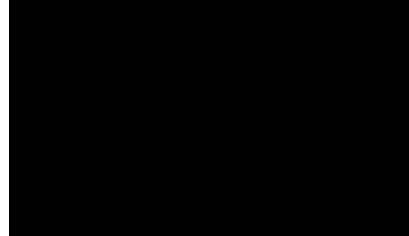


4 December 2023

Norton Rose Fulbright LLP
3 More London Riverside
London SE1 2AQ
United Kingdom

Rynd Smith
National Infrastructure Planning
The Planning Inspectorate
Temple Quay House
2 The Square
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Email
[REDACTED]@nortonrosefulbright.com

Your reference

Our reference
SFIT/1001267811

Dear Sirs,

Glenroy Estates Limited – Lower Thames Crossing

We act for Glenroy Estates Limited (**GEL**) (Affected Party Ref: LTC-AP1668).

GEL is the freehold owner of land known as Folkes Farm, Upminster (RM14 1TH) which is subject to compulsory acquisition powers sought by National Highways (the **Applicant**) pursuant to the Applicant's application for an order granting development consent for the A122 Lower Thames Crossing project.

For reference, GEL has submitted the following written representations to the Examining Authority (**ExA**) to date:

1. Deadline 1 Submission (**REP1-347**);
2. Deadline 4 Submission (**REP4-369** and **REP4-370**); and
3. Deadline 6 Submission (**REP6-191**).

GEL also appeared at the Compulsory Acquisition Hearing 2 held on 15 September 2023.

We note that in the ExA's Commentary on the draft Development Consent Order (the **dDCO**) (**PD-047**) dated 14 November 2023 the ExA invites Affected Persons to provide final submissions in relation to the dDCO. For these purposes, we refer to GEL's comments on the dDCO already submitted at Deadline 6 (see *Deadline 6 Submission – Comments on the Applicant's submissions at Deadline 5 (GEL's Deadline 6 Submission) (REP6-191)*). In particular, we refer to GEL's proposed amendments to the dDCO set out in section 3 of GEL's Deadline 6 Submission.

Having reviewed the Applicant's brief response to GEL's proposed amendments to the dDCO (see **REP7-190**, in particular section 3.1), the position set out in GEL's Deadline 6 Submission remains that of GEL and constitutes its response to both **PD-047** and **REP7-190**. References in GEL's Deadline 6 Submission to the

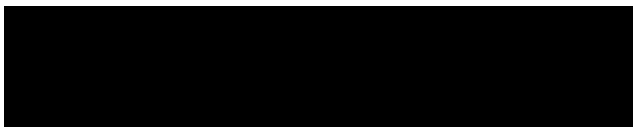
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dDCO (Version 7) (**REP5-024**) should now be read as references to the latest dDCO (i.e., Version 9) (**REP7-090**).

The Applicant must present a compelling case in the public interest for the outright acquisition of land. The Applicant's case as articulated in paragraph 3.1.2 of REP7-190 is that ancient woodland compensatory planting "*requires ongoing monitoring and management*" in accordance with the OLEMP; and that the "*level of interference is such that outright acquisition is appropriate*". The level of interference is not significant. The initial interference, namely planting, is likely to be a short intensive period, and the first 5 years will require a few visits per year to check the planting, and replace any failed specimens, but after that the level of interference will be insignificant, comprising occasional visits. There is no reason why this level of interference cannot be secured via a combination of temporary possession, temporary rights, permanent rights and restrictive covenants. There is, simply, no compelling case to "upgrade" to permanent acquisition. The fact that permanent acquisition may have been ordered on a different scheme relating to different land for different compensatory planting is neither here nor there. The Applicant must prove that there is a compelling case in the public interest in respect of this scheme, this objector's land, and these compensatory planting proposals.

Yours sincerely



Norton Rose Fulbright LLP

Enclosure: Glenroy Estates Limited Deadline 6 Submission - Comments on Applicant's submissions at Deadline 5 (**REP6-191**)

A122 LOWER THAMES CROSSING

(REFERENCE TR010032)

DEADLINE 6 (D6)

COMMENTS ON NATIONAL HIGHWAYS' DEADLINE 5 SUBMISSION

SUBMITTED ON BEHALF OF GLENROY ESTATES LIMITED

(AFFECTED PARTY REFERENCE: LTC-AP1668)

1 Introduction

- 1.1 This submission (the **D6 submission**) has been prepared on behalf of Glenroy Estates Limited (**GEL**) in response to National Highways (the **Applicant**)'s Deadline 5 (**D5**) submission titled '9.110 CAH2 Action 5 Response Folkes Farm – Glenroy Estates' (the **Applicant's D5 submission**)¹.
- 1.2 GEL appeared at the Compulsory Acquisition Hearing 2 (**CAH 2**) held on 15 September 2023 in connection with the Applicant's application for an order granting development consent (the **Order**) for the A122 Lower Thames Crossing project (the **Project**). References to "EXL" followed by a reference number are references to a document's Examination Library reference number.
- 1.3 GEL made oral submissions at CAH 2 in respect of agenda item 3 (*Individual Site-Specific Representations*), d(i)-(ii) (*Norton Rose Fulbright (NRF) and Centro for an Affected Person (Glenroy Estates Ltd)*). Following GEL's appearance at CAH 2, GEL submitted a note summarising and expanding on the arguments made by GEL before the Examining Authority at CAH 2. This note was submitted at Deadline 4 (**D4**) as 'Post-hearing submissions following the Compulsory Acquisition Hearing 2 on 15 September 2023' (**EXL REP4-370**), together with **EXL REP 4-369**² (this is referred to as **GEL's D4 submission**).
- 1.4 This D6 submission is to be read alongside and as supplementary to GEL's oral submissions at the CAH 2 and GEL's D4 submission. GEL maintains that the Applicant has failed to demonstrate a compelling case in the public interest for the compulsory acquisition of Plots 45-56, 45-59, 45-61 and 46-27 pursuant to the Order. GEL has set out the case that there is a reasonable alternative already provided within the powers sought in the Order which would achieve the Applicant's objective in respect of GEL's plots. In this D6 submission, GEL articulates that alternative, which involves temporary possession of Folkes Farm and temporary rights for ancient woodland planting, permanent rights for the Applicant to maintain ancient woodland planting, as well as restrictive covenants relating to use of GEL's plots. In this D6 submission, GEL's proposed amendments to the Order are set out, see below at section 3.
- 1.5 GEL is the freehold owner of land known as Folkes Farm, Folkes Lane, Upminster (RM14 1TH) and registered at the Land Registry under Title Number EGL521449 (**Folkes Farm**) (see **Figure 1**).

