the proposed compensatory habitat creation measures will all be in place and complete before development within the SPA boundary may commence. As we have discussed previously, the key objective of the compensatory habitat creation measures is to seek to enhance areas of land so that they have an enhanced function in supporting the Annex 1 bird populations associated with the Thames Basin Heaths SPA. This means that there should be improved habitat structure which promotes increased invertebrate prey availability, creates good quality areas for nightjar feeding (such as structured 'edge', glade and ride type habitats) and provides improved habitat connectivity across the landscape. It will be important to be able to say that substantial progress will have been made to achieve this objective prior to the main body of construction work associated with the scheme.

9 (1) – Natural England acknowledges that the provision of a 'green bridge' is essentially a separate item and additional biodiversity enhancement over and above the required compensation, mitigation and enhancement associated with the scheme.

10 (1) – Natural England is content with the wording of this section relating to Boldermere mitigation and enhancement, and it is acknowledged that the overall package of works is likely to result in an overall improvement in habitat condition in this part of the site.

17(1) – Natural England advises that this section should be re-worded. It is likely to be beneficial if assurance can be given that plans have been agreed, in principle at least, for the restoration and/or landscaping of any land used temporarily for construction purposes. This will give comfort that all opportunities for habitat creation which will enhance the value of the site for the features of nature conservation importance have been considered and that measures have been agreed or will be in place for their on-going maintenance. This could become an important element when identifying areas of 'net gain' for biodiversity.

As indicated in the document, it will be important to include specific reference to loss of registered common land and to set out how the land provided in compensation will be maintained.

I hope that this is helpful.

[REDACTED]  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## A.33 Email (10.05.19)

---

**From:** [REDACTED]  
**Sent:** 10 May 2019 15:53  
**To:** [REDACTED]  
[REDACTED]  
**Cc:** [REDACTED]  
[REDACTED]  
**Subject:** NE - HRA Comments A3\_M25 HE response

Dear [REDACTED] and [REDACTED],

Please find attached our responses to your very helpful comments on the HRA.

As already discussed with [REDACTED], we have amended the HRA to accommodate all of your comments with the exception of the Heathrow Expansion. This has not been included in our assessment, and I have provided some information explaining why. If you require further information please let us know (please include [REDACTED] and [REDACTED] in the email as I am now on leave for a week).

As discussed with [REDACTED], we are also amending the HRA in light of HE comments, but this will not alter the report content, findings, or contradict your comments. Please note, HE have agreed that the enhancement areas are indeed compensation not mitigation (this was raised in a recent meeting with [REDACTED] and I know this was a potential concern), but we are now calling the 'Compensation Package' the 'Suite of compensatory measures' to better align with EC terminology. This is simply a name change and it will still contain SPA compensation land and SPA enhancement areas in exactly the same way as it currently does.

Many thanks

[REDACTED] *CEcol, MCIEEM*  
Principal Ecologist, Infrastructure

## A.34 Email (16.05.19)

---

**From:** [REDACTED]  
**Sent:** 16 May 2019 10:47  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: NE - HRA Comments A3\_M25 HE response

Thank you [REDACTED].

I can confirm that Natural England is satisfied with those proposed amendments and corrections.

[REDACTED]  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## A.35 Email (20.05.19)

██████████

---

**From:** ██████████  
**Sent:** 20 May 2019 19:43  
**To:** ██████████  
**Cc:** ██████████  
**Subject:** M25 J10/A3 Wisley Interchange - Natural England Comments

Dear ██████████,

I believe that ██████████ mentioned that we would appreciate some input from Natural England with regards to a few specific points of the biodiversity chapter of the M25 J10/A3 Wisley Interchange Environmental Statement (see draft attached).

Could you therefore take a look at Table 7.8 of the draft biodiversity chapter and either confirm that Natural England are happy with the classification of the residual effects and significance stated, or provide comments where Natural England disagree or if you have any queries? I have provided the full working draft if you need it for context but please note that this is still a working draft. Valuation of features follows the approach previously agreed with Natural England.

On another note, further to the email exchange with yourself and ██████████ about biodiversity net gain, we have drafted some wording, which we hope to use to explain the position in a clear way. It is designed to either be used as just the first paragraph giving a simple summary, or as all three paragraphs giving the overview and expanding on key examples. We would very much welcome any comments from Natural England on our draft text:

*Due to the scheme's location, it has not been possible to completely avoid loss of land from national and international statutory designated sites and irreplaceable habitat outside designated sites (ancient woodland and veteran trees). Therefore, in keeping with published guidance<sup>[1]</sup>, overall the scheme cannot achieve 'biodiversity net gain' and, in line with good practice, metrics to quantify the scheme's biodiversity outcomes have not been used. Rather, the ecological design has been based on the mitigation hierarchy to avoid and minimise losses as far as practicable, and a landscape-level approach for the compensation to deliver long-term benefits for nature conservation.*

*With regards to ancient woodland, initial draft designs would have resulted in direct loss of approximately 1 hectare of ancient woodland at four separate sites. Through careful collaborative working by the environmental and engineering design team this has been reduced to losses at two ancient woodlands, limited to a total loss of 0.2 hectare. Measures to address this loss include salvaging ancient soil and plant material from the scheme footprint and translocating these into areas of new woodland planting; these areas have been located where they will link existing ancient woodland with other nearby woodland to enhance ecological connectivity. There will also be enhancement of existing ancient woodland in woods totalling of approximately 4 hectares.*

*With regard to the SPA, a suite of compensatory measures have been designed under consultation with key stakeholders (the stakeholders included Natural England, Surrey Wildlife Trust, Surrey County Council, the Forestry Commission and the RSPB). This suite of compensatory measures consists of a mixture of provision of SPA compensation land for the permanent land take, and enhancement areas at the ratio of 3:1 for the permanent and temporary land take. This is additional to the restoration of the areas of temporary land take. To compensate for the negative effects of the scheme, these measures are to maintain the overall coherence of the Natura 2000 Network and increase the carrying capacity of the SPA for all three SPA bird species, thereby improving the long term resilience of the SPA.*

We are continuing to work on the other tasks relating to the draft statement of common ground and hope to send you a revised draft in the near future.

Kind regards,

██████████

Senior Ecologist, Infrastructure

[1] Baker et al (2019) Biodiversity net gain. Good practice principles for development. CIRIA.

**Files attached to this message**

Filename	Size	Checksum (SHA256)
HE551522-ATK-EBD-RP-LE-000005_P02.1_DRAFT.pdf	2.11 MB	21d8ef3197cd24150e5892b74df1b9bd7ee8500dc5a042322ee009e7022db67a

Please click on the following link to download the attachments:

[Redacted link]

This email or download link can not be forwarded to anyone else.

The attachments are available until: **Monday, 27 May.**

Message ID: iSkikCveV6PFRIXIOZ9UBU

[Download Files](#)

LiquidFiles Appliance: [Redacted]



## A.36 Email (22.05.19)

---

**From:** [REDACTED]  
**Sent:** Wednesday, May 22, 2019 4:37 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25 J10/A3 Wisley Interchange - Natural England Comments

[REDACTED]

I have read through the draft Biodiversity chapter of the Environmental Statement. I am broadly satisfied with the content.

I have only one suggestion:  
I would encourage inclusion of direct reference to the government standing advice on the protection of ancient woodland when assessing potential impacts from development and road schemes. Use of selected text from this guidance may add confidence that the habitat has been properly valued and given due consideration in scheme development, following the principles set out in the guidance. As currently worded there is a risk of challenge that this has not been given due weight.

We do appreciate that there is a difficult balance to reach in expressing how the scheme seeks to deliver benefits for biodiversity whilst acknowledging that there is loss. The text which you have drafted appears to capture the key messages without making contentious or controversial statements.

I hope that this is helpful.

[REDACTED]  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

[REDACTED]

**From:** [REDACTED]  
**Sent:** 12 June 2019 14:18  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25 J10 Draft DCO Requirements

[REDACTED]

Thanks for your message. I can confirm that I am happy with the proposed wording for inclusion in the DCO application.

[REDACTED]  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

---

**From:** [REDACTED]  
**Sent:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]  
**Subject:** RE: M25 J10 Draft DCO Requirements

Dear [REDACTED]

Many thanks for copying me in to your email responding to our suggested DCO requirements for the M25/A3 Wisley interchange scheme. I am most reassured to see that there is a good level of agreement on our suggested wording and your feedback is most helpful.

I note that there were a couple of questions raised about the wording we have proposed for the requirement for dealing with the restoration of land used temporarily. I am keen to see if we can address these points before we finalise our application over the coming week or so.

Firstly by way of context, most of Highways England's DCO's do not include this type of requirement, instead the point is generally covered just by an article within the main part of the DCO requiring the Undertaker to restore the land to the reasonable satisfaction of the owners of the land. However, in view of the significance of the environmental designations and features relating to the land of which temporary possession may be taken, we considered that it would be important to involve Natural England and the local planning authority in agreeing a restoration scheme for the relevant areas. The Infrastructure Planning (Model Provisions)(England and Wales) Order 2009 contains a form of wording for a requirement on the restoration of land used temporarily to the effect that 'any land within the Order limits which is used temporarily for construction must be reinstated to its former

condition, or such condition as the Commission may approve, within [six] months of completion of the authorised development'. I'm sure that we will be in agreement that something more specific than that is needed for the M25 junction 10 Scheme and the more extensive wording that has been proposed. I hope that this assures you that we are proactively seeking to put in place a mechanism which ensures that Natural England and the local planning authorities will be suitably involved in agreeing the restoration plan.

Secondly, as to the point about restoration needing to consider opportunities for enhancing the value of the site, I have made some amendments to the wording of the relevant requirement to see if this might better address your concerns. I appreciate that there is still a dialogue going on with [REDACTED] about net gains but until this is fully resolved I am not sure what more I can suggest at this stage. Nevertheless, it places the matter of biodiversity gains firmly within the scope of the requirement.

We are finalising the DCO application over the coming week, so if you are able to take a look at the attached amendment and let me have your thoughts that would be much appreciated.

Kind regards

[REDACTED]

---

**From:** [REDACTED]

**Sent:** 03 May 2019 12:26

**To:** [REDACTED]

**Cc:** [REDACTED]

[REDACTED]

**Subject:** RE: M25 J10 Draft DCO Requirements

[REDACTED]

Thank you for sending the draft document. I am writing to set out the key points that we discussed at our meeting on 29 April in connection with this document.

8(3) – It is acknowledged by Natural England that it should not be a requirement that the proposed compensatory habitat creation measures will all be in place and complete before development within the SPA boundary may commence. As we have discussed previously, the key objective of the compensatory habitat creation measures is to seek to enhance areas of land so that they have an enhanced function in supporting the Annex 1 bird populations associated with the Thames Basin Heaths SPA. This means that there should be improved habitat structure which promotes increased invertebrate prey availability, creates good quality areas for nightjar feeding (such as structured 'edge', glade and ride type habitats) and provides improved habitat connectivity across the landscape. It will be important to be able to say that substantial progress will have been made to achieve this objective prior to the main body of construction work associated with the scheme.

