



**DEADLINE 8 RESPONSE  
KENT DOWNS AONB RESPONSE TO  
APPLICANT'S SUBMISSIONS AT DEADLINE 7**

**Applicant's response to Interested Parties' post-event submissions  
at Deadline 6 (Doc 9.177)**

**Interested party Ref no: 20035310**

**9.177 Applicant's responses to Interested Parties' post-event submissions at  
Deadline 6 [[REP7-188](#)] in respect of ISH 9**

**3 Ancient Woodland Impact**

**3a Guidance and Methodology**

**i What guidance was/should be followed by the Applicant in relation to the  
location, form, quantity and extent of ancient woodland replacement? • Is this  
methodology agreed by Natural England and other relevant IPs?**

In response to this question, the Applicant still maintains their previously set out position that the compensation planting to the north of Park Pale is in keeping with landscaping character as it includes wide rides and retains key viewpoints/vistas. It is also suggested that there is an opportunity for refinement during detailed design and points out that the Kent Downs AONB Unit is proposed as a member of the oLEMP Advisory Group and as such would be engaged on the development of the detailed designed. It is also advised that the rationale for Ancient Woodland planting is not to achieve a certain quantitative area.

Notwithstanding these comments, the area is proposed for Ancient Woodland compensation planting – to fulfil this function it needs to comprise predominantly woodland planting. The AONB Unit remains of the view that this is not compatible with maintaining the parkland landscape character of this part of the AONB and the inclusion of wide rides and/or vistas does not overcome the inappropriate change to

landscape character, as the parkland character comprising mature individual specimen trees would be subsumed in the woodland planting.

**3b. Removal of Ancient Woodland and Veteran Trees | NPSNN para 5.32 requires the Secretary of State to carefully consider loss and damage to ancient woodland and veteran trees.**

**• Can the Applicant provide clarification about loss/ harm minimisation at: o The A2 /M2 /LTC intersection; o The M25 /LTC intersection; and o Other parts of the proposed alignment, work areas and compounds with woodland loss • The Applicant will be asked to explain why it was decided to undertake work affecting wooded areas/ veteran trees and not to realign, re-design, or substitute land use or construction techniques to protect the woodland/ veteran trees?**

The response of the Applicant that loss would be minimised at the detailed design stage is noted and welcomed, however as set out in the AONB Unit's Written Representation, commitments set out in the REAC such as commitment LV001 [[REP6-038](#)], provide no certainty on the level of tree loss/retention given the level of ambiguity in the wording of the commitments:

'Detailed design for the Project, including diverted utilities, *will aim to* reduce the removal of trees and vegetation *as far as reasonably practicable*, and in accordance with the LEMP and the Environmental Masterplan (Figure 2.4, Application Document 6.2)'.

In respect of land east of the Nook Pet Hotel and Broughurst Cottage, the Applicant advises that '*Only a small amount of woodland is currently shown as lost, in association with the Brewers Road to A2 Mainline eastbound on slip*' and that '*As with other areas of woodland loss, further review at detailed design would seek to retain as much woodland as possible – as secured via REAC commitment LV001 [[REP6-038](#)]*'. The applicant fails to comment on the disparities between the plans identified in the AONB Unit's ISH 11 Post-event submission [[REP6-140](#)]; only extracts from the Environmental Masterplan and the Tree Removal and Retention plan are included in their response, not the plan showing Ancient Woodland loss included in the Environment Statement at Figure 8.33 Ancient Woodland Impacts ([APP-294](#)), Page 2 of 6, reproduced in Figure 1 below, which indicates significantly more woodland loss than is shown on the Tree Removal and Retention Plan (Figure 7.24. of 6.2 Environment Statement, [APP-261](#)). Document 9.171 Utility working in areas of Ancient Woodland [[REP7-180](#)], submitted by the Applicant at Deadline 7, helpfully shows the extent of Ancient Woodland in this area at a large scale, and when looked at in conjunction with the Environmental Masterplan and Ancient Woodland Impacts Plan, illustrates the extent of loss of Ancient Woodland east and west of the on-slip and proposed replacement with species rich grassland.