¹ 9.110 CAH2 Action 5 Response Folkes Farm – Glenroy Estates (Examination Document Ref: TR010032/EXAM/9.110) (**EXL REP5-081**).

² Copy of the 'Habitat Translocation: A Best Practice Guide (CIRIA C600)' (**EXL REP4-369**) submitted at D4 as requested by the Examining Authority at the CAH 2.

Figure 1

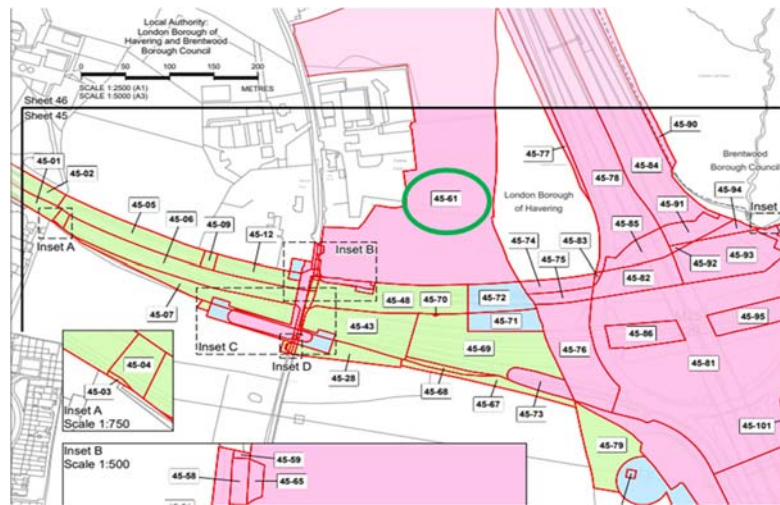


Extract from Title EGL521449

- 1.6 Part of Folkes Farm is identified as Plots 45-56, 45-59, 45-61 and 46-27 on the Land Plans, which depict the land in respect of which the Applicant proposes to exercise powers of compulsory acquisition or any right to use land. GEL's land interests have been circled in green for identification purposes on **Figures 2-4** below³.

³ 2.2 Land Plans Volume C (Sheet 21 to 49 of 49) (Clean version) – Sheets 45 and 46 (Version 6) (Application Document Ref: TR010032/APP/2.2) (**EXL REP5-008**).

Figure 2



Extract from 2.2 Land Plans Volume C (Sheet 21 to 49 of 49) (Clean version)

Sheet 45 (EXL REP5-008) (with green annotation depicting Plot 45-61)

Figure 3



Extract from 2.2 Land Plans Volume C (Sheet 21 to 49 of 49) (Clean version)

Sheet 45 – Inset B (EXL REP5-008) (with green annotations depicting Plots 45-56 and 45-59)

Figure 4



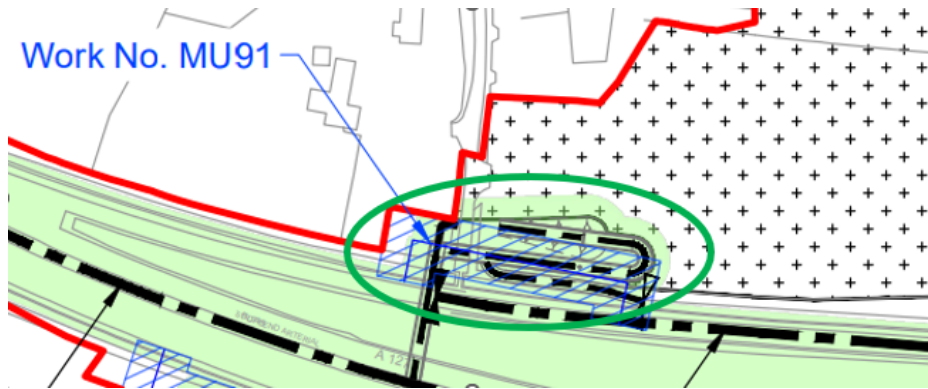
Extract from 2.2 Land Plans Volume C (Sheet 21 to 49 of 49) (Clean version)

Sheet 46 (EXL REP5-008) (with green annotations depicting Plot 46-27)

- 1.7 The Applicant seeks powers pursuant to the Order to permanently acquire GEL's land falling within Plots 45-56, 45-59, 45-61 and 46-27 for the following purposes:
- (a) Acquisition of Plots 45-56, 45-59 and 46-27 for ancient woodland compensatory planting;
 - (b) Acquisition of Plot 45-61 for ancient woodland compensatory planting, as well for highway and utility works. As previously indicated, GEL is willing in principle to sell part of Plot 45-61 to the Applicant by private treaty to facilitate the highway and utility works only. The area that GEL is willing to sell is indicatively shown circled green on the Works Plan⁴ extract below (see **Figure 5**). GEL would require this area (if sold) to be properly fenced off from the area retained by GEL.

