

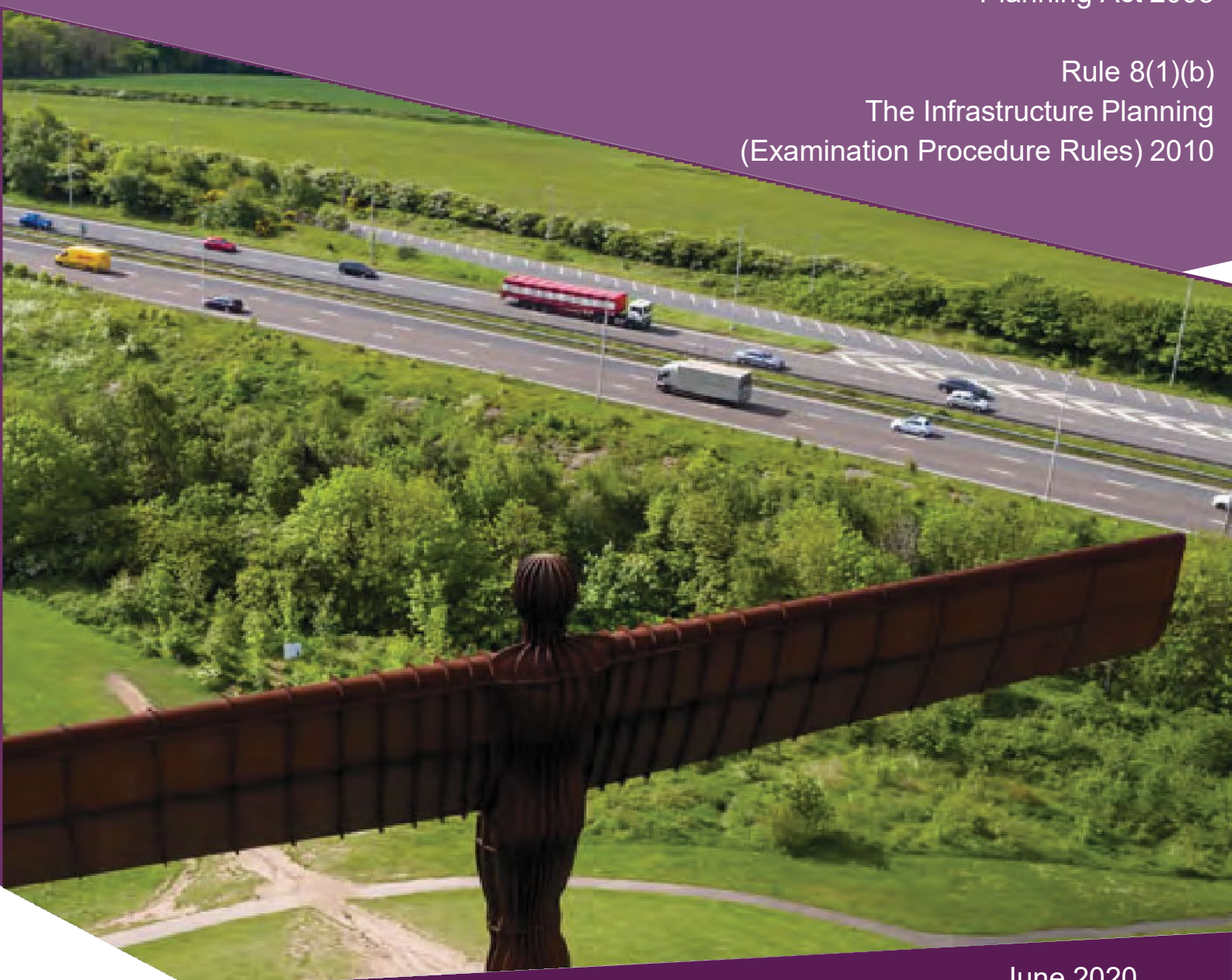
A1 Birtley to Coal House Scheme Number: TR010031

EXA/D7/003 Letter of No Impediment

Planning Act 2008

Rule 8(1)(b)

The Infrastructure Planning
(Examination Procedure Rules) 2010



Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure Rules) 2010**

**The A1 Birtley to Coal House
Development Consent Order 20[xx]**

Letter of No Impediment

Rule Number:	Rule 8(1)(b)
Planning Inspectorate Scheme Reference	TR010031
Application Document Reference	Letter of No Impediment
Author:	A1 Birtley to Coal House Project Team, Highways England

Version	Date	Status of Version
Rev 0	02 June 2020	For Issue

Date: 22 May 2020
Our ref: 2019-43764-EPS-AD1 PSS
(NATIONALLY SIGNIFICANT INFRASTRUCTURE
PROJECT (NSIP))



Nicola Wilkes, Project Manager, Highways England
Lateral 8
City Walk
Leeds
West Yorkshire
LS11 9AT

Dear Ms. Nicola Wilkes

DRAFT MITIGATION LICENCE APPLICATION STATUS: INITIAL/SUBSEQUENT DRAFT APPLICATION
LEGISLATION: THE Conservation of Habitats and Species Regulations 2017
NSIP: *A1 Birtley to Coal House.*
SPECIES: Common pipistrelle bats (*Pipistrellus pipistrellus*).