9 (1) – Natural England acknowledges that the provision of a 'green bridge' is essentially a separate item and additional biodiversity enhancement over and above the required compensation, mitigation and enhancement associated with the scheme.

10 (1) – Natural England is content with the wording of this section relating to Boldermere mitigation and enhancement, and it is acknowledged that the overall package of works is likely to result in an overall improvement in habitat condition in this part of the site.

17(1) – Natural England advises that this section should be re-worded. It is likely to be beneficial if assurance can be given that plans have been agreed, in principle at least, for the restoration and/or landscaping of any land used temporarily for construction purposes. This will give comfort that all opportunities for habitat creation which will enhance the value of the site for the features of nature conservation importance have been considered and that measures have been agreed or will be in place for their on-going maintenance. This could become an important element when identifying areas of 'net gain' for biodiversity.

As indicated in the document, it will be important to include specific reference to loss of registered common land and to set out how the land provided in compensation will be maintained.

I hope that this is helpful.

[REDACTED]

Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

**Natural England is accredited to the Cabinet Office Customer Service Excellence Standard**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

---

**From:** [REDACTED]  
**Sent:** 29 April 2019 10:20  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** M25 J10 Draft DCO Requirements

Dear [REDACTED]

Please find attached copy of the Draft DCO requirements for your review. There is an item on the agenda to discuss these this afternoon.

Many thanks

[REDACTED]

[REDACTED]  
Stakeholder Engagement Team

Tel: [REDACTED]  
DD: [REDACTED]

*Please note my working days are Tuesday to Thursday*

Atkins – South East Roads Investment Programme

**Working on behalf of Highways England**

**Highways England Customer Contact Centre**  
0300 123 5000  
[www.highways.gov.uk](http://www.highways.gov.uk)

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

---

This email and any attached files are confidential and copyright protected. If you are not the addressee, any dissemination of this communication is strictly prohibited. Unless otherwise expressly agreed in writing, nothing stated in this communication shall be legally binding. The ultimate parent company of the Atkins Group is SNC-Lavalin Group Inc. Registered in Québec, Canada No. 059041-0. Registered Office 455 boul. René-Lévesque Ouest, Montréal, Québec, Canada, H2Z 1Z3. A list of Atkins Group companies registered in the United Kingdom and locations around the world can be found at

<http://www.atkinsglobal.com/site-services/group-company-registration-details>

Consider the environment. Please don't print this e-mail unless you really need to.

**This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.**

## A.38 Meeting (11.09.19)



### Meeting Notes

<b>Project:</b>	M25-J10/A3 Wisley Interchange Scheme		
<b>Subject:</b>	Project update (Programme; Draft DCO requirements; Statement of Common Ground)		
<b>Author:</b>	[REDACTED]		
<b>Date:</b>	11/09/2019 2.00-4.00pm	<b>Project No.:</b>	5158141
<b>Attendance</b>	[REDACTED] [REDACTED] [REDACTED]	<b>Representing:</b>	Natural England Atkins Atkins Atkins

ITEM	DESCRIPTION	RESPONSIBLE
1.	<p><b>NE Relevant Representation</b></p> <p>A discussion was had regarding the Relevant Representation (RR) received from Natural England (NE) in relation to specific points:</p> <p><b>Ref: 3.2.1.6</b></p> <p>[REDACTED] referred to Surrey County Council (SCC) and Surrey Wildlife Trust (SWT) and the lack of legal obligation to undertake the compensation and enhancement works. [REDACTED] confirmed that Highways England/Atkins were aware of the importance of this and that discussions were ongoing to ensure that arrangements were in place to ensure that the works will be undertaken.</p> <p>[REDACTED] also referred to the request by NE for clarification with regards to RHS Wisley's role in relation to compensatory land and whether this will be an agreement or a Compulsory Purchase Order (CPO). [REDACTED] confirmed that discussions are on-going with regards to this also. [REDACTED] referred to SWT and the need for no misunderstandings between SWT and RHS Wisley.</p> <p><b>Ref 3.2.3.1</b></p> <p>[REDACTED] referred to point 3.2.3.1 in NEs RR and NEs request for further discussion regarding proposals for monitoring Annex 1 birds during construction phase. [REDACTED] added that after including this in the RR he had realised there was more detail in the DCO documentation. [REDACTED] stated that the proposal would be that Atkins would continue doing the suite of surveys planned. [REDACTED] added that there would need to be a caveat that the SPA populations may naturally fluctuate as they have done over the last 4 years of survey. Therefore, if for example, the number of nightjars was to drop from four territories on Ockham Common to three territories, this could be due to other factors (such as changes in vegetation structure) and would not necessarily be attributable to the construction works. [REDACTED] agreed population fluctuations could occur for a range of reasons, and that the monitoring would need to be tied in with discussion with Natural</p>	

England as to whether any changes in baseline are due to construction or natural fluctuation. ■■■ stated that there will be some challenge from some quarters about any changes to bird populations. ■■■ agreed that having an on-going baseline will be important.

**ACTION: Future discussions to be held with NE with regards to monitoring Annex 1 birds during construction.**

#### Ref 3.2.1.11

■■■ referred to point 3.2.1.11 in NEs RR regarding post construction monitoring of the proposed SPA compensation areas C1 and C2, in which NE state that the proposed monitoring will only provide a proxy measure of the suitability of areas for nightjar. NE would encourage measuring of usage by nightjars, by using bio-acoustic technology.

■■■ explained that the land take within the SPA for which the SPA compensation land will replace does not actually support any qualifying SPA species in the way of foraging or nesting habitat. Therefore, the function of the SPA compensation land is to provide an invertebrate resource for the SPA, rather than to provide additional foraging habitat and if the SPA compensation land is not used by nightjars, this is not necessarily an indication of failure. Therefore, the monitoring of usage by nightjars is not necessarily going to be an indication of whether the SPA compensation land is successful. ■■■ agreed with this proposal and it was agreed that an assessment of vegetation structure and/or invertebrate abundance would be appropriate in order to determine if the SPA compensation areas are successful.

A discussion was had with regards to the DCO and how responses to NE points raised and subsequent agreements are incorporated. ■■■ stated the appointed Examining Authority will write to interested parties asking them to provide more detail on their key issues in a Written Representation. ■■■ added that this is not about an objection to the scheme, it is highlighting the need for further discussions.

**PMN: Under the DCO process, RRs will not be responded to by Highways England, but issues raised will be dealt with through the SoCG. The Examining Authority will invite Interested parties to submit a Written Representation to the Examining Authority for the relevant deadline and the relevant issues raised may be responded to by Highways England.**

#### Ref 3.2.4.2

■■■ confirmed that consideration of bats and the impact of light spill will be considered in the detailed design. ■■■ emphasised that Highways England are committed to this.

#### Ref 3.2.5.1

■■■ referred to loss of common land and NEs request for further engagement with NE and others in developing detailed proposals for the delivery of the various replacement land objectives. ■■■ confirmed that this is the intention.

#### Ref 3.2.6.2

■■■ referred to the translocation of Ancient Woodland and NE's advice that it is properly planned and follows the best practice guide. ■■■ confirmed that Highways England/Atkins will take this into account,

working with Balfour Beatty (BB) who will be taking the lead on this as delivery partner.

■■■ asked ■■■ if there was anything else he wanted to raise. ■■■ confirmed no.

2. **Statement of Common Ground (SoCG)**

A discussion was had regarding the SoCG with NE.

■■■ outlined the process for updating the SoCG, confirming that an updated version would be required by the Preliminary Meeting and before the commencement of the examination period.

The SoCG was reviewed focussing on those items 'under discussion':

- Page 11, HRA, Assessment and Scope (Heathrow Expansion). Status changed to 'agreed'.
- Page 12, HRA, In-combination assessment. Status changed to 'agreed'.
- Page 19, Ecology, SSSI. Status changed to 'agreed'
- Page 19 Ecology, LNR. Status changed to 'agreed'.
- Page 19 Ecology, location of construction compounds. Status changed to 'agreed'.

A discussion was had regarding the location of the construction compounds. ■■■ highlighted that the compound close to Wisley airfield is close to where there is bat habitat and therefore the design and lighting needs to be appropriate. In addition, ■■■ stated that they were concerned about in-combination of disturbing effects at the San Domenico site compound due to its proximity to an existing bat roost. ■■■ stated that for this compound as part of the LONI there will be a design plan that NE will need to approve.

■■■ stated that ■■■ who produced the draft document in respect of the LONI from has raised that some of the proposed dates have changed. ■■■ asked if this is something Atkins should make NE aware of. GS stated yes in an email via ■■■ who will consult internally.

**ACTION: Atkins to email ■■■ re revised dates for the LONI. PMN: Completed on 16/09/19**

A discussion was had regarding a land management plan which includes reference to the need to ensure that the proposals in the management plan do not result in an increase in public access. The land management plan has been shared with NE and ■■■ confirmed that he was satisfied that the issue has been addressed sufficiently in the plan. ■■■ added that when the plan is developed, we will need to ensure that public access is a key consideration.

**ACTION: ■■■ to update SoCG to reflect this development (Page 22, Bolder Mere SSI; enhancement increase public access)**

■■■ stated that the direction will come from PINS on the outstanding areas of discussion and how they will be agreed and/or addressed at the next stage. ■■■ asked about the next land management plan meeting. ■■■ confirmed that a meeting had been held with SCC, SWT and EBC to discuss the plan. ■■■ stated that there was a broad level of agreement in terms of what's in the plan with the exception of funding. ■■■ confirmed that more detail will be added to the land management plans as the DCO process progresses and there will be an opportunity to comment at this



stage. ■■■ stated that it would be beneficial for NE not to attend these initial meetings so other parties can discuss and agree key points.

**ACTION: To Add to SoCG from RR:** 3.2.1.11 and 3.2.3.1 monitoring the compensation land and monitoring during construction.

**ACTION: RH to update SoCG and send to GS for review.**

A discussion was had regarding detailed design and ground investigation (GI) data that will provide more information that may influence design. For example it might reduce footprint for some of the drainage. ■■■ commented that some of the detail around the drainage and attenuation ponds needs more detail. ■■■ confirmed yes and that data should be available by end of the year.

■■■ thanked ■■■ for responding to two additional areas where access is proposed for GI works, one by Bolder Mere and the other within heathland edge on Ockham Common. The plan at Bolder Mere is to go along the edge of the A3 and cut in. ■■■ added that if this is not possible, then Atkins will be back in touch to discuss the proposed alternative route option prior to starting works. ■■■ confirmed that it is within the RLB so when it comes to impacts from lighting and emissions these have already been considered as part of the HRA in terms of clearance.

■■■ asked as to whether the existing assent that covers the GI works would be sufficient. ■■■ stated that it would be good for Sarah to ask for assent as there is an external challenge to every single tree that comes down at the moment.