Figure 5

⁴ 2.6 Works Plans Volume C Composite (sheets 21 to 49) (Clean version) (Version 5), (Application Document Ref: TR010032/APP/2.6) (EXL REP5-020) sheet 45 (drawing number HE540039-CJV-BOP-SZZ_GN000000_-DR-CX-20043).



Extract from 2.6 Works Plans Volume C Composite (sheets 21 to 49) (Clean version)

Sheet 45 (EXL REP5-020) (with green annotation)

- (c) Acquisition of part of Plot 46-27 for highway works. The area that GEL is willing to sell is indicatively shown circled green on the Works Plan⁵ extract below (see **Figure 6**). As per above, GEL would require this area (if sold) to be properly fenced off from the area retained by GEL.

Figure 6



Extract from 2.6 Works Plans Volume C Composite (sheets 21 to 49) (Clean version)

Sheet 46 (EXL REP5-020) (with green annotation)

⁵ 2.6 Works Plans Volume C Composite (sheets 21 to 49) (Clean version) (Version 5), (Application Document Ref: TR010032/APP/2.6) (EXL REP5-020) sheet 46 (drawing number HE540039-CJV-BOP-SZZ_GN000000_-DR-CX-20044).

2 Voluntary land deal

- 2.1 As advised at D4⁶, GEL is willing in principle to sell part of Plots 45-61, and 46-27 to the Applicant by private treaty to facilitate certain highway and utility works pursuant to the Order. GEL is also willing to enter into a private arrangement with the Applicant should the Secretary of State find that Plots 45-56, 45-59, 45-61 and 46-27 are required in connection with the Project.
- 2.2 GEL sent draft heads of terms to the Applicant and its solicitors on 13 September 2023 with its proposals, whereby the Applicant secures Plots 45-56, 45-59, 45-61 and 46-27 for compensatory planting by way of a long lease, while also providing for the return of GEL's land should the compensatory planting fail, or should an alternative site for compensatory planting be secured. An option for the Applicant to purchase the Plots is also provided.
- 2.3 Although the Applicant had intimated that they would be happy to consider a deal by private treaty with GEL, on 22 September 2023 the Applicant effectively rejected GEL's proposals in their entirety. The Applicant's rejection of GEL's draft heads of terms is further confirmed in the Applicant's D5 submission⁷.
- 2.4 In light of this, it is clear and regrettable that the Applicant is presently not prepared to consider any other option via voluntary land deal except outright acquisition of GEL's freehold title or a 999-year lease free of tenant obligations.

3 GEL's proposed amendments to the Order

- 3.1 Even if it is assumed that all of GEL's land identified for compulsory acquisition is required for compensatory ancient woodland planting, GEL believes that there is a reasonable alternative already provided within the powers sought in the Order. This involves the temporary possession of Folkes Farm and temporary rights for ancient woodland planting, plus rights for the Applicant to maintain the ancient woodland planting as well as restrictive covenants relating to use (see, in particular, paragraph 2.2(f) of GEL's D4 submission). Please see below at paragraph 3.4 GEL's suggestion as to the way in which the Order⁸ can be amended accordingly.
- 3.2 Article 28 of the Order provides for compulsory acquisition of rights and imposition of restrictive covenants. In particular, Article 28 provides that the undertaker "*may acquire such rights over the Order land, or impose restrictive covenants affecting the Order land ... as may be required for any purpose for which that land may be acquired under Article 25 (compulsory acquisition of land) ...*" (see Article 28(1)). In relation to land specified in column 1 of Schedule 8 to the Order (land of which only new rights, etc. may be acquired), the "*powers of compulsory acquisition are limited*

⁶ GEL's D4 submission, paragraphs 9.1-9.2.

⁷ See the Applicant's D5 submission, paragraphs 5.2.1 – 5.2.5.

⁸ With reference to the latest version of the Order submitted by the Applicant: 3.1 draft Development Consent Order (Version 7) (Application Document Ref: TR010032/APP/3.1) (**EXL REP5-024**).

to the acquisition of such wayleaves, easements, new rights in the land or the imposition of restrictive covenants, as may be required for or in connection with the authorised development for the purposes specified in relation to that land in column (2) of that Schedule” (see Article 28(2)).

3.3 In addition, Article 35 provides for the temporary use of land for carrying out the authorised development. In particular, Article 35 provides that the undertaker may “(a) enter on and take temporary possession of – (i) the land specified in column (1) of Schedule 11 (land of which temporary possession may be taken) for the purpose specified in relation to that land in column (2) of that Schedule relating to the part of the authorised development specified in column (3) of that Schedule ... (c) construct temporary works (including the provision of means of access) ... (d) construct any works on that land as are mentioned in Schedule 1 (authorised development)” (see Article 35(1)).

