



# Lower Thames Crossing

## 5.4.1.2 Final Agreed Statement of Common Ground between (1) National Highways and (2) the Forestry Commission (Tracked changes version)

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APFP Regulation 5(2)(q)

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

Volume 5

DATE: December 2023

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DEADLINE: 9A

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Planning Inspectorate Scheme Ref: TR010032  
Application Document Ref: TR010032/APP/5.4.1.2

VERSION: 3.0

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### Revision history

Version	Date	Submitted at
1.0	31 October 2022	DCO Application
2.0	19 September 2023	Deadline 4
<u>3.0</u>	<u>15 December 2023</u>	<u>Deadline 9A</u>

## Status of the Statement of Common Ground

This is ~~the Final~~ Agreed Statement of Common Ground ~~between (1),~~ National Highways ~~(the Applicant)~~ and ~~(2),~~ Forestry Commission.

~~Both parties have reached agreement on the position on the status of all 16 matters. Of the 16 matters contained within, 10 matters are agreed, two matters are agreed in principle and four are not agreed.~~

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### On behalf of the Applicant

<u>Name</u>	[REDACTED]
<u>Position</u>	Lower Thames Crossing
<u>Organisation</u>	National Highways
<u>Signature</u>	[REDACTED]

### On behalf of Forestry Commission

<u>Name</u>	[REDACTED]
<u>Position</u>	[REDACTED]
<u>Organisation</u>	Forestry Commission – South East and London Area
<u>Signature</u>	[REDACTED]

## Lower Thames Crossing

### 5.4.1.2 Final Agreed Statement of Common Ground between (1) National Highways and (2) the Forestry Commission (Tracked changes version)

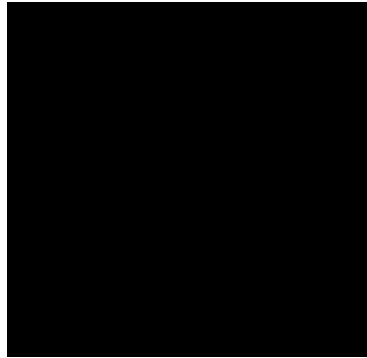
#### List of contents

	Page number
<b>1 Introduction</b> .....	<b>1</b>
1.1 Purpose of the Statement of Common Ground .....	1
1.2 Principal Areas of Disagreement .....	1
1.3 Terminology .....	1
<b>2 Matters</b> .....	<b>2</b>
2.1 Final Position on Matters .....	2
<b>Appendix A Engagement activity</b> .....	<b>28</b>
<b>Appendix B Glossary</b> .....	<b>32</b>
<b>Appendix C Forestry Commission advice for detailed design</b> .....	<b>33</b>

#### List of tables

	Page number
<b>Table 2.1 Final Position on Matters</b> .....	<b>3</b>
<b>Table A.1 Engagement activities between the Applicant and the Forestry Commission since the DCO application was submitted on 31 October 2022</b> .....	<b>28</b>
<b>Table A.2 Detailed record of engagement activities between the Applicant and the Forestry Commission which took place prior to DCO application submission on 31 October 2022</b> .....	<b>28</b>

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[www.gov.uk/forestrycommission](http://www.gov.uk/forestrycommission)

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Deleted: 1 Introduction 1¶

1.1 Purpose of the Statement of Common Ground 1¶  
1.2 Principal Areas of Disagreement 1¶  
1.3 Terminology 1¶

2 Matters 2¶

2.1 Movement of outstanding matters 2¶

Appendix A Engagement activity 18¶

Appendix B Glossary 22¶

Appendix C Forestry Commission advice for detailed design 23¶

Deleted: Table 2.1 Matters 3¶

¶ Table A.1 Engagement activities between the Applicant and the Forestry Commission since the DCO application was submitted on 31 October 2022 18¶

Table A.2 Detailed record of engagement activities between the Applicant and the Forestry Commission which took place prior to DCO application submission on 31 October 2022 1¶

# 1 Introduction

## 1.1 Purpose of the Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the Development Consent Order (DCO) application for the proposed A122 Lower Thames Crossing (the Project) made by National Highways Limited (the Applicant) to the Secretary of State for Transport (Secretary of State) under section 37 of the Planning Act 2008 on 31 October 2022.
- 1.1.2 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the Applicant and the Forestry Commission, and where agreement has not yet been reached.
- 1.1.3 This final version of the SoCG has been submitted at Examination Deadline 9A.