**ACTION: Atkins to submit another application for assent explaining that these areas for the GI works are being considered within the HRA. PMN: Completed on 16/09/19**

### 3. Site clearance

■■■ mentioned that they had gone onto site with BB to look at areas that are to be clear felled or thinned and discussed the proposed process for site clearance.

■■■ stated the survey results indicated that everything with the RLB is suitable for reptiles and birds throughout. ■■■ outlined the process to be undertaken over the winter which would involve getting approval in November 2019 to start work in January 2020. ■■■ stated that the contractor would go in do some cutting, leaving the stumps in place and return in March/April 2020 when reptiles had come out of hibernation to clear the ground vegetation and remove the stumps.

■■■ commented that birds moving into the new habitat may be an issue. ■■■ agreed that there is that risk. He added that getting rid of trees reduces the risk slightly. ■■■ agreed and suggested cutting the trees down to stumps and cutting all remaining vegetation to 150 mm over the winter period so that this reduces the suitability for birds during spring, whilst not disturbing hibernating reptiles.

■■■ stated that BB would also like to have access tracks in place prior to winter and that approach would involve removal of hibernacula and bracken by hand in the summer of 2020, before the DCO decision has been given. ■■■ confirmed that this would need an assent, but this will not impact of the SSSI features, so will be approved.



█ asked about bat issues. █ stated that Atkins will resurvey all the trees with moderate to high potential and if there is no evidence of any roosts a Precautionary Method of Working (PMW) will be adopted. A PMW will also be adopted for any areas that may have great crested newts (destructive hand searches of log piles and potential hibernacula).

A discussion was had regarding the prevalence of sand lizards and the method during clearance that would need to be adopted. █ suggested directional clearance once they have come out of hibernation, rather than a PMW. █ agreed and suggested this should be combined with searches for burrows within any potentially suitable sandy areas.

█ stated that BB have 2 machines they use reach of 8m – 16m apart. █ asked how the brush will be dealt with. █ stated that the proposal is to take it away with the agreement to leave some behind so as to leave some remaining deadwood in compensation areas. █ clarified that his concern was with regards to the risk of creating temporary habitats that may attract birds but that it would be good to have some in discreet locations. █ confirmed that they are trying to discourage fires as a means of disposing of brush and that if the contractor could take it away that this is the best option.

4. **AOB**

█ added that PINS have not provided a date for the Preliminary Meeting and commencement of examination as yet. This is likely to be mid-November. BB are validating the design and intend to commence works January 2021.

█ stated that NE would like to have sight of the programme of works in case it flags up any issues re licencing for example. █ stated that he is putting together a draft mitigation programme to address the ecology issues (ecological mitigation timetable). █ added that this relates to over how many winters we decide to stagger the implementation of the enhancement areas. This needs to be agreed with NE. SWT will have an opinion on this as well.

**ACTION: Atkins to provide NE with a draft of the ecological mitigation timetable.**

5. **Actions**

1. Future discussions to be held with NE with regards to monitoring Annex 1 birds during construction **(On-going)**
2. Atkins to email █ re revised dates for the LONI. **(Completed 16/09/19)**
3. Atkins to update SoCG and send to █ for review. **(TBC w/c 28/10/19)**
4. Atkins to submit another application for assent explaining that these areas for the GI works are being considered within the HRA. **(Completed 16/09/19)**
5. Atkins to provide NE with a draft of the ecological mitigation timetable. **(TBC)**

## A.39 Email (16.09.19)

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 16 September 2019 13:46  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: M25 Junction 10 Bat Mitigation Timings

Thank you for this helpful advice [REDACTED], we will incorporate this change into the formal licence application.

Best wishes, [REDACTED]

---

**From:** [REDACTED]  
**Sent:** 16 September 2019 13:27  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: M25 Junction 10 Bat Mitigation Timings

[REDACTED]

All of this looks ok except for the proposed timing of demolition of San Domenico to April 2021. This is quite late in the season for a maternity roost and with increasingly warm winters and 'earlier' spring a regular feature there is a risk that bats may be returning to the roost by early April. Our advice would be to either bring forward to March or ensure that measures are in place to reduce the risk that bats will attempt to utilise the structure in April.

[REDACTED]  
Land Management Advisor  
Thames Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

---

**From:** [REDACTED]  
**Sent:** 13 September 2019 12:02  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** M25 Junction 10 Bat Mitigation Timings

Morning [REDACTED],

Further to your meeting with [REDACTED] this week, the proposed changes to the timing of the bat mitigation, compensation and monitoring for the M25 Junction 10 Scheme are outlined below. Please can you advise if these changes are acceptable?

Tree T155:

- Timing of the installation of the bat mitigation boxes (3 no. roost boxes, plus 2 no. hibernation boxes) for T155 has changed from Sept-20, to Mar-21.
- Timing of the tree felling of T155 has changed from Sept-20 to Nov-20, to Apr-21.
- Monitoring of the 2x hibernation boxes for the noctule hibernation roost to be undertaken in 2023 and 2025 (based on a scheduled Scheme completion date of December 2022).

**B1 San Domenico:**

- Timing of the installation of the bat mitigation boxes (5 no.) for B1 San Domenico at the woodland edge will remain as Mar-21.
- Timing of construction of the bat mitigation structure has changed from Sept-20 to Feb-21, to Jan-21 to Feb-21.
- Timing of the demolition of B1 San Domenico has changed from Sept-21 to Dec-21, to Apr-21.
- Monitoring of the mitigation structure to be undertaken in 2023 and 2025 (based on a scheduled Scheme completion date of December 2022).

Note the roosts to be affected comprise of the following:

T155: natterer's (max. count 6 bats) and noctule (max. count 2 bats) transitional/occasional roosts, and noctule (max. count 2 bats) hibernation roost.

B1 San Domenico: brown long-eared maternity roost, day roost and feeding perches (max. count 10 bats), and common pipistrelle (max. count 5 bats), soprano pipistrelle (max. count 3 bats) and noctule (max. count 2 bats) day roosts.

If acceptable, we will incorporate these changes into the formal licence application.

Best Wishes, [REDACTED]

---

This email and any attached files are confidential and copyright protected. If you are not the addressee, any dissemination of this communication is strictly prohibited. Unless otherwise expressly agreed in writing, nothing stated in this communication shall be legally binding. The ultimate parent company of the Atkins Group is SNC-Lavalin Group Inc. Registered in Québec, Canada No. 059041-0. Registered Office 455 boul. René-Lévesque Ouest, Montréal, Québec, Canada, H2Z 1Z3. A list of Atkins Group companies registered in the United Kingdom and locations around the world can be found at <http://www.atkinsglobal.com/site-services/group-company-registration-details>

Consider the environment. Please don't print this e-mail unless you really need to.

**This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.**

## A.40 Letter (16.09.19)

Date 16 September 2019

Our ref:  
Your ref:

BY EMAIL ONLY

██████████  
Atkins Global  
Acting for Highways England



Natural England  
Northgate House  
21-23 Valpy St  
READING  
RG1 1AF

Dear ██████████

**OCKHAM AND WISLEY COMMONS SSSI  
ASSENT OF NATURAL ENGLAND UNDER SECTION 28H OF THE WILDLIFE AND  
COUNTRYSIDE ACT 1981 (AS AMENDED)**

Thank you for the information regarding the proposed vegetation clearance to facilitate essential ground investigation works planned to begin shortly at Ockham and Wisley Commons SSSI. I understand that this work is required in order to inform the design of the modified junction 10 and associated works. I am satisfied that with the timing of the operations and the proposed environmental safeguards in place there is no significant risk of harm to the designated interest features of the Ockham and Wisley Commons SSSI, and no significant risk of impacts on the integrity of Thames Basin Heaths SPA. Accordingly, Natural England assents to the operations specified in your notice of 10 September 2019 and the further information provided in your message of 12 September 2019 under S28H of the Wildlife and Countryside Act 1981 (as amended).

This assent covers the period 16 September 2019 to end December 2019.

I draw your attention to your duty, under section 28G of the Wildlife and Countryside Act 1981, as inserted by the Countryside and Rights of Way Act 2000, to take reasonable steps, consistent with the proper exercise of your functions, to further the conservation and enhancement of the SSSI.

Should any details of the works change, particularly with regard to timing or scale of vegetation clearance, please contact me for further advice.

Yours sincerely

████████████████████  
Land Management Advisor

**Important information about this assent**

If you wish to change the proposed operations or their location or to carry out additional operations for which assent has not yet been given, or if a time period set out above has expired, you must give further written notice to Natural England. Before doing so, you can seek advice from Natural England.

You may face enforcement action if you undertake unauthorised operations which destroy, damage or disturb the notified features of special scientific interest.

Before undertaking the operations specified in this assent, you may also need to get additional permissions from other authorities. For example, the assented operations might also require planning permission from the Local Planning Authority, a permit from the Environment Agency or a licence from the Forestry Commission. It is your responsibility, as the grantee of this assent, to ensure that no other permissions or consents, whether of a public or a private nature, are needed and, if any are needed, to acquire them before you exercise this assent.

This is Natural England's assent only, and it does not allow you to undertake the specified operations without first having obtained all of the necessary permissions needed to undertake the operation lawfully. If you do not obtain all of the permissions you require, and carry out the work anyway, you may face enforcement action from other authorities or parties.

As the grantee of this assent, you are responsible for carrying out the assented operation(s) safely and in all ways according to the law.

## A.41 Email (14.11.2019)

---

**From:** [REDACTED]  
**Sent:** 14 November 2019 09:02  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Non-material changes for the M25 J10 Scheme

Thanks for the information [REDACTED]

On the first point, I am satisfied that the temporary land take for the two pits and installation of gas main does not affect heathland habitat or areas identified for heathland restoration, nor any other features for which the Ockham and Wisley Commons SSSI is designated. Therefore I am satisfied that this change is unlikely to result in loss of SSSI designated interest features. I am also satisfied that the small scale of the activity in terms of its extent is unlikely to pose a risk of significant impacts on Annex 1 birds. It will however, be important to ensure that appropriate working methods and environmental safeguards are considered and put in place to reduce the risk of unforeseen damaging effects. Natural England would welcome discussion about proposals for habitat restoration after the work is completed as there may be opportunities to create valuable features which might benefit the SSSI.

I do not foresee any potential conflicts between the proposed amphibian mitigation measures on Old Lane with the conservation objectives of the SSSI or SPA. So Natural England would have no objection to this. Natural England is not able to advise on whether a protected species licence may be required – the decision rests with the party commissioning or undertaking the activity.

Natural England has no comment to make about proposed speed limits.

Natural England is supportive of the proposal to increase the width of the green bridge, should the application for funding be successful.

[REDACTED]  
Land Management Advisor  
Thames and Solent Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

---

**From:** [REDACTED]  
**Sent:** 13 November 2019 15:38  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Non-material changes for the M25 J10 Scheme

Dear [REDACTED]

I hope you are well.