3.4 GEL proposes the following amendments to Schedules 8 and 11 to the Order:

SCHEDULE 8 – LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Insert the following new row (see text in red):

| <i>(1) Plot Reference Number shown on Land Plan</i> | <i>(2) Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed</i> |
|---|--|
| <p>45-56 45-59 45-61 46-27</p> | <p>Provision for access for [and implementation of] environmental works to create a site for ancient woodland compensation planting, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental works.</p> |

SCHEDULE 11 – LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Insert the following new row (see text in red):

| <i>(1) Plot Reference Number shown on Land Plan</i> | <i>(2) Purpose for which temporary possession may be taken</i> | <i>(3) Relevant part of the authorised development</i> |
|---|--|--|
| <p>45-56 45-59 45-61 46-27</p> | <p>Provision for access for [and implementation of] environmental works to create a site for ancient woodland compensation planting.</p> | <p>Work No. E49</p> |

- 3.5 Schedules 8 and 11 to the Order already include numerous examples of the grant of permanent and temporary rights and temporary possession for undertaking certain environmental mitigation works to be carried out on specific plots of land, including for the purpose of creating habitat sites for nitrogen deposition and sites for protected species. Appendix 1 to this D6 submission provides a list of the purposes identified under Schedules 8 and 11 to the Order which are of a similar nature to the ones suggested by GEL.
- 3.6 By way of example, below at Table 1 is an extract from Schedules 8 and 11 in relation to plots of land in respect of which permanent and temporary rights, temporary possession, and restrictive covenants are sought for undertaking environmental works to create a site for protected species i.e. the same combination of powers that GEL states should apply to its Plots. The wording suggested by GEL in relation to its Plots of land (see paragraph 3.4 above) is an exact match of wording which is already used in numerous occasions in Schedules 8 and 11 in relation to other plots of land (see examples shaded in green in relation to sites for protected species and examples shaded in blue in relation to nitrogen deposition compensation sites at Appendix 1). It is noted that in relation to nitrogen deposition the words “provision for access for environmental works” is used in Schedules 8 and 11, and in respect of protected species, the wording used is “Implementation of environmental works” in the same Schedules. GEL has no preference as to which wording is used, or perhaps a combination of such wording as suggested above.

Table 1

Extract from SCHEDULE 8 – LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed</i> |
|---|---|
| 04-07, 04-12, 04-17, 04-45, 04-101 and 04-122 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |

**Extract from SCHEDULE 11 – LAND OF WHICH TEMPORARY POSSESSION MAY BE
TAKEN**

| (1) <i>Plot Reference Number shown on Land Plan</i> | (2) <i>Purpose for which temporary possession may be taken</i> | (3) <i>Relevant part of the authorised development</i> |
|--|--|---|
| 04-07, 04-12, 04-17, 04-45, 04-101 and 04- 122 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E5 |

3.7 GEL considers that no real distinction can be drawn between the creation of compensatory habitat for nitrogen deposition and for protected species, and compensatory habitat for ancient woodland planting. All of these are “environmental works”, and all are purposes intended to provide permanent mitigation for the environmental effects of the Project. Therefore, it is difficult to understand the Applicant’s justification for seeking compulsory permanent acquisition of GEL’s land at Folkes Farm whilst the Applicant is satisfied with only rights (temporary and permanent), temporary possession, and restrictive covenants in relation to numerous other plots of land identified in the Order for other types of permanent “environmental works”.

3.8 The Applicant’s D5 submission refers to the fact that permanent acquisition of land is required for the purposes of woodland compensation planting with the Applicant “*implementing and maintaining the compensation in perpetuity*”⁹. The Applicant refers to its position requiring permanent acquisition as opposed to alternatives in document **EXL REP 2-051**¹⁰. GEL’s proposed amendments to the Order set out above are sufficient to meet the Applicant’s requirement to implement and maintain ancient woodland compensation planting in perpetuity, and prevent other uses of the land, whilst at the same time allowing GEL to retain its freehold title.

4 Comments on the Applicant’s D5 submission

4.1 We respond to specific points made in the Applicant’s D5 submission below.

Suitability of Folkes Farm for ancient woodland compensation planting

4.2 The Applicant submits that Folkes Farm is a suitable location for ancient woodland compensation planting because of its close proximity to Codham Hall Wood West SINC and designated ancient

⁹ See Applicant’s D5 submission, paragraph 5.1.3.

¹⁰ 9.53 Comments on WRs – Appendix F – Landowners (Examination Document Ref: TR010032/EXAM/9.53) (**EXL REP 2-051**).

woodland. In addition, the Applicant does not consider that there is a reasonable alternative to Folkes Farm which can satisfy the Applicant's objectives in the same way.

- 4.3 As stated in GEL's D4 submission, the Applicant has failed to explain why irreversible loss of 0.15ha of ancient woodland proposed within the vicinity of the M25 junction 29 necessitates the compulsory acquisition of 4.8ha of land at Folkes Farm¹¹. In addition, as the Applicant has not undertaken any survey of the land at Folkes Farm, the Applicant is unable to conclusively establish the land's suitability for planting compensatory ancient woodland or the translocation of ancient woodland soil¹².
- 4.4 This being said, GEL considers that the proposed amendments to the Order (set out at paragraph 3.4 above) would provide the Applicant with sufficient rights to undertake the required environmental works, should the Examining Authority agree that all of GEL's plots are so required.