Thank you for your draft bat mitigation licence application in association with the above Nationally Significant Infrastructure Project (NSIP) site, received in by Natural England on 24 April 2020. As stated in its 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' ('LONI'). 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 the assessment of the 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 Development Consent Order (DCO) be granted.

However, please note the following issues have been identified within the current draft application that will need to be addressed before the licence application is formally submitted. Please do ensure that all documents are revised to include these changes prior to formal submission. For clarity these include:

- The named ecologist will required to demonstrate experience of having worked with the species and roost type included in the application. In this case, common pipistrelle, day roost.
- The methods and protocols for surveys, mitigation and compensation will need to be clearly specified
- The Work Schedule will need to be updated with specific timing of works
- A clear rationale needs to be provided regarding the lack of buffer/zone of impact around the proposed expansion area.

Next Steps

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 Natural England to meet reach a 'satisfied' decision, correspondence will be issued to you 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.

Natural England would 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, it 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

Annie Ivison
Tel: **02080268612**
E-mail: annie.ivison@naturalengland.org.uk

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 (Annie Ivison).

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.

Customer Feedback – EPS Mitigation Licensing

To help us improve our service please complete the following questionnaire and return to:

Customer Services, Natural England, First Floor, Temple Quay House, 2 The Square, Bristol, BS1 6EB.

Fax: 0845 6013438 or email to wildlife@naturalengland.org.uk



<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/default.aspx>

Natural England Reference Number (optional):	Please tick to indicate your role:	Consultant	<input type="checkbox"/>
		Developer (Applicant/Licensee)	<input type="checkbox"/>

1. How easy was it to get in contact with the Wildlife Management & Licensing team of Natural England?

Difficult (1)
 OK (2)
 Easy (3)
 Very Easy (4)

If 1 please specify who you initially contacted in relation to your issue/enquiry?

2. Please tell us how aware you were (BEFORE you contacted us) of wildlife legislation and what it does/does not permit in relation to your enquiry?

Unaware (1)
 Very Limited Awareness (2)
 Partially Aware (3)
 Fully Aware (4)

3. How would you rate the service provided by Natural England?

	<i>Poor</i> 1	<i>Fair</i> 2	<i>Good</i> 3	<i>Excellent</i> 4	<i>Not applicable</i>
Ease of completion of application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advice provided by telephone (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Our web site (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarity and usefulness of published guidance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Helpfulness and politeness of staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advice and clarity of explanations provided during Method Statement assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advice and clarity of explanations provided during Reasoned Statement assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speed of process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Overall service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If 1 or 2 to any of the above please specify why:

4. Was your issue/enquiry resolved by the activity authorised under licence or advice provided by us?

Fully
 Partially
 Unresolved

If not fully resolved please state what you think could have been done instead (note legislation affects which actions can be licensed):

5. Was there a public reaction to any action taken under the licence or as a result of our advice?

Positive support
 No reaction
 Negative reaction

6. Would you use a fully online licensing service if it could be made available in the future?

Definitely
 Possibly
 Unlikely
 No

7. Do you have any further comments to make or suggestions for improving our service, if yes please specify (continue comments on an additional sheet if necessary). If you are happy to be contacted at a later date to explore possible improvement options, please tick this box and ensure your Natural England reference number is at the top of this page.

If you need help accessing this or any other Highways England information, please call **0300 470 4580** and we will help you.

© Crown copyright 2019.

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/

write to the **Information Policy Team, The National Archives,**

Kew, London TW9 4DU, or email

psi@nationalarchives.gsi.gov.uk.

This document is also available on our website at www.gov.uk/highways

If you have any enquiries about this document A1BirtleytoCoalhouse@highwaysengland.co.uk or call **0300 470 4580***.

*Calls to 03 numbers cost no more than a national rate call to an 01 or 02 number and must count towards any inclusive minutes in the same way as 01 and 02 calls.

These rules apply to calls from any type of line including mobile, BT, other fixed line or payphone. Calls may be recorded or monitored.

Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ

Highways England Company Limited registered in England and Wales number 09346363