We had the preliminary meeting with PINS yesterday and are now starting the examination process. We have submitted a small number of non-material change requests to PINS, and there are four changes that I would like you

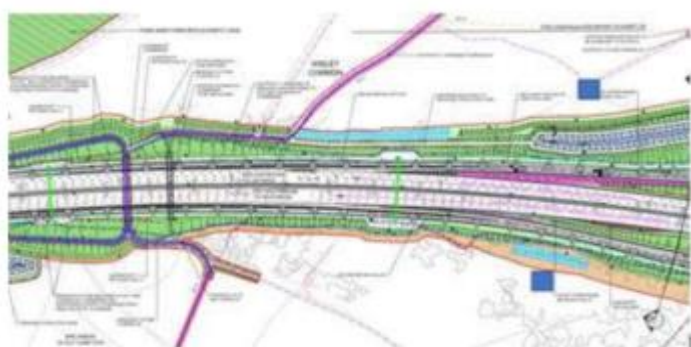
to be aware of. I will list them below, with a short discussion where relevant, but I would welcome a meeting if you felt that it would be beneficial.

#### 1. Gas main works – requirement for thrust pits

The gas main diversion works will now require a directional drill under the M25. This will require two thrust pits 25m x 25m in size, and will require additional temporary land take as a result. The only land take will be the 625m<sup>2</sup> thrust pits, and this land take will all be temporary. One thrust pit is located within the SPA/SSSI (Wisley Common, south-west quadrant), and the other is within the SSSI (Wisley Common, north-west quadrant). Approximate locations are shown as blue squares in the image below.

We have looked at our suite of compensatory measures, and we are still comfortably over the desired 3:1 ratio for permanent and temporary land take when taking these works into account.

This is just a small change in the red line boundary and hopefully does not cause too much concern, but please let me know if you would like more information, or to discuss it further in a meeting.



#### 2. Toad mitigation on Old Lane

As a result of relevant representations by SCC and a member of SARG, we have looked into traffic flows on Old Lane and propose to provide mitigation for common toads on Old Lane. Although details are to be finalised, this is likely to consist of two toad underpasses on Old Lane, approximately 50m apart, with approximately 150m of amphibian fencing to direct amphibians to the underpasses (50m either side of the underpasses). This will provide a safe crossing for toads and other amphibians, including great crested newts, across this section of Old Lane.

We would propose to carry out the works under a Precautionary Method of Working with hand searches for great crested newts within the verge areas where the fence will be installed. As we would follow a PMW to avoid the harm of great crested newts during the works, and the operation of the mitigation measures would actually benefit the local great crested newt population, I do not believe that a great crested newt licence would be required. I would be keen to hear your thoughts, and would be happy to discuss it further in a meeting if you would like.

#### 3. Elm Lane – reduced speed

It is proposed that the speed limit will be reduced from 40mph to 20mph on Elm Lane. This will be an additional positive measure rather than environmental mitigation and will benefit wildlife, including toads and newts. Therefore, it is a welcome change.


#### 4. Green bridge width – change from 10m width to 25m width

Although not part of the Scheme, you will be aware that we are requesting designated funds for a green bridge at Cockcrow. Our Scheme currently allows for a 10m wide green element. However, we are now proposing a 25m wide green element to the designated funds group and have asked to make this change in our DCO application. This will not affect the red line boundary, which can currently accommodate a 25m wide green element.

I would appreciate hearing your thoughts, and would be happy to have a meeting if you would like one.



Thanks

 *CEcol, MCIEEM*  
Principal Ecologist, Infrastructure  
UK & Europe  
Ecology


Woodcote Grove, Ashley Road, Epsom, Surrey KT18 5BW



Company



---

This email and any attached files are confidential and copyright protected. If you are not the addressee, any dissemination of this communication is strictly prohibited. Unless otherwise expressly agreed in writing, nothing stated in this communication shall be legally binding. The ultimate parent company of the Atkins Group is SNC-Lavalin Group Inc. Registered in Québec, Canada No. 059041-0. Registered Office 455 boul. René-Lévesque Ouest, Montréal, Québec, Canada, H2Z 1Z3. A list of Atkins Group companies registered in the United Kingdom and locations around the world can be found at <http://www.atkinsglobal.com/site-services/group-company-registration-details>

Consider the environment. Please don't print this e-mail unless you really need to.

**This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.**

## A.42 Meeting (03.12.19)



### Meeting Notes

<b>Project:</b>	M25 Junction 10/A3 Wisley Interchange Scheme		
<b>Subject:</b>	Project update		
<b>Author:</b>	██████████		
<b>Date:</b>	03 December 2019, 13.30-14.30, Reading	<b>Project No.:</b>	<project no>
<b>Attendance:</b>	██████████ ██████████	<b>Representing:</b>	Natural England Atkins

ITEM	DESCRIPTION	RESPONSIBLE
1.	<p><b>Project and programme update</b></p> <p>████ explained that the aim of the meeting was for a chance to bring █████ up to speed with the progression of the project and to discuss a few issues that had arisen.</p>	
2.	<p><b>Examining Authority Questions</b></p> <p>████ thanked █████ for sharing draft responses to the ExA Qs. These were all topics that have been discussed and agreed in previous meetings and recorded in the SOCG, but it is important to ensure that we minimise the need for additional questions from the ExA wherever possible.</p> <p>████ emphasised that it is important that we continue to keep an audit trail of dialogue and progression with resolving key issues.</p> <p><b>Requirement 8</b></p> <p>████ explained that Requirement 8 of the dDCO states that 'compensatory habitat creation measures must be begun prior to the authorised development in the SPA' and that the ExA have asked for a definition of 'begun' in this context.</p> <p>████ explained that the response says that "<i>The term 'begun' refers to, as a minimum, commencing preparatory works within either of the SPA compensation land parcels (i.e. ground preparation or fencing)</i>".</p> <p>████ agreed with this terminology but suggested that it should also include the requirement that the necessary rights to carry out the work in the SPA compensation land have been secured.</p> <p><b>Update:</b> Since the meeting it has been confirmed that the DCO already contains provisions to acquire rights over the SPA compensation land parcels and it would not be necessary or appropriate to amend Requirement 8 in that particular regard.</p>	

	<p><b>Action: GS to confirm if this update is satisfactory and if the agreement on the definition of 'begun' with regards to the SPA compensation land may be included in the SOCG.</b></p>	<p>■</p>
<p>3.</p>	<p><b>HRA and air quality</b></p> <p>■ explained that a written representation was questioning the methodologies used for the air quality aspect of the HRA appropriate assessment.</p> <p>■ suggested that HEs response should state that the methodology had been agreed with NE (i.e. assessing if increase exceed 1% of critical load for nitrogen deposition, and also including other project and plans in the traffic modelling to provide an in combination assessment for the air quality assessment.</p> <p>■ advised that if we require any further advice on the air quality assessment, then we need to give as much notice as possible due to heavy workloads.</p>	
<p>4.</p>	<p><b>Ancient woodland</b></p> <p>■ explained that the written response from the Girl Guides has challenged whether the Ancient Woodland Inventory (AWI) may be incorrect about Heyswood being classed as ancient woodland and/or the boundary being correct.</p> <p>■ explained that all areas identified as Ancient Woodland are on the basis of documentary evidence that the woodland has existed since 1600 or before and that the 2011 revision of the AWI was focused on smaller parcels of woodland, such as Heyswood. Therefore, this woodland has been reviewed since the AWI was originally formed, and the findings should be taken as correct.</p>	
<p>5.</p>	<p><b>Changes to the dDCO</b></p> <p>■ thanked ■ for responding in agreement to the proposed changes to the dDCO as per his email sent on 14 November 2019.</p> <p>■ explained that the gas main change would actually lead to an increased temporary land take than originally stated in the email that ■ had agreed to. The temporary land take from the SPA will now be 1165m<sup>2</sup> instead of 625m<sup>2</sup> as originally stated. However, there will no longer be any additional land take from the SSSI to the north of the M25. ■ explained that this is an additional temporary land take of 0.12 ha above the dDCO proposal and that the enhancement areas will still meet the 3:1 ratio for temporary and permanent land take when taking this into additional 0.12 ha into account.</p> <p>■ agreed to this proposed change, but suggested that it may be necessary to keep this section of pipeline clear from trees and shrubs for maintenance purposes, so it should be considered whether this would be an appropriate area for open bare ground or short vegetation for invertebrates.</p> <p><b>Update:</b> It would potentially benefit the ExA if the agreement to these non-material changes is recorded in the SOCG.</p> <p><b>Action: ■ to confirm if this may be added to the SOCG</b></p>	<p>■</p>
<p>6.</p>	<p><b>Further surveys</b></p> <p>■ asked which further surveys are proposed over the coming months.</p> <p>■ explained that these are likely to include update assessments of high and moderate potential bat roost trees, SPA qualifying species surveys for a pre-construction baseline, update badger surveys, non-native invasive plant species.</p>	



	<p>█ requested that a note outlining the further surveys to be undertaken should be provided.</p> <p><b>Action: █ to arrange for details of further surveys to be sent to █ via email.</b></p>	█
7.	<p><b>Ground Investigation Works</b></p> <p>█ thanked █ for agreeing to extend the period of the assent for GI works within the Ockham and Wisley Commons SSSI until Christmas 2019 as per his email on 29 November 2019.</p> <p>█ showed █ a plan and explained that there is likely to be one more location immediately adjacent to the A3, within the SSSI/SPA. It was agreed that █'s colleague would send details to █ for approval.</p> <p><b>UPDATE: This additional location may not be required. However, if it is, █ will send through details via email and agree approval prior to any works taking place in that location</b></p>	█

## A.43 Email (09.12.2019)

**From:** [REDACTED]  
**Sent:** 09 December 2019 10:10  
**To:** [REDACTED]  
**Subject:** RE: Draft meeting minutes

Yes, I am happy with the definition of 'begun' and the agreement on the proposed non-material changes.

Best wishes

[REDACTED]  
Land Management Advisor  
Thames and Solent Team  
Natural England  
21-23 Valpy Street  
READING RG1 1AF Tel: [REDACTED] Mob. [REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**From:** [REDACTED]  
**Sent:** 09 December 2019 10:07  
**To:** [REDACTED]  
**Subject:** RE: Draft meeting minutes

Thank you so much for your quick response [REDACTED]

I have added that detail in. Are you happy for the definition of 'begun' and the agreement on the proposed non-material changes to be added to the SOCG?