Nitrogen deposition

- 4.5 The Applicant refers to the conclusions of its air quality assessment which provides that the changes in nitrogen disposition during construction and operational phases of the Project would not result in significant effects on Codham Hall Wood West SINC¹³. In addition, the Applicant explains that they consider the reason why the sites to the west of the M25 do not experience significant effects from nitrogen deposition compared to the sites to the east of the M25 is because of the traffic flows as well as prevailing wind direction.
- 4.6 GEL maintains its reservations about the reliability of the Applicant's assessment¹⁴. GEL has found no reference in the Designated Sites Air Quality Assessment to the effect of traffic flows and wind direction as a factor in the expected nitrogen deposition changes specifically at Folkes Farm. Similarly, there does not appear to be any specific evaluation of wind direction influencing nitrogen level deposition around the M25 junction 29 area in the Air Quality Chapter of the Environmental Statement¹⁵.
- 4.7 Furthermore, the Applicant refers to the provision of long-term management proposals set out in the Outline Landscape and Ecology Management Plan¹⁶ (the **OLEMP**) which, according to the Applicant, would support the habitat in reaching its target condition. As stated in GEL's D4 submission¹⁷, the OLEMP provides that the Applicant will (among other things) carry out pre-construction botanical surveys to produce a baseline for the donor areas and receptor site as well

¹¹ GEL's D4 submission, paragraph 2.2(a).

¹² GEL's D4 submission, paragraph 2.2(b).

¹³ See reference to 6.3 Environmental Statement Appendices Appendix 8.14 – Designated Sites Air Quality Assessment (4 parts) (Application Document Ref: TR010032/APP/6.3) (**EXL APP-403 to APP-406**).

¹⁴ GEL's D4 submission, paragraph 3.4.

¹⁵ 6.1 Environmental Statement Chapter 5 – Air Quality (Application Document Ref: TR010032/APP/6.1) (**EXL APP-143**).

¹⁶ 6.7 Outline Landscape and Ecology Management Plan (Clean version) (Version 4) (Application Document Ref: TR010032/APP/6.7) (**EXL REP4-140**).

¹⁷ GEL's D4 submission, paragraph 7.4(d).

as carry out soil sampling tests and data analysis of the areas within the receptor site¹⁸. The OLEMP also provides that after a five-year establishment period, long-term monitoring would be undertaken to ensure the success of the woodland in terms of developing into the relevant target priority habitat, and that this will involve “*fixed point or aerial photography to record overall habitat development*”¹⁹. GEL considers that the suggested amendments to the Order (set out at paragraph 3.4 above) would provide the Applicant with sufficient rights to undertake these activities.

Planning enforcement history at Folkes Farm

- 4.8 The Applicant submits that the enforcement notices identified as relevant to Folkes Farm include a requirement to restore the land impacted.
- 4.9 However, none of the Enforcement Notices (**ENs**) or Stop Notices (**SNs**) relating to Folkes Farm require the land subject to the notices to be remediated or decontaminated²⁰. The fact that the ENs or SNs include a requirement for the land to be restored is not equivalent to any remediation or decontamination that may be required. The activities and works which the ENs and SNs enforce against can be described as industrial and capable of having contaminated the land at Folkes Farm²¹. Therefore, it is still the case that, in the absence of any substantial site survey, the soil condition and suitability of Folkes Farm as site for ancient woodland compensatory planting is unknown.

Translocation of ancient woodland soils

- 4.10 The Applicant refers to the possibility of contamination at Folkes Farm from the Folkes Farm building complex being assessed as low in terms of credible sources of contamination²², and refers to ‘*ES Figure 10.5 – Refined Conceptual Site Model – Credible Contamination Sources*’ (see annotated extract below)²³.

¹⁸ OLEMP, paragraph 8.23.7, pages 172-173.

¹⁹ OLEMP, paragraph 8.23.10, page 173.

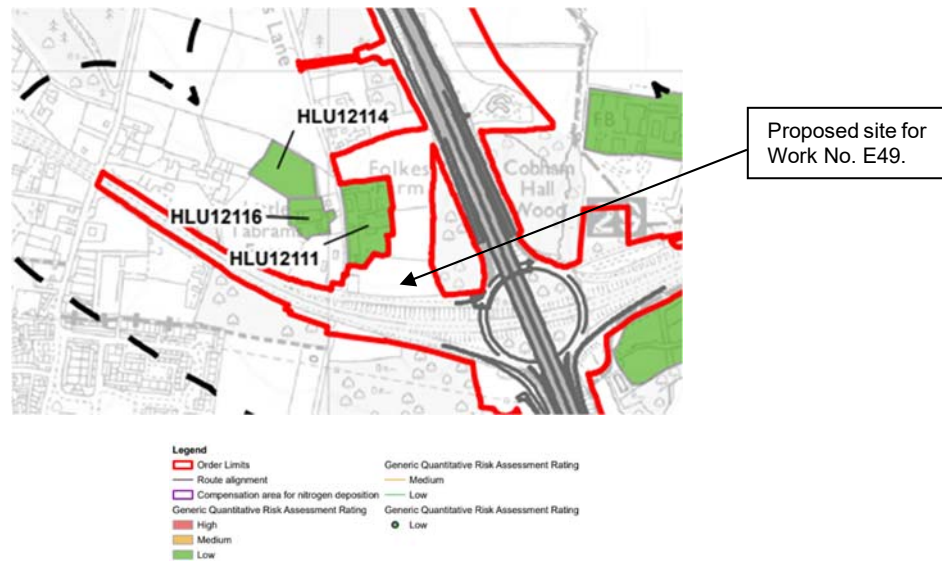
²⁰ GEL's D4 submission, paragraph 5.4.

²¹ GEL's D4 submission, paragraph 5.4.

²² The Applicant's D5 submission refers to the Environmental Statement Chapter 10: Geology and Soils (Application Document Ref: TR010032/APP/6.1) (**EXL APP-148**).