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## 1.2 Principal Areas of Disagreement

- 1.2.1 On the 19 December 2022 the Examining Authority made some early procedural decisions to assist the Applicant, potential Interested Parties and themselves to prepare for the Examination of the DCO application.
- 1.2.2 One of these procedural decisions was to use a tracker recording Principal Areas of Disagreement in Summary (PADS).
- 1.2.3 The PADS Tracker would provide a record of those principal matters of disagreement emerging from the SoCG and should be updated alongside the SoCG as appropriate throughout the examination with the expectation that a revised PADS Tracker should be submitted at every Examination deadline.
- 1.2.4 The Forestry Commission elected not to produce a PADS Tracker at pre-examination stage, indicating to the Applicant that they were content that the number of outstanding matters within the SoCG was insufficient to warrant the exercise.

## 1.3 Terminology

- 1.3.1 In the 'Final Position on Matters', table in Section 2 of this SoCG, "Matter not agreed" indicates agreement on the matter could not be reached following significant engagement, "Matter Agreed" indicates where the issue has now been resolved and "Matter Agreed\*" indicates where further discussion may need to take place during the detailed design or construction stages of the Project to finalise detail, but the matter is agreed in principle.

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## 2 Matters

### 2.1 Final Position on Matters

- 2.1.1 A summary of engagement undertaken between the Applicant and Forestry Commission, is summarised in Appendix A.
- 2.1.2 The outcome of discussions to date are presented in Table 2.1 which details and presents the matters which have been agreed, not agreed, or are under discussion between (1) the Applicant and (2) Forestry Commission.
- 2.1.3 In the column 'Item No' in Table 2.1, 'RRE' indicates an existing SoCG matter that was also raised in the Relevant Representation, and 'DL4' indicates a new matter added during examination at/around that deadline.
- 2.1.4 It is acknowledged there are some matters where further discussion may take place during the detailed design stage of the Project to finalise detail, but the matter is agreed in principle. Matters to which this applies have an asterisk (\*) next to them.
- 2.1.5 At Examination Deadline 9A, there are 16 matters in total, of which 10 are agreed, two are agreed in principle and four are not agreed.
- 2.1.6 This is the final Statement of Common Ground between the Applicant and Forestry Commission.

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The Applicant continued to communicate with the Forestry Commission concerning procedural matters related to the examination and to offer meetings to discuss and potentially resolve outstanding SoCG matters. The Applicant received confirmation that the Forestry Commission did not wish to produce a PADS Tracker as they were content that the number of outstanding matters within the SoCG was insufficient to warrant the exercise.¶ Following submission of the previous version of this Draft SoCG

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**Deleted:** Following submission of the previous version (version 1 for the DCO application) of this Draft SoCG between the Applicant and the Forestry Commission, the following matter has moved from 'Matter Under Discussion' to 'Matter Agreed':¶ Matter 2.1.2¶ Further to the matters raised in the original SoCG, the Forestry Commission raised new matters following a technical meeting with the Applicant on 10 July 2023. This has led to a new matter being included in Table 2.1. The new matter is Matter 2.1.16 (DL4).¶ Table 2.1

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**Table 2.1 Final Position on Matters**

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
<b>Planning statement/policy</b>					
<b>Impact on ancient woodland</b>					
Ancient woodland loss	2.1.1 RRE	Forestry Commission is strongly opposed to any loss of ancient woodland and therefore does not agree with the loss of ancient woodland resulting from the Project.  They have referenced the high level of protection afforded to ancient woodland, for example National Planning Policy Framework Paragraph 180, which states ' <i>development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists</i> '.  During a technical meeting on 10.07.2023, the Forestry Commission again highlighted its position on being strongly opposed to any loss or damage to existing ancient woodland.	The Applicant acknowledges that the Forestry Commission is opposed to the loss of ancient woodland which would result from the construction of the Project. In line with the National Policy Statement for National Networks (NPSNN) ( <a href="#">Department for Transport, 2014</a> ), and the National Planning Policy Framework ( <a href="#">Department for Levelling Up, Housing and Communities, 2023</a> ), the Applicant has followed the mitigation hierarchy of Avoid, Mitigate, Compensate. In accordance with this, impacts to ancient woodland and veteran trees have been avoided wherever possible, and have significantly reduced since the Supplementary Consultation in 2020, for example through engagement with Statutory Undertakers on utilities proposals.  Ancient woodland compensation planting has been proposed as part of the mitigation and compensation strategy, and to support improved habitat connectivity within the wider landscape in line with the Defra family advice 'Defra Family Potential	ES Chapter 8: Terrestrial Biodiversity <a href="#">[Document Reference 6.1 ES Chapter 8 (2)]</a>  ES Appendix 2.2: Code of Construction Practice <a href="#">[Document Reference 6.3 ES Appendix 2.2 (9)]</a>  <a href="#">[Planning Statement Document Reference 7.2 (2)]</a>	Matter Not Agreed

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 Planning Statement [\[APP-495\]](#)