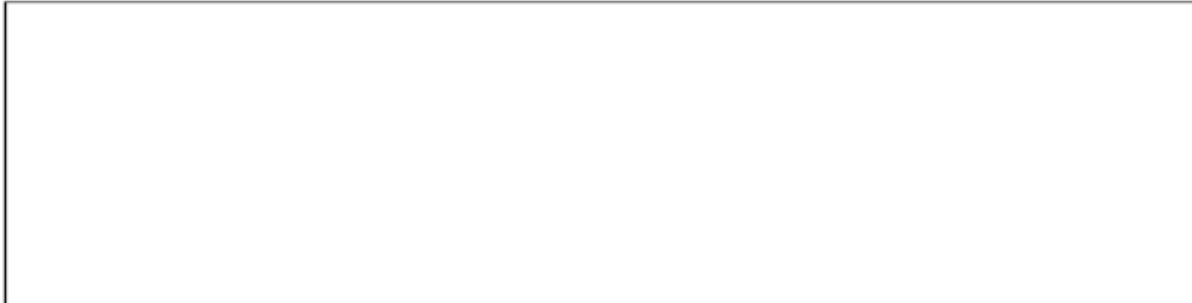
Thanks again, and I'll probably try and arrange another catch up in a few weeks after Christmas if that's ok.

[REDACTED] *CEcol, MCIEEM*  
Principal Ecologist, Infrastructure  
UK & Europe  
Ecology

[REDACTED]

[REDACTED]

Woodcote Grove, Ashley Road, Epsom, Surrey KT18 5BW



Company

**From:** [REDACTED]

**Sent:** 09 December 2019 09:30

**To:** [REDACTED]

**Subject:** RE: Draft meeting minutes

[REDACTED]

Thank you for those notes. I am happy to confirm agreement of all of the points requiring confirmation.

My only suggested addition would be in respect to the challenge over Ancient Woodland. It may be worth noting that all areas identified as Ancient Woodland are on the basis of documentary evidence that the woodland has existed since 1600 or before.

Best wishes

[REDACTED]

Land Management Advisor

Thames and Solent Team

Natural England

21-23 Valpy Street

READING RG1 1AF Tel: [REDACTED]

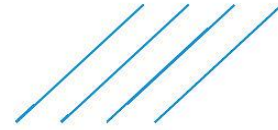
**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

## A.44 Meeting (24.01.20)

**ATKINS**

Member of the SNC-Lavalin Group



### Meeting Notes

Project:	M25 J10/A3 Interchange		
Subject:	TBC		
Meeting place:	Natural England, Reading	Meeting no:	1
Date and time:	24 January 2020 at 14:00	Minutes by:	█
Present:	█ █ █ █ (Phone) █	Representing:	Atkins Atkins Atkins Natural England Natural England Balfour Beatty

#### Agenda:

1. Update on Development Consent Order (DCO) progress;
2. Air quality assessment discussion
3. Update on management and monitoring progress;
4. Discuss invertebrate surveying;
5. Ground Investigation (GI) progress update;
6. AOB.

ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
1.	<p><b>Update on DCO progress</b></p> <p>█ gave a brief update on Highway's England's progress to date, including an overview of the DCO hearing on the 16<sup>th</sup> January, with regards to biodiversity.</p> <p>█ explained that there were three key areas of discussion:</p> <ol style="list-style-type: none"> <li>1. Habitats Regulations Assessment (HRA) and air quality;</li> </ol>		

Next meeting:	N/A		
Distribution:	TBC		
Date issued:	24 January 2020	File Ref:	TBC

**NOTE TO RECIPIENTS:**  
 These meeting notes record SNC-Lavalin understanding of the meeting and intended actions arising therefrom. Your agreement that the notes form a true record of the discussion will be assumed unless adverse comments are received in writing within five days of receipt.

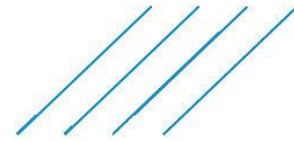
Contains *sensitive* information

Meeting Notes Natural England 24012020\_final

1

**ATKINS**

Member of the SNC-Lavalin Group



ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
	<p>2. Management and monitoring of the suite of compensatory measures for the Special Protection Area (SPA);</p> <p>3. Ancient woodland.</p> <p><u>HRA and air quality</u></p> <p>Royal Horticultural Society (RHS) Wisley have challenged the air quality aspect of the Statement to Inform the Appropriate Assessment (SIAA).</p> <p>This issue was raised by RHS Wisley in their written representation (REP1-043).</p> <p>In the meeting, the Opinion of Advocate General Kokott in the 'the Dutch Nitrogen Case' was discussed by the group and it was agreed that this case referred to a strategic approach across the Netherlands with a particular focus on nitrogen sensitive ecological features. ■■■ pointed out that the conclusion of this case identified that it was necessary to treat each site on a case by case basis.</p> <p>■■■ went on to discuss the recent judicial review case of Compton Parish Council vs Guildford Borough Council (CO/2173,2174,2175/2019) on the 4<sup>th</sup> December 2019, when Judge ■■■ determined that the air quality assessment was correct to consider air quality impacts on the SPA birds and their habitats (i.e. exceedances within the habitats where they occur). The Judge concluded that the woodland habitat separating the heathland from the A3 and M25 in the Ockham and Wisley Commons Site of Special Scientific Interest (SSSI) component of the SPA acts as a buffer, and that as the predicted increases in nitrogen oxides and nitrogen deposition rates were confined to this buffer, there would be no adverse effect on the SPA as a result of air quality impacts.</p> <p>■■■ went on to discuss the SIAA for the Scheme, which included an assessment of habitat requirements by the qualifying species, and concluded that none of the three qualifying species use the woodland areas for foraging or nesting.</p> <p>■■■ then went on to explain that at the distance where the heathland occurs (over 150m from the existing road at the closest point), there is negligible difference between the nitrogen deposition rates for 'without Scheme' and 'with Scheme'.</p> <p>■■■ and ■■■ agreed with the approach taken and the conclusions of the SIAA, and agreed to add items to the Statement of Common Ground (SOCG) confirming that Natural England agrees that the woodland acts as a buffer and is not used by the qualifying species, and therefore any air quality impacts within this woodland buffer would have no adverse effect on the qualifying species or the habitats they utilise, and therefore no adverse effect on the SPA.</p> <p>■■■ also raised the Wealden ruling, which determined that Wealden Council were incorrect to not take future</p>		

Contains sensitive information

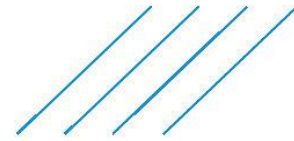
Meeting Notes Natural England 24012020\_final

2



# ATKINS

Member of the SNC-Lavalin Group



ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
	<p>reductions in emissions as a result of technological improvements into account in their models. This is relevant to the Scheme, as although there will be some increases in nitrogen deposition within the woodland buffer as a result of the Scheme, these will be below current baselines and therefore, it can be concluded with confidence that the woodland will continue to remain in a similar condition to its current state and continue to provide a buffer for the heathland and the SPA qualifying species.</p> <p><b>Actions</b></p> <p>█ to provide some suggested items for the SOCG, and agree these with Natural England.</p> <p><u>Management and monitoring of the suite of compensatory measures for the SPA</u></p> <p>This is discussed below under item 3.</p> <p><u>Ancient woodland</u></p> <p>█ explained that during the DCO hearing, the Girl Guides had challenged the classification of Heyswood as ancient woodland and the accuracy of its boundary in their written representation (REP1-026). This was because Natural England states in its 2018 handbook that the Ancient Woodland Inventory (AWI) was compiled between 1981 and 1992 and is provisional. █ went on to say that he had explained to the Examining Authorities (ExAs) that in Surrey, the AWI has been revised twice, most recently in 2011 and that Highways England are confident that since the status and boundary of Heyswood ancient woodland has not changed throughout the revisions, that the status and boundary are correct. █ and █ agreed with this conclusion.</p> <p><u>Joint SOCG with RHS</u></p> <p>█ raised the fact that RHS Wisley have suggested a joint SOCG with Natural England and Highways England. █ and █ stated that Natural England have a very heavy workload at present and had only anticipated providing resources for ongoing consultation with Highways England and responses to ExA questions. Therefore, Natural England would like to decline the opportunity to participate in consultation with RHS Wisley and the inclusion with an additional SOCG.</p>	21/02/2020	█
2.	<p><b><u>Air quality assessment</u></b></p> <p>RHS Wisley have raised concerns during DCO process. This has been provided in written representations REP1-041, REP1-042 and REP1-043 as well as during the recent hearing.</p> <p>Relevant points discussed during the meeting were:</p> <ol style="list-style-type: none"> <li><b>Nitrogen deposition rates.</b></li> </ol>		

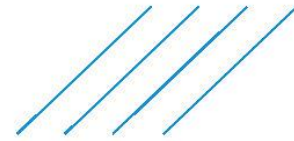
Contains *sensitive* information

Meeting Notes Natural England 24012020\_final

3

**ATKINS**

Member of the SNC-Lavalin Group



ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
	<p><b>a. Revised nitrogen deposition velocities</b>                      The Design Manual for Roads and Bridges (DMRB) has now been updated (LA 105) and has revised nitrogen deposition velocities. ■ confirmed that the Scheme air quality calculations have been revised using these updated velocities. ■ confirmed that at the distance that the heathland occurs within the SPA (i.e. 150m at the closest point to the road) there is negligible difference between the nitrogen deposition rates for 'without Scheme' and 'with Scheme' even with these revised velocities.</p> <p><b>b. Traffic data</b>                      RHS Wisley raised concerns that Highways England have not taken into account traffic movements through Ripley (REP1-041, paragraph 5.1). In actuality, the traffic model did assume RHS Wisley traffic went through Ripley, as the model followed the shortest route and did not take into account the signs which will lead RHS Wisley traffic up and down the A3. Therefore, the model did not take into account this increased traffic along the A3, which could potentially affect the SPA. The nitrogen deposition rates have been recalculated for the SPA transects using this updated assessment with RHS Wisley traffic travelling along the A3. With these updated calculations there is negligible difference between the nitrogen deposition rates for 'without Scheme' and 'with Scheme', at the distance at which the heathland occurs.</p> <p><b>c. Ammonia.</b>                      RHS Wisley raised concerns that ammonia should be included in the SIAA. ■ has since discussed these concerns with the Highways England principal air quality advisor. The Highways England position is that ammonia should not be included in the SIAA, as that approach is not consistent with Highways England DMRB guidance or the National Policy Statement for National Networks, which notes that the air quality assessment should be consistent with Defra's published emissions factors. A precautionary approach was taken to double the changes in nitrogen deposition rates. This would still not adversely affect the heathland habitat.                      ■ explained that, during the hearing, ■ (on behalf of RHS Wisley) stated that there is case law confirming that ammonia should be included. However, it is not yet clear which case law was being referred to. ■ suggested this may have referred to the Epping Forest Local Plan; however, this was with reference to ammonia-sensitive lichens.                      ■ explained that the issue of ammonia typically only arises if there is a sensitive receptor, i.e. lichen, and that there is no such receptor for the SPA qualifying species and their habitat requirements.</p> <p><b>Action</b>                      ■ to combine all changes (revised nitrogen deposition velocities, A3 traffic, and accounting for ammonia).</p>	14/02/2020	■