²³ ES Figure 10.5: Refined Conceptual Site Model – Credible Contamination Sources, page 6, (Application Document Ref: TR010032/APP/6.2) (**EXL APP-303**).

Figure 7



Extract from Figure 10.5 Refined Conceptual Site Model – Credible Contamination Sources
(Page 6 of 6) (with annotations) (EXL APP-303)

4.11 It is apparent from Figure 7 that the contamination assessment has only considered the buildings at Folkes Farm as potential contamination sources. However, no assessment appears to have been made in relation to the specific site at Folkes Farm on which the Applicant's ancient woodland compensation planting works (i.e., Work No. E49) are proposed to be carried out.

5 Conclusion

5.1 GEL maintains its position that the Applicant has failed to show that there is a compelling case in the public interest for the compulsory acquisition of Plots 45-56, 45-59, 45-61 and 46-27, principally because it has not proven that Folkes Farm is suitable for ancient woodland compensatory planting.

5.2 Even if the Examining Authority is satisfied that Folkes Farm could, in principle, be suitable, there are in any event lesser powers compared to compulsory permanent acquisition already included in the Order. These powers are adequate to meet the Applicant's requirement to create and maintain a site of ancient woodland compensation planting at Folkes Farm. These same powers are used for other environmental mitigation and no obvious distinction can be drawn between these other plots and Folkes Farm. In this D6 submission, GEL has suggested how the Order can be amended to meet both the Applicant's requirements whilst at the same time retaining GEL's freehold title to its land.

- 5.3 To conclude, GEL maintains that the powers of compulsory acquisition by the Applicant should not be granted. Instead, the Order should be amended to give the Applicant temporary possession of Folkes Farm for ancient woodland compensation planting as well as rights for the Applicant to maintain the planting, and restrictive covenants relating to use.

Norton Rose Fulbright LLP

31 October 2023

A122 LOWER THAMES CROSSING

(REFERENCE TR010032)

APPENDIX 1 TO DEADLINE 6 (D6) SUBMISSION

ON BEHALF OF GLENROY ESTATES LIMITED

(AFFECTED PARTY REFERENCE: LTC-AP1668)

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|--|
| 01-01, 01-03, 01-05, 01-08, 01-09, 01-10, 01-11, 01-13, 01-15, 01-16, 01-17, 01-18, 01-19, 01-20, 01-21 and 01-22 | Provision for access for environmental works to create a compensatory habitat site for nitrogen deposition, and the rights for access to maintain those environmental works. |
| 02-04, 02-05, 02-06, 02-07, 02-08, 02-09, 02-10 and 02-11 | Provision for access for environmental works to create a compensatory habitat site for nitrogen deposition, and the rights for access to maintain those environmental works. |
| 04-07, 04-12, 04-17, 04-45, 04-101 and 04-122 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 04-89 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |

¹ Rows in blue denote purpose(s) relating to nitrogen deposition, rows in green denote purpose(s) relating to protected species.

² The text of the second column ('purposes') has been truncated, to refer to environmental mitigation works only, where other purposes are also included in the relevant row.

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|---|
| 04-99 and 04-145 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 04-274 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 06-56 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 06-121 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 06-182, 06-188 and 06-204 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|---|
| 10-05, 10-06, 10-07, 10-08, 10-09 and 10-10 | Provision for access for environmental works to create a compensatory habitat site for nitrogen deposition, and the rights for access to maintain those environmental works. |
| 19-05 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 23-16 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 23-17 and 23-20 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works. |
| 23-21 and 23-22 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|--|
| 23-181 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 27-01 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 27-45, 27-47, 27-48, 27-50, 27-57, 27-58, 27-59, 27-60, 27-61 and 27- 62 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 28-08 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 28-42 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|--|
| 28-64 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 29-03 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 29-04 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 29-282 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 29-283 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|--|
| 30-01, 30-02, 30-04, 30-05, 30-06, 30-07, 30-08, 30-09, 30-10 and 30- 11 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works. |
| 32-177 and 32-178 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works. |
| 33-36 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 33-87 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 33-194 and 33-229 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 34-01, 34-03 and 34-05 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works; [...]. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|---|
| 35-05, 35-06, 35-19, 35-20, 35-21, 35-53, 35-54 and 35-56 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 35-09 and 35-55 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 35-13 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 36-01 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 36-02 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works; [...]. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|--|
| 36-03 and 36-05 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works. |
| 37-05 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 37-06 and 37-07 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works. |
| 38-14 and 38-24 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 38-34 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works. |
| 38-40, 38-41, 38-42, 38-43, 38-44, 38-46, 38-49, 38-51, 38-52, 38-59, 38-60, 38-61, 38-64 and 38-65 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|---|
| 38-47 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 38-53, 38-54 and 38-55 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 39-82 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works. |
| 39-83 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works; [...]. |
| 41-01 and 41-02 | Provision for access for environmental mitigation works to create a site for protected species, and the rights for access to maintain those environmental works. |
| 41-03 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|--|
| 41-33, 41-34, 41-35, 41-36, 41-37, 41-38, 41-40, 41-41, 41-42 and 41- 43 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 42-01, 42-02 and 42-03 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 43-19 | Implementation of environmental mitigation works to create a site for protected species, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |
| 46-04 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |
| 46-06 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works; [...]. |