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
			<p>Environmental Legacy Projects', provided in response to the Lower Thames Crossing Preliminary Environmental Information Report (PEIR).</p> <p>Impacts on ancient woodland are assessed within the Planning Statement as this relates to a test set out in the NPSNN. It is the Applicant's view that the NPSNN test has been met.</p>		
<b>Route selection, modal alternatives and assessment of reasonable alternatives</b>					
<b>Utilities</b>					
Utility diversion options at Shorne Wood/Brewers Road	2.1.2	<p>The Forestry Commission would like to see evidence of the other utility diversion options considered in the Shorne Woods and Brewers Road area.</p> <p>The Forestry Commission attended a technical meeting on 10.07.2023, where the Applicant provided this evidence.</p> <p>The Forestry Commission is now satisfied that an appropriate level of information has been shared, and confirmed that this matter can now be agreed, on the basis that the Applicant continues to engage with the Forestry Commission on the detailed design to</p>	<p>The Applicant considers that the routing of utilities in this area is the best viable option and will continue to engage with the Forestry Commission to explain the options process and constraints. Earlier iterations of the utilities diversions and corridors were presented at Statutory Consultation, Supplementary Consultation and Design Refinement Consultation. The Applicant has worked to ascertain these alignments with the Statutory Undertakers, which have their own design standards for the medium pressure gas main and other required utility diversions that need to be applied. The current alignment and utilities working widths reflect the reviews and work undertaken to reduce the impacts of these diversions in this location.</p>		Matter Agreed



Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		avoid impacts as far as possible and to maximise the effectiveness of compensation measures (see item 2.1.16 (DL4))			
Impact of utilities on Claylane Wood	2.1.3 RRE	<p>It would appear that there is increased impact on Claylane Wood since the Supplementary Consultation in 2020 and Design Refinement Consultation in 2020, and the Forestry Commission understood that further utilities would be routed through the wayleave beneath the existing power line. However, the maps now show a new route running north-west to south-east on the western side of the woodland. The area of ancient woodland affected within Claylane Wood is 4.24ha.</p> <p>The Forestry Commission appreciates the logistical challenges presented by the proposed locations of utilities and would welcome trenchless installation as the preferred method.</p> <p>If felling is required, the Forestry Commission would support the translocation of the ancient woodland soils back onto the site and replanting with native broadleaves in addition to the additional planting proposed to the north of Claylane Wood. The Forestry Commission advises that any</p>	<p>The need for additional utilities diversions was identified as the design progressed. The additional unavoidable impact communicated at the Community Impacts Consultation in 2021 is to facilitate the diversion of a gas pipeline for Southern Gas Networks (SGN) that cannot be located within the corridor of another asset in this location. Separate corridors are required for SGN, National Gas Transmission, National Grid Electricity Transmission, and UK Power Networks assets due to the proposed and existing alignments of their networks that have to be considered as part of the design for the construction of, and future operation and maintenance of, the networks, both in terms of the risk to the asset from each other, and the risk to the workforce completing the works.</p> <p>After discussion with the Forestry Commission, an additional 2ha of woodland planting has been proposed to offset the additional impact on Claylane Wood to facilitate the diversion of a gas pipe. This <u>planting, in addition to the wider</u></p>	<p><u>ES Figure 2.4: Environmental Masterplan, Document Reference 6.2 ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)]</u></p> <p><u>ES Chapter 8: Terrestrial Biodiversity Document Reference 6.1 ES Chapter 8 (2)]</u></p>	<p>Matter <del>Not Agreed</del></p>

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p>translocation should occur to its final position as quickly and as locally as possible to minimise disturbance or damage in transit.</p> <p>The Forestry Commission requested at a technical meeting on 10.07.2023 for the SoCG to log that the Project proposals show that areas of ancient woodland and priority broadleaf woodland will be affected.</p> <p>The Forestry Commission wishes to continue to engage closely with the Applicant throughout detailed design on this matter. Following a technical meeting on 10.07.2023, the Forestry Commission set out the following principles that they recommend the Applicant follow:</p> <ul style="list-style-type: none"> <li>Avoid working within the ancient woodland wherever possible by considering ways of working;</li> <li>Use edge planting to support and bolster the native woodland;</li> <li>Use native shrubs and minor species near the pipeline where larger species are not appropriate.</li> <li><u>Use native shrubs and minor species in a graded and tapered edge to improve wind stability as far</u></li> </ul>	<p><u>planting proposals in close proximity to Claylane Wood</u>, is shown in <u>Section 2 of ES Figure 2.4: Environmental Masterplan</u>, and detailed in ES Chapter 8: Terrestrial Biodiversity.</p> <p><u>Commitment LV013 of the Register of Environmental Actions and Commitments (REAC) within the Code of Construction Practice</u>, sets out a commitment to use trenchless installation methods to avoid the removal of ancient woodland where reasonably practicable, unless this would give rise to new or materially different environmental effects.</p> <p>REAC Commitment TB028 'Ancient Woodland Soil Translocation' states that areas identified on the Environmental Masterplan for compensatory ancient woodland planting to offset the loss of ancient woodland would be inoculated, where reasonably practicable, with soils from ancient woodland sites within the Order Limits (as identified on ES Figure 8.1) that would be disturbed by construction activity. This includes the area to the north of Claylane Wood, which is immediately adjacent to the affected site.</p> <p>The Applicant notes the Forestry Commission's concerns around ancient woodland and priority broadleaf woodland.</p>	<p>ES Appendix 2.2: Code of Construction Practice</p> <p><u>[Document Reference 6.3 ES Appendix 2.2 (9)]</u></p> <p>ES Figure 8.1: <u>Designated Sites [Document Reference 6.2 ES Figure 8.1 (2)]</u></p> <p><u>Design Principles [Document Reference 7.5 (7)]</u></p> <p><u>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</u></p> <p><u>Outline Landscape</u></p>	