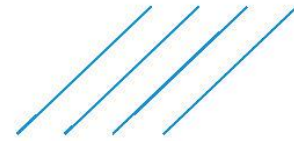
Contains *sensitive* information

Meeting Notes Natural England 24012020\_final

4



Member of the SNC-Lavalin Group



ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
	<p>████ will then produce a technical note for Natural England, which will include these calculations and compare nitrogen deposition rates for 'without Scheme' and 'with Scheme' at the distance at which the heathland habitats occur, with the aim of updating the SOCG in the light of the findings. █████ confirmed that this would be acceptable, but reiterated Natural England's opinion that Highways England have already carried out the SIAA correctly, including the air quality assessment.</p> <p><b>Update</b></p> <p>Since the meeting was held on the 24th January, Highways England have looked into the ammonia contribution to nitrogen deposition issue further. The monitoring undertaken by Wealden District Council as part of the submission to the Wealden Local Plan Examination in June 2019 (as referenced in Appendix A4 of REP1-041) shows that ammonia concentrations drop rapidly to background levels by approximately 30 metres from the road. Given that the contribution to nitrogen deposition is based on the concentration of ammonia multiplied by the relevant deposition velocity, the contribution to nitrogen deposition beyond 30 metres would be as a result of background sources only rather than from the road source. Therefore, due to the distance of the heathland being 150m or more from the road for all of the transects within the SPA, there is no reason to consider the ammonia contribution from traffic sources within the calculations for nitrogen deposition at this distance.</p> <p><b>2. In combination assessment</b></p> <p>RHS Wisley have suggested that the in combination assessment should have considered the change between the 'do nothing' (base year put in future year) scenario compared to the 'do something' (all plans and projects including the scheme) scenario as well as the change between the 'do minimum' ('do nothing' plus any plans and/or projects in the area) scenario and the 'do-something' scenario. █████ noted that this is the approach documented in Natural England guidance NEA0001.</p> <p>However, █████ went on to explain that the air quality assessment was based on the traffic data from the traffic model that includes all plans and projects with Scheme, and can therefore be considered an in combination assessment.</p> <p>████ confirmed that Highways England's principal air quality advisor considers the air quality assessment has therefore correctly taken into account all other plans and projects in combination with Scheme.</p> <p>████ confirmed that Natural England are satisfied with the approach taken in the SIAA and do not consider this to be an issue.</p> <p>████ suggested that it may be useful to include a sensitivity test to show the differences between the</p>	21/02/2020	████
		14/02/2020	████
		21/02/2020	████

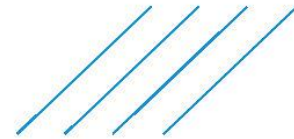
Contains sensitive information

Meeting Notes Natural England 24012020\_final

5

**ATKINS**

Member of the SNC-Lavalin Group



ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
	<p>do-nothing and do-something scenarios. These calculations could also be included in the SOCG.</p> <p><b>Action</b></p> <p>█ to undertake a sensitivity test to show the differences between the do-nothing and do-something scenarios. The SOCG will be updated to confirm that Natural England support the approach taken to the in combination assessment in the SIAA.</p> <p>3. <b>Nitrogen oxide (NOx) concentrations were not included in the SIAA</b></p> <p>█ explained that as agreed in the air quality meeting with Natural England on the 27th March 2018, the SIAA has assessed nitrogen deposition rates, rather than NOx.</p> <p>█ and █ confirmed that Natural England are satisfied that the consideration of nitrogen deposition is appropriate for the SIAA and are not concerned that calculations of NOx concentrations have not been included in the SIAA.</p> <p><b>Action</b></p> <p>The SOCG will be updated to confirm that Natural England support the assessment of nitrogen deposition, and not NOx, in the SIAA.</p>	21/02/2020	█, █
4.	<p><b><u>Update on management and monitoring progress</u></b></p> <p>█ confirmed that Highways England produced the SPA Management and Monitoring Plan (SPA MMP) and the Landscape and Ecology Management and Monitoring Plan (LEMMP) at submission, and although additional details will be added, these will be updated and finalised before submission for approval by the Secretary of State. █ went on to explain that, therefore, Highways England are not proposing to finalise the SPA MMP and LEMMP during the DCO examination period, but that Highways England are keeping a register of changes/additional info to be made/added. Highways England are working with the construction contractor (contract not yet finalised at the time of this meeting, but early engagement has taken place), Surrey Wildlife Trust (SWT) and Surrey County Council (SCC) to discuss and refine the proposals and agreement on costings.</p> <p>█ went on to raise and discuss the following points:</p> <p>1. In Natural England's response to ExA question 1.4.33 (REP2-034), Natural England said 'Whilst the detail of management in these areas has not yet been provided by the applicant Natural England is in agreement over the broad objectives and principles set out in APP105'. █ confirmed that the SPA MMP and LEMMP already include management details and queried what this referred to. █ confirmed that Natural England are satisfied with the management proposals, and were referring to finer details such as</p>		

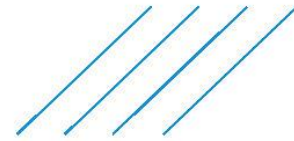
Contains sensitive information

Meeting Notes Natural England 24012020\_final

6

**ATKINS**

Member of the SNC-Lavalin Group



ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
	<p>the location of bare ground (i.e. where would these be, what would they look like and how would they be managed). ■■■ confirmed that these finer details will be determined during Detailed Design (DD) level. ■■■ confirmed that Natural England have confidence that Highways England have taken their advice and recommendations into account and will deliver the proposed management and monitoring measures. ■■■ confirmed that the Highways England's legal team are working with SWT, RHS Wisley and SCC to try and reach agreements. However, the DCO requirements contain the necessary powers in favour of Highways England to ensure that these measures happen. ■■■ and ■■■ confirmed that Natural England are satisfied with this approach, and that their response to ExA Qs (REP2-034) should give the ExA confidence that Natural England are in agreement with the approach that Highways England are taking and are confident that these measures will be secured. SB confirmed that the construction contractor is working with Highways England and SWT to agree the programme of works, and how works would be handed back to SWT. ■■■ raised that there may be more questions for Natural England in ExA Q2, in light of the issues discussed at the hearing. ■■■ also informed Natural England that the next hearing will take place on the 24<sup>th</sup>-26<sup>th</sup> March 2020. ■■■ confirmed that Natural England feel that they have been clear that they are satisfied with the approach Highways England have taken to the Scheme and that this is covered in the SOCG.</p> <p>2. Costings – the construction contractor, SWT and SCC will work together to agree how much the proposed management and monitoring is going to cost. ■■■ explained that Atkins (on behalf of Highways England) are unlikely to get involved in this process and questioned the involvement that Natural England were anticipating as their response to ExA question 1.4.33 (REP2-034) had stated that they had not yet seen costings. ■■■ confirmed that Natural England do not need to be involved in the costings, but wanted to be clear that they are aware that this is being dealt with.</p> <p>3. ■■■ raised the issue of the funding of the Steering Group proposed to oversee the monitoring and questioned whether Natural England have been in similar situations previously. ■■■ confirmed that Natural England are often involved in Steering Groups for SANGS and that if they are to be part of it, they would charge under the Discretionary Advice Service (DAS). ■■■ confirmed that an agreement on funding would give confidence to the Planning Inspectorate (PINS) that a mechanism is in place to secure this role.</p>		

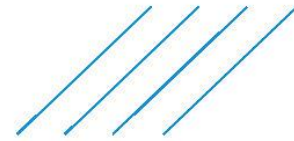
Contains *sensitive* information

Meeting Notes Natural England 24012020\_final

7

# ATKINS

Member of the SNC-Lavalin Group



ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
	<p><b>Action</b></p> <p>█ to provide indicative day rate cost for DAS service.</p> <p>4. █ raised ongoing discussions on the approach to works within the SPA enhancement areas – either clear whole areas at a time (e.g. all of E1 in one winter), or clear in stages (e.g. certain parts of E1 one year, and then other parts the next year in a ‘checkerboard’ approach). The merits of the phased checkerboard approach were discussed, and it was noted that it may reduce the landscape impact and can prolong initial value of areas for woodlark and increase diversity within each SPA enhancement area. Natural England confirmed that they would be open to either approach.</p> <p>5. █ discussed the time periods outlined for monitoring and management in the SPA MMP and LEMMP and reiterated that the proposed time periods are considered sufficient to ensure habitats reach a suitable condition before they are passed on to SWT for further management.</p> <p>█ explained that SCC have suggested that the ancient woodland soil translocation should be monitored for 50 years not 25 years. █ explained that the proposed 25 years is in line with best practice guidance (Anderson, P. (2003) Habitat translocation: a best practice guide. CIRIA) and allows canopy to establish before being passed on to SWT for management. █ confirm that Natural England feel that 25 years is reasonable/adequate as it allows the trees to establish in that period.</p> <p><b>Action</b></p> <p>Include the support of this proposed monitoring period for the ancient woodland soil translocation to the SOCG.</p>	21/02/2020	█
6.	<p><b><u>Invertebrate surveys to quantify the effect of the SPA suite of compensatory measures on invertebrate food resource for qualifying species</u></b></p> <p>█ confirmed that invertebrate monitoring will focus on the SPA compensation land (C1 and C2, where the intention is to plant trees to turn grazed grassland into wood pasture) and the woodland enhancement areas within the SPA. Invertebrate monitoring will not include the heathland restoration areas, as these will provide a key habitat for the qualifying species and are not being created directly as an invertebrate resource. █ confirmed that Natural England agree with this approach.</p> <p>█ confirmed that Highways England would like to continue to work with Natural England as they develop the methodology.</p>	21/02/2020	█

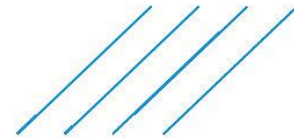
Contains *sensitive* information

Meeting Notes Natural England 24012020\_final

8

# ATKINS

Member of the SNC-Lavalin Group



ITEM	DESCRIPTION AND ACTION	DEADLINE	RESPONSIBLE
	<p>As already recommended by Natural England, the monitoring will include proxies (such as amount of dead wood, heterogeneity of woodland structure) to allow the Steering Group to determine management success for the suite of compensatory measures, should the invertebrate monitoring not be successful. This is because Natural England and Highways England have concerns that monitoring invertebrate abundance may prove problematic.</p> <p>█ stated that Balfour Beatty did work on a rail project where a consultant designed survey methodology for monitoring.</p> <p><b>Action</b> █ to provide contact for consultant.</p>	14/02/2020	█
7.	<p><b>GI works</b></p> <p>█ gave an update on GI progress. There will be two locations within/adjacent to the Ockham and Wisley Commons SSSI that require a time extension to the assent, and one new location. █ described the route for the new location and █ does not foresee this being an issue. █ to provide clarity of what the installation will involve.</p> <p><b>Action</b> █ to provide details of the additional GI location and to request an extension to the assent.</p>	14/02/2020	█
8.	<p><b>AOB</b></p> <p>Natural England raised possible issue: █ not present at meeting, but Natural England area manager met someone and issues were raised about the common land exchange. Concerns particularly about C2 planting – will this require fencing and therefore no more access for the public?</p> <p>Another issue around communication and the temporary use of fencing application to keep members of the public out of construction area but also mentioned fencing to keep people off of biodiversity/fencing areas. Natural England only received the email after Christmas, before its submission on the 13<sup>th</sup> January. Natural England feel that if they had this earlier they could have provided feedback and asked Highways England for further information. █ did email █ with questions, but he did not respond before 13<sup>th</sup> January submission to PINS. Maps included potential subsequent common land applications and therefore unclear.</p> <p><b>Post meeting note (clarification from █):</b> The need for temporary fencing or other means of browsing protection for any areas of new planting will be determined during detailed design. Wherever practicable, the intention is to use measures that still allow public access; however, if there is a need to use some fencing that affects access within common land (such as a need to separate the grazing herd on the existing heathland and woodland from the more palatable grazing of the existing</p>		