SCHEDULE 8 — LAND OF WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED

Rows in colour have corresponding rows in *Schedule 11: land of which temporary possession may be taken*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose(s) for which rights over land may be acquired or restrictive covenants may be imposed²</i> |
|---|---|
| 47-26 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds, and the rights and restrictive covenants to construct, protect, operate, access and maintain those environmental mitigation works. |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Rows in colour have corresponding rows in *Schedule 8: land of which only new rights etc. may be acquired*

| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|---|---|---|
| 01-01, 01-03, 01-05, 01-08, 01-09, 01-10, 01-11, 01-13, 01-15, 01-16, 01-17, 01-18, 01-19, 01-20, 01-21 and 01-22 | Provision for access for environmental works to create a compensatory habitat site for nitrogen deposition. | Work No. E1 |
| 02-04, 02-05, 02-06, 02-07, 02-08, 02-09, 02-10 and 02-11 | Provision for access for environmental works to create a compensatory habitat site for nitrogen deposition. | Work No. E1 |
| 04-07, 04-12, 04-17, 04-45, 04-101 and 04-122 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E5 |
| 04-89 | Implementation of environmental mitigation works to create a site for protected species; [...]. | Works Nos. E4, G1a, G1b, MU10, MU11 and MUT1 |
| 04-99 and 04-145 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E4 |

¹ Rows in blue denote purpose(s) relating to nitrogen deposition, rows in green denote purpose(s) relating to protected species.

² The text of the second column ('purposes') has been truncated, to refer to environmental mitigation works only, where other purposes are also included in the relevant row.

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Rows in colour have corresponding rows in *Schedule 8: land of which only new rights etc. may be acquired*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose for which temporary possession may be taken²</i> | <i>(3)</i> <i>Relevant part of the authorised development</i> |
|---|---|--|
| 04-108, 04-137 and 04-141 | Provision for temporary access for environmental mitigation works to create a site for protected species. | Work No. E4 |
| 04-274 | Implementation of environmental mitigation works to create a site for protected species; [...]. | Works Nos. E4 and G1a |
| 06-56 | Construction of a new permissive path between the improved public right of way and Jeskyns Community woodland; implementation of environmental mitigation works to create a site for protected species [...]. | Works Nos. 1L, E5 and OH1 |
| 06-116 | Provision for access for environmental mitigation works to create a site for protected species. | Work No. E5 |
| 06-121 | Implementation of environmental mitigation works to create a site for protected species; [...]. | Works Nos. E5, MU14, MU9, OH1 and OHT1 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Rows in colour have corresponding rows in *Schedule 8: land of which only new rights etc. may be acquired*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose for which temporary possession may be taken²</i> | <i>(3)</i> <i>Relevant part of the authorised development</i> |
|---|--|--|
| 06-182, 06-188 and 06-204 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E5 |
| 10-05, 10-06, 10-07, 10-08, 10-09 and 10-10 | Provision for access for environmental works to create a compensatory habitat site for nitrogen deposition. | Work No. E13 |
| 14-01 | [...] implementation of temporary environmental works to create a compensatory habitat site. | Works Nos. 4C and ET1 |
| 15-08 | Implementation of temporary environmental works to create a compensatory habitat site. | Work No. ET1 |
| 19-02, 19-14 and 19-35 | Provision for temporary access for environmental mitigation works to create a site for protected species. | Work No. E15 |
| 19-05 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure. | Work No. E17 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Rows in colour have corresponding rows in *Schedule 8: land of which only new rights etc. may be acquired*

| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|--|--|---|
| 22-01, 22-11, 22-13, 22-19, 22-21, 22-22, 22-23, 22-24, 22-35, 22-39, 22-47, 22-48, 22-56, 22-57, 22-58, 22-60, 22-61, 22-62, 22-63, 22-64, 22-65, 22-66, 22-67, 22-68, 22-69, 22-70, 22-71, 22-73, 22-74, 22-75, 22-76, 22-78, 22-79, 22-80, 22-81, 22-82, 22-83, 22-84, 22-85, 22-86, 22-87, 22-88, 22-89, 22-90 and 22-91 | Provision for temporary access for environmental mitigation works to create a site for protected species. | Work No. E16 |
| 22-25, 22-27, 22-29, 22-30, 22-31, 22-32, 22-34 and 22-37 | Provision for temporary access for environmental mitigation works to create a site for protected species; [...]. | Works Nos. E16 and MUT11 |
| 23-16 | Implementation of environmental mitigation works to create a site for protected species; [...]. | Works Nos. E18 and MU29 |
| 23-17 and 23-20 | Provision for access for environmental mitigation works to create a site for protected species. | Work No. E18 |
| 23-21 and 23-22 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E18 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

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| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|---|--|---|
| 23-163, 23-164, 23-165 and 23-168 | Provision for temporary access for environmental mitigation works to create a site for protected species. | Work No. E16 |
| 23-181 | Implementation of environmental mitigation works to create a site for protected species; [...]. | Works Nos. E18, MU29 and MUT8 |
| 27-01 | Implementation of environmental mitigation works to create a site for protected species. | Works Nos. E21 and E22 |
| 27-45, 27-47, 27-48, 27-50, 27-57, 27-58, 27-59, 27-60, 27-61 and 27-62 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E21 |
| 28-08 | [...]; implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds; [...]. | Works Nos. CA7, E28 |
| 28-42 | [...]; implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds; [...]. | Works Nos. CA6, E27, MU41 and MU47 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