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		<p><u>as possible with the space available. This is important to avoid newly exposed trees from damage or falling as they are likely to be less adapted to wind exposure.</u></p> <p>The Forestry Commission encourages further consideration of trenchless activities with a smaller footprint within the woodland.</p> <p>The area to the north of the second pylon does not appear to need ground disturbance as part of the scheme and we would welcome its removal from the proposed works. Some tree felling is part of woodland management and the Forestry Commission advise that coppicing could be acceptable if the soil is protected and retained along with coppice stumps to allow regrowth. Care should be taken to protect the soil and stumps of the coppiced trees to enable the line to be installed above ground. This should include avoiding driving and construction works within this area.</p>	<p>Discussions around this will continue throughout detailed design, <u>through the provisions of the outline Landscape and Ecology Management Plan (oLEMP) Advisory Group</u>, to identify additional measures which could potentially be undertaken to limit these effects.</p> <p>At a technical meeting on 23.07.2023, the Applicant explained and evidenced the physical and logistical challenges posed by trenchless installation in this location. The Applicant must ensure safety of the workforce working in proximity to the existing and proposed infrastructure, some of which are high pressure gas pipelines forming part of the national transmission gas network (Work Nos G2 and G3), and a large bore medium pressure gas pipeline that is an extremely important pipeline for the supply of gas from Grain to south east London (Work No G1b). The Applicant must adhere to strict gas industry standards and regulations, and those requirements of the asset owners and operators, which notably include requirements that pipelines must only cross parallel, and unless there is exceptional circumstances, they should cross with at least 0.6m separation.</p>	<p><u>and Ecology Management Plan – Appendix 1 – LEMP Terms of Reference [Document Reference 6.7 Appendix 1 (3)]</u></p>	

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 ES Figure 8.1: Designated Sites [APP-262]

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p><u>Following a technical meeting on 19.10.2023, the Forestry Commission requested the following commitments:</u></p> <ul style="list-style-type: none"> <li><u>Active long-term management of Claylane Woods ancient woodland to enhance its overall condition as part of the Project's mitigation and compensation. We advise that this is an important part of suitable compensation measures especially given that the trenchless option has been found to be unviable despite the Applicant's efforts to explore this.</u></li> <li><u>Mitigation measures to be applied throughout construction to avoid impacts wherever possible</u></li> <li><u>Commitment to consult the Forestry Commission on the outline Landscape and Ecology Management Plan (oLEMP) and follow their advice where possible to protect woodland as far as possible</u></li> </ul> <p><u>The Forestry Commission understands that the opportunities for enhancing all of Claylane Wood are limited or difficult without changing the Order Limits to include the whole woodland area.</u></p>	<p>The Applicant believes that the use of trenchless construction methodology within this region would not be viable for the construction of Work No G2, G3 and G1b due to the type and amount of existing and proposed utilities infrastructure in this location, the numerous changes in direction and the location and depths of connections proposed to the existing networks. It would however be pursued for sections of Work No MU17 in accordance with REAC item LV001 and LV013 at the detailed design stage. The Applicant can not remove that section of Work No MU17 heading north beyond Pylon 4YN049 from within the location of Claylane Wood owing to an alternative location impeding or conflicting with other parts of the design, namely Work Nos G3, G1b, OH1, OHT1, 2I, 2N and 2R.</p> <p>The Applicant welcomes the <u>ongoing</u>, constructive engagement on this matter to date. <u>Design Principle LSP.01 'Retention of existing vegetation' states that all existing vegetation shall be retained as far as reasonably practicable (including woodland outside the minimum areas of retained woodland shown in the Environmental Masterplan) in order to preserve:</u></p> <ul style="list-style-type: none"> <li><u>Intrinsic ecological value</u></li> </ul>		

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p><u>However, we calculate that approximately 5Ha of the