Contains *sensitive* information

Meeting Notes Natural England 24012020\_final

9

## A.45 Email (26.02.2020)

---

**From:** [REDACTED]  
**Sent:** 26 February 2020 09:09  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
**Subject:** RE: Air quality technical note and updated SOCG

[REDACTED]

I have reviewed the technical note and I can confirm on behalf of Natural England that it is a true and accurate record of our discussions over the air quality aspect. I am in agreement with the conclusions set out in the note.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations**

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)



---

**From:** [REDACTED]  
**Sent:** 20 February 2020 09:26  
**To:** [REDACTED]  
[REDACTED]  
**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]  
**Subject:** Air quality technical note and updated SOCG  
**Importance:** High

Dear [REDACTED],

As agreed in our recent meeting, we have produced a technical note on our air quality assessment. Please find it attached and please review for comment. It will be appended to the SOCG once reviewed and approved by yourselves.

We have also updated the SOCG as discussed, and have shown all changes in track changes so that you can easily identify the new parts to review. This is a large document due to the appended meeting minutes, so I shall send it separately via file transfer.

Sorry to request a speedy turnaround, but will really help the ExA if we can issue the updated SOCG (with technical note) in time for Deadline 5 (3<sup>rd</sup> March), as this is the last to chance to submit an updated SOCG before the final submission, and it may help resolve some concerns prior to the next round of hearings.

Please let me know if you have any comments on the SOCG and technical note, and once you are happy, I shall finalise these. [REDACTED] I have deleted your signature in track changes for the SOCG, but once you confirm that you are happy, we can add this again.

Thank you

[REDACTED] *CEcol, MCIEEM*  
Principal Ecologist, Infrastructure  
UK & Europe  
Ecology

# Appendix B. Technical Note: Air Quality Assessment

## B.1 Introduction

This technical note and its contents have been produced in agreement with Natural England (as per discussion during the meeting held on 24th January 2020, and recorded in meeting minute notes). It provides an explanation of the updated air quality calculations in light of some of the issues raised by RHS in their written representations [REP1-041, REP1-042 and REP1-043], namely:

- Nitrogen oxides (NO<sub>x</sub>) – RHS has challenged why NO<sub>x</sub> was not included within the SIAA, even though NO<sub>x</sub> concentrations are included in the Environmental Statement;
- Nitrogen velocities – RHS has noted that the nitrogen deposition calculations were undertaken using the deposition velocity in DMRB guidance (HA207/07) rather than the AQTAG deposition velocities as used in the IAQM 2019 guidance for assessing the air quality impacts on nature conservation sites;
- RHS Wisley traffic – RHS has noted that the traffic data used in the air quality assessment in the environmental statement [APP-050 and APP-052] and the HRA SIAA [APP-043] was taken from a traffic model which assumed that traffic visiting RHS Wisley from and returning to the south would all pass through Ripley. RHS has requested that the effect on the SPA of this traffic using the signposted route instead be taken into account;
- Ammonia - It is RHS's opinion that the calculations for nitrogen deposition need to be updated to include ammonia.
- In-combination assessment. RHS has asserted that the in-combination assessment has not been carried out correctly.

This technical note clarifies Highways England's position with regards to the points raised above by RHS.

## B.2 Nitrogen oxides (NO<sub>x</sub>) calculations

The HRA SIAA was undertaken using a methodology that had previously been agreed with Natural England. As agreed in the meeting on 27<sup>th</sup> March 2018, it was advised by Natural England that the air quality aspect of the SIAA should focus on nitrogen deposition rates, and increases of 1% or greater of the critical load.

As recorded in meetings on the 27<sup>th</sup> March 2018 and again 24<sup>th</sup> January 2020, Natural England have confirmed that they do not require information on changes in NO<sub>x</sub> concentrations to be included within the SIAA.

However, as this has been raised by RHS in the written representations [paragraph 3.8 of REP1-041], to assist the Examining Authority (ExA), the NO<sub>x</sub> concentrations that are provided within the air quality assessment at table 5.7.10 of APP-080, are provided in Table 1 below for the transect points within the SPA where qualifying features would be present (i.e. at distances of 150 m onwards, where the heathland habitats occur). At the receptor points within the SPA there would not be any exceedances of the critical level of NO<sub>x</sub> at the location of the qualifying features, as shown in Table 1 below. Concentrations of NO<sub>x</sub> would also be lower in the opening year than the base year. It should be noted that these concentrations do not include the contribution from the RHS Wisley traffic following the signposted route due to this data only being available for Design Fix 3 (DF3). The air

quality assessment was undertaken using an earlier worst case design fix (DF2). However, the contribution to NO<sub>x</sub> concentrations at these distances would be expected to be in the order of an additional 0.1 µg/m<sup>3</sup> with both DF3 and DF2 traffic data, which would not alter the conclusions of the assessment.

**Table 1: Estimated Annual Mean NO<sub>x</sub> concentrations µg/m<sup>3</sup> for ecological transect points where the heathland habitats occur in the Thames Basin Heaths SPA**

Receptor ID	Distance from road centre (m)	2015 Base NO <sub>x</sub>	2022 'do minimum' (DM) <sup>2</sup> NO <sub>x</sub>	2022 'do something' (DS) <sup>3</sup> NO <sub>x</sub>	2022 NO <sub>x</sub> Change (DS-DM)
Transect West of A3 (north of Wisley Lane)					
R132	150	25.5	18.8	18.4	-0.4
R133	200	23.4	17.1	16.8	-0.3
Transect East of A3 (near Bolder Mere)					
R139	150	28.7	21.6	21.0	-0.6
R140	200	25.5	18.9	18.5	-0.4
Transect West of A3 (close to junction 10)					
R147	150	32.2	23.3	23.1	-0.2
R148	200	30.2	21.9	21.8	-0.1
Transect East of A3 (close to junction 10)					
R155	150	35.6	24.8	24.6	-0.2
R156	200	31.8	22.4	22.2	-0.2
Transect South of M25 (west of junction 10)					
R163	150	33.4	24.8	24.9	+0.1
R164	200	30.2	22.3	22.3	<0.1
Transect South of M25 (east of junction 10)					
R193	150	35.0	25.4	25.1	-0.3
R194	200	32.1	23.1	22.9	-0.2

## B.3 Nitrogen deposition rates

### B.3.1 Velocities

The air quality assessment was undertaken in accordance with the relevant Highways England DMRB guidance applicable at the time of assessment (HA207/07). However, since the ES was published, DMRB guidance was revised (LA105) in November 2019, advising the use of the deposition velocities recommended by AQTAG.

The calculations have been revised to include the updated deposition velocity for forests, the higher of the two velocities, in the 'do something' figures in Table 2 below.

<sup>2</sup> Future baseline with other plan and projects taken into account

<sup>3</sup> Future baseline with the Scheme, plus other plan and projects taken into account

### **B.3.2 RHS traffic**

The air quality assessment as presented in the Environmental Statement [APP-050] used the data provided by the traffic model for this project. The traffic model assumed that with the Scheme, all traffic travelling to and from RHS Wisley from the south travels through Ripley rather than the signposted route via the A3 and M25 junction 10.

The calculations have been revised, assuming that all of this traffic uses the signposted route via the A3 and M25 junction 10 instead of the route via Ripley. These calculations are included in the 'do something' figures in Table 2 below.

### **B.3.3 Ammonia**

Ammonia is not within the suite of tools produced by DEFRA for air quality assessment, as documented in paragraph 5.8 of the Department for Transport's National Policy Statement for National Networks, and hence there is no requirement for assessment for Highways England road schemes. Ammonia (NH<sub>3</sub>) contributes to nitrogen deposition.

The inclusion of ammonia was discussed during the meeting with Natural England on 24<sup>th</sup> January 2020 and it was agreed that it is not required. Although not required, it was discussed that the approach initially taken by Highways England (in response to RHS's written representation [REP1-041]) to double the change in nitrogen deposition rates at each transect point, was a precautionary approach. This initial approach showed that there would not be an adverse effect on the heathland habitats within the SPA.

However, since the meeting on the 24<sup>th</sup> January 2020, Highways England have analysed the monitoring data for ammonia in the Ashdown Forest SAC, to which RHS refer in Appendix A4 of their air quality written representation [REP1-041]. This monitoring data shows that concentrations of ammonia decrease rapidly from the edge of the kerb, such that by 30 metres they are at background levels.

This indicates that the contribution of ammonia to nitrogen deposition rates at the distance at which the qualifying features of the SPA are present would be comparable to the background rate, rather than attributable to a road source, and hence unlikely to have a discernible change at this distance.

This is a sufficient reason not to include the contribution of ammonia from traffic sources to nitrogen deposition rates for this SIAA.

## **B.4 Findings**

As stated in 3.2.1.4 of Natural England's relevant representation [RR-020] and discussed and agreed in the meeting with Natural England on 24<sup>th</sup> January 2020, the woodland separating the heathland from the A3 and M25 acts as a buffer and does not support the SPA qualifying species as a nesting or foraging habitat.

Table 2 below shows the updated nitrogen deposition calculations for the transect points within the SPA where qualifying features would be present (i.e. at distances of 150 m onwards, where the heathland habitats occur).

**Table 2: Nitrogen deposition (N dep) rates kg N/ha/yr for the for ecological transect points where the heathland habitats occur in the Thames Basin Heaths SPA, with updated deposition velocities and RHS Wisley traffic taken into account**

Receptor ID	Distance from road centre (m)	2015 Base N Dep	2022 'do minimum' (DM) N Dep	2022 'do something' (DS) N Dep	2022 Change (DS-DM)
Transect West of A3 (north of Wisley Lane)					
R132	150	16.32	13.88	13.85	-0.03
R133	200	16.01	13.59	13.56	-0.03
Transect East of A3 (near Bolder Mere)					
R139	150	16.80	14.35	14.29	-0.06
R140	200	16.33	13.91	13.85	-0.06
Transect West of A3 (close to junction 10)					
R147	150	17.34	14.64	14.64	<0.01
R148	200	17.05	14.40	14.40	<0.01
Transect East of A3 (close to junction 10)					
R155	150	17.77	14.84	14.81	-0.03
R156	200	17.23	14.46	14.46	<0.01
Transect South of M25 (west of junction 10)					
R163	150	17.51	14.90	14.90	<0.01
R164	200	17.05	14.49	14.49	<0.01
Transect South of M25 (east of junction 10)					
R193	150	17.69	14.93	14.90	-0.03
R194	200	17.27	14.58	14.55	-0.03

As can be seen in Table 2 above, after taking into account the updated deposition velocities and the use of the signposted route, the Scheme will lead to no change (or even negligible improvements) in nitrogen deposition within the heathland areas when compared against the 'do minimum' scenario.