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| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|--|--|--|
| 28-64 | [...]; implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds; [...]. | Works Nos. CA6, E27 and MU41 |
| 29-03 | [...]; implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds; [...]. | Works Nos. CA8A, E30, MU54, MU55, MU56, MUT20, OH6, OH7 and OHT6 |
| 29-04 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds; [...]. | Works Nos. E30, MU55, MU56, MUT20, OH6 and OH7 |
| 29-282 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds; [...]. | Works Nos. E30 and MU57 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

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| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|---|---|---|
| 29-283 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds; [...]. | Works Nos. E30, MU54, MU55, MU57, MUT20 and OH6 |
| 30-01, 30-02, 30-04, 30-05, 30-06, 30-07, 30-08, 30-09, 30-10 and 30-11 | [...]; provision for access for environmental mitigation works to create a site for protected species; [...]. | Works Nos. CA13, E38, OH6 and OH7 |
| 32-177 and 32-178 | Provision for access for environmental mitigation works to create a site for protected species. | Work No. E22 |
| 33-36 | [...]; implementation of environmental mitigation works to create a site for protected species; [...]. | Works Nos. CA10, E34, G6, MU55, MU60, |
| 33-87 | Implementation of environmental mitigation works to create a site for protected species; [...]. | Works Nos. E33 and MUT22 |
| 33-194 and 33-229 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E32 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

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| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|--|--|---|
| 34-01, 34-03 and 34-05 | [...]; provision for access for environmental mitigation works to create a site for protected species; [...]. | Works Nos. CA13, E38, MUT24, OH6 and OH7 |
| 35-05, 35-06, 35-19, 35-20, 35-21, 35-53, 35-54 and 35-56 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds. | Work No. E36 |
| 35-09 and 35-55 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds [...]. | Works Nos. E36 and OH7 |
| 35-13 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds; [...]. | Works Nos. E36, FCA3 and OH7 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

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| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|--|---|---|
| 36-01 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E38 |
| 36-02 | [...]; and provision for access for environmental mitigation works to create a site for protected species; [...]. | Works Nos. CA13, E38 and MUT24 |
| 36-03 | Provision for access for environmental mitigation works to create a site for protected species. | Work No. E38 |
| 36-05 | [...]; and provision for access for environmental mitigation works to create a site for protected species. | Works Nos. CA13 and E38 |
| 37-05 | Implementation of environmental mitigation works to create a site for protected species. | Works Nos. E37 and E39 |
| 37-06 and 37-07 | Provision for access for environmental mitigation works to create a site for protected species. | Works Nos. E37 and E39 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Rows in colour have corresponding rows in *Schedule 8: land of which only new rights etc. may be acquired*

| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|---|--|---|
| 38-14 and 38-24 | [...]; and implementation of environmental mitigation works to create a site for protected species. | Works Nos. CA13 and E40 |
| 38-34 | Provision for access for environmental mitigation works to create a site for protected species. | Work No. E40 |
| 38-40, 38-41, 38-42, 38-44, 38-46, 38-49, 38-51, 38-52, 38-59 and 38-64 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds. | Work No. E36 |
| 38-43, 38-60, 38-61 and 38-65 | [...]; and implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds. | Works Nos. 8J and E36 |
| 38-47 | Implementation of environmental mitigation works to create a site for protected species, including the | Works Nos. E36, FCA4 and MU61 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

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| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose for which temporary possession may be taken²</i> | <i>(3)</i> <i>Relevant part of the authorised development</i> |
|---|--|--|
| | construction of a new bat barn structure and new ecological ponds; [...]. | |
| 38-53, 38-54 and 38-55 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds; [...]. | Works Nos. E36 and FCA3 |
| 39-82 | Provision for access for environmental mitigation works to create a site for protected species. | Work No. E42 |
| 39-83 | [...]; and provision for access for environmental mitigation works to create a site for protected species; [...]. | Works Nos. 8M, E42 and MUT26 |
| 41-01 and 41-02 | Provision for access for environmental mitigation works to create a site for protected species. | Work No. E42 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

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| (1) <i>Plot Reference Number shown on Land Plan¹</i> | (2) <i>Purpose for which temporary possession may be taken²</i> | (3) <i>Relevant part of the authorised development</i> |
|--|--|---|
| 41-03 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E42 |
| 41-33, 41-34, 41-35, 41-36, 41-37, 41-41 and 41-42 | Implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds. | Work No. E36 |
| 41-38 and 41-43 | [...]; and implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds. | Works Nos. 8J and E36 |
| 41-40 | [...]; and implementation of environmental mitigation works to create a site for protected species, including the construction of a new bat barn structure and new ecological ponds. | Works Nos. 8M and E36 |

SCHEDULE 11 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

Rows in colour have corresponding rows in *Schedule 8: land of which only new rights etc. may be acquired*

| <i>(1)</i> <i>Plot Reference Number shown on Land Plan¹</i> | <i>(2)</i> <i>Purpose for which temporary possession may be taken²</i> | <i>(3)</i> <i>Relevant part of the authorised development</i> |
|---|--|--|
| 42-01, 42-02 and 42-03 | Implementation of environmental mitigation works to create a site for protected species. | Work No. E43 |
| 43-19 | [...]; implementation of environmental mitigation works to create a site for protected species; [...]. | Works Nos. 90, E46, MU72 and OH8 |
| 46-04 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds. | Work No. E51 |
| 46-06 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds [...]. | Works Nos. E51, G10 and ULH2 |
| 47-26 | Implementation of environmental mitigation works to create a site for protected species, including the construction of new ecological ponds. | Work No. E51 |