Ancient Woodland (ASNW)
  Ancient Woodland loss

Figure 1 – Extract taken ES, Figure 8.33 Ancient Woodland Impacts, page 2 of 6

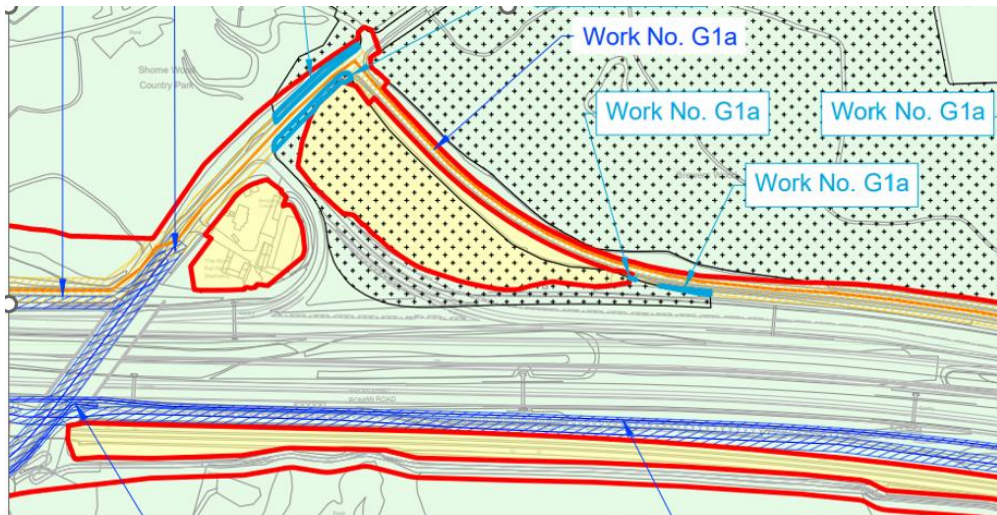


Figure 2 – Extract from Document 9.171 Utility working in areas of Ancient Woodland



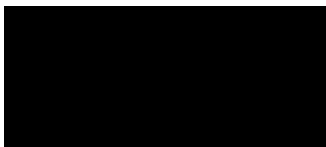
LE 1.3 Species Rich Grassland
  LE 2.5 Shrubs With Intermittent Trees

Figure 3 – extract from Environmental Masterplan Section 1, Sheet

In response to the AONB Unit's concerns that attempts to minimise ancient woodland loss don't go far enough, the Applicant's response is to refer back to the Statement of Common Ground between National Highways and the Kent Downs AONB Unit, section 2.1.41 [\[REP6-018\]](#). This is a Matter Not Agreed and as set out in the SoCG, the AONB Unit remains of the view that impacts to the AONB would be significantly less if the utilities were reconfigured via the A226 and local road networks and that this option has been discounted too readily.

The applicant further advises that *'The alternative pipeline route would have required additional pipelines to be installed, of a greater bore than currently proposed to provide gas to the customers of the network. It would have increased the area of interface between the Works and the Kent Downs AONB with the additional need for further Utility Logistics Hubs during the construction of the pipeline. It is of note that this alternative proposal would not be acceptable to the gas network owner and operator due to operation and maintenance considerations, including additional costs associated with the upkeep of that network. The alternative route would also omit or significantly impede the opportunities to install infrastructure at the same time as constructing the Project that would enable the gas network operator to consider providing mains gas to Thong Village, Cobham and the businesses along the A2.'* In response to this, the AONB Unit would advise that a short term requirement for further utility logistic hubs of the duration of the pipeline would be much less harmful to the AONB than the proposed removal of woodland along the edge of the A2 carriageway and subsequent inability to replant woodland due to the wayleave requirements. Furthermore, the AONB Unit cannot find any submission in the Application documentation that this alternative has been discussed and/or discounted by the Gas Network Operator, nor any certainty that the current proposed diversion route will result in mains gas being provided to Thong, Cobham or existing business on the A2.

In response to AONB concerns that where there is ancient woodland or woodland loss, replacement woodland should be provided to retain the current woodland character, the applicant's response is that Design Principles [\[REP6-046\]](#) S1.01, S1.02 and S1.03 minimises tree loss and maximises re-instatement of woodland. However, this does not correspond with the Environmental Masterplan which, as identified in our Post-event submission to ISH 9 [\[REP6-140\]](#), shows large tracts of species rich grassland replacing removed woodland.



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5 December 2023