As can be seen in Table 3 below, the other key point to note is that for every point of all transects within the SPA, the nitrogen deposition rate for the 'do something' scenario is below the existing baseline nitrogen deposition rate, after taking into account the updated deposition velocities and the RHS Wisley traffic, i.e. there is expected to be a continuing improvement in future years. The reduction between the 2015 base year and the 2022 'do something' scenario is larger than any change in the 2022 opening year between the 'do minimum' and 'do something' scenarios.

This gives confidence that the nitrogen deposition rates within the woodland buffer will be below current levels, and that the woodland habitat will continue to exist in its current state and will continue to provide the same buffer function as it currently does.

Natural England and Surrey Wildlife Trust have confirmed that the intention of the current management plan for the Ockham and Wisley Commons SSSI component of the SPA is to maintain existing areas of heathland, rather than creating new areas of heathland by removing additional areas of the coniferous woodland buffer. Therefore, the removal of areas of the woodland buffer to extend the open heathland is not part of the current management of the site or required to achieve Favourable Conservation Status.

The suite of compensatory measures will include the removal of mature conifer trees within the site and the restoration of heathland. It is appropriate to recognise that a small part of the woodland buffer will be included within the compensatory area, but only in connection with enhancing ecological linkage across the planned green bridge. The SPA management and monitoring plan [AS-015] includes 15 years of management and monitoring for the heathland restoration habitats, and this will enable the monitoring party and the steering group to respond accordingly should the areas in close proximity to the roads require additional management measures. The SPA management and monitoring plan [AS-015] has been reviewed and agreed with Natural England.

**Table 3: Comparison of nitrogen deposition (N dep) rates kg N/ha/yr for the operational Scheme (with updated deposition velocities and RHS Wisley traffic taken into account) against the existing baseline**

Receptor ID	Distance from road centre (m)	2015 Base N Dep	2022 'do something' (DS) N Dep	DS-Base
Transect West of A3 (north of Wisley Lane)				
R126	8	26.38	22.38	-4.00
R127	10	24.99	21.25	-3.74
R128	25	20.79	17.71	-3.08
R129	50	18.46	15.68	-2.78
R130	75	17.47	14.84	-2.63
R131	100	16.91	14.32	-2.60
R132	150	16.32	13.85	-2.47
R133	200	16.01	13.56	-2.45
Transect East of A3 (near Bolder Mere)				
R134	10	26.84	23.80	-3.04
R135	25	22.35	19.42	-2.93
R136	50	19.58	16.81	-2.77
R137	75	18.35	15.68	-2.67
R138	100	17.63	15.01	-2.62
R139	150	16.80	14.29	-2.52
R140	200	16.33	13.85	-2.47
Transect West of A3 (close to junction 10)				
R141	7	24.83	21.28	-3.56
R142	10	23.74	19.91	-3.83
R143	25	20.90	17.36	-3.54
R144	50	19.12	15.94	-3.18

R145	75	18.29	15.27	-3.01
R146	100	17.89	15.01	-2.88
R147	150	17.34	14.64	-2.71
R148	200	17.05	14.40	-2.64
Transect East of A3 (close to junction 10)				
R149	5	32.29	24.38	-7.91
R150	10	28.58	22.64	-5.94
R151	25	23.99	19.19	-4.80
R152	50	21.06	17.16	-3.90
R153	75	19.67	16.20	-3.47
R154	100	18.73	15.51	-3.23
R155	150	17.77	14.81	-2.96
R156	200	17.23	14.46	-2.77
Transect South of M25 (west of junction 10)				
R157	5	25.24	22.99	-2.25
R158	10	24.06	21.31	-2.76
R159	25	21.84	18.96	-2.89
R160	50	19.97	17.16	-2.82
R161	75	18.95	16.20	-2.75
R162	100	18.30	15.62	-2.68
R163	150	17.51	14.90	-2.61
R164	200	17.05	14.49	-2.56
Transect South of M25 (east of junction 10)				
R188	12	23.64	20.09	-3.55
R189	25	21.85	18.41	-3.45
R190	50	20.13	16.93	-3.20
R191	75	19.21	16.17	-3.03
R192	100	18.41	15.53	-2.87
R193	150	17.69	14.90	-2.79
R194	200	17.27	14.55	-2.72

## B.5 In-combination assessment

An in-combination assessment requires the decision maker to consider the effects of a project either alone or in combination with other plans and projects. The key question to answer is whether the combined contributions represent a threat to the integrity of the site, or not. In this case, the spatial scale over which traffic is likely to arise that may utilise the roads at junction 10 of the M25 is extensive. A pragmatic and proportionate approach has therefore been adopted that enables the predicted change in air quality as a result of the predicted growth in traffic flows overall, with the junction improvements in place, to be subject to assessment.

In this case the traffic model used for the Scheme has been developed in accordance with the Department for Transport’s webTAG guidance, which takes account of background traffic growth and other relevant developments using National Trip End Model (NTEM) factors.

The traffic model included traffic from other plans and projects within an extensive area surrounding junction 10. Therefore, the air quality assessment in the Environmental Statement and the HRA considers the effect of the Scheme in combination with other plans and projects.

Natural England have confirmed in a meeting on the 24<sup>th</sup> January 2020 that they are satisfied that Highways England have compared the ‘do something’ scenario (i.e. the scheme in combination with other plans and projects) against ‘do minimum’ (i.e. other plans and projects, but no scheme).

Accordingly, there is no need to undertake any further in combination steps.

This approach aligns with the A30 Chiverton to Carland Cross DCO, in which the Secretary of State was satisfied with the approach taken in the in-combination air quality assessment. The appropriate assessment undertaken by the Secretary of State as regards that scheme, states that:

“... the Secretary of State is content that the SIAA and ES Chapter 15 identify the relevant plans and projects with the potential to have in-combination effects. In particular, the air quality effects from increased road traffic considers forecast traffic growth based on a combination of background growth and relevant other developments and therefore accounts for any in-combination impacts arising”.

This assessment accompanied the Secretary of State’s decision dated 6 February 2020.

Although the in-combination assessment was carried out correctly, in order to inform the SOCG with Natural England, Highways England have undertaken a sensitivity test and compared the ‘do something’ and ‘do minimum’ scenarios against a ‘do nothing’ future baseline. It should be noted that this is a highly conservative approach given that the do-nothing scenario is based on traffic data from 2015, whereas in reality there will be some form of traffic growth between 2015 and 2022.

As can be seen in Table 4, at the distances that the heathland habitat occurs, there is an in-combination increase in nitrogen deposition when the ‘do something’ scenario is compared against a ‘do nothing’ future baseline (DS-DN). However, this is largely as a result of other plans and projects, and year on year traffic growth (DM-DN), and the Scheme makes no material contribution to this in-combination increase at the distance that the heathland occurs (comparison of DS-DN against DM-DN).

**Table 4: In-combination sensitivity test: comparison of ‘do nothing’, do minimum’ and ‘do something’ Nitrogen deposition (N dep) rates Kg N/ha/yr for the for ecological transect points where the heathland habitats occur in the Thames Basin Heaths SPA (with updated deposition velocities and RHS Wisley traffic taken into account)**

Receptor ID	Distance from road centre (m)	2015 Base N Dep	2022 Future base ‘do nothing’ (DN) <sup>4</sup> N Dep	2022 ‘do minimum’ (DM) N Dep	2022 ‘do something’ (DS) N Dep	2022 Change DS-DN (a)	2022 Change DM-DN (b)	Difference (a) - (b)
Transect West of A3 (north of Wisley Lane)								
R132	150	16.32	13.69	13.88	13.85	0.16	0.19	-0.03
R133	200	16.01	13.45	13.59	13.56	0.11	0.14	-0.03
Transect East of A3 (near Bolder Mere)								
R139	150	16.80	14.06	14.35	14.29	0.23	0.29	-0.06

<sup>4</sup> Future baseline with no Scheme and no plans or projects



R140	200	16.33	13.69	13.91	13.85	0.16	0.22	-0.06
Transect West of A3 (close to junction 10)								
R147	150	17.34	14.47	14.64	14.64	0.17	0.17	<0.01
R148	200	17.05	14.24	14.40	14.40	0.16	0.16	<0.01
Transect East of A3 (close to junction 10)								
R155	150	17.77	14.80	14.84	14.81	0.01	0.04	-0.03
R156	200	17.23	14.38	14.46	14.46	0.08	0.08	<0.01
Transect South of M25 (west of junction 10)								
R163	150	17.51	14.60	14.90	14.90	0.30	0.30	<0.01
R164	200	17.05	14.24	14.49	14.49	0.25	0.25	<0.01
Transect South of M25 (east of junction 10)								
R193	150	17.69	14.73	14.93	14.90	0.17	0.20	-0.03
R194	200	17.27	14.41	14.58	14.55	0.14	0.17	-0.03

## B.6 Conclusion

As explained in this technical note, Highways England have re-run the air quality calculations taking into account the updated nitrogen deposition velocities and assuming RHS Wisley traffic using the signposted route instead of the Ripley route. However, as also explained, Highways England have ruled out the need for including ammonia in the calculations.

The results of the updated calculations are displayed in Table 2, and it can be seen clearly that there are no adverse effects at the distance at which the heathland is located (the key habitat within which the SPA qualifying species occur).

In addition, it can be seen in Table 3 that nitrogen deposition rates for all points of each transect within the SPA (as a result of the scheme, in combination with other plans and projects) fall below the existing baseline, ensuring that the woodland buffer will continue to exist in its current state and will continue to provide the same buffer function as it currently does.

Highways England do not consider it necessary to undertake further in-combination calculations, as explained above. However, Table 4 shows the 'do nothing' scenario to demonstrate that the in-combination effects are a direct result of the other plans and projects and year on year traffic growth and that the Scheme makes no material contribution to this in-combination effect at the distances where the heathland habitats occur.

© Crown copyright (2017).

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence:

visit [www.nationalarchives.gov.uk/doc/open-government-licence/](http://www.nationalarchives.gov.uk/doc/open-government-licence/)

write to the Information Policy Team, The National Archives, Kew, London TW9 4DU,  
or email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Printed on paper from well-managed forests and other controlled sources.

Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ  
Highways England Company Limited registered in England and Wales number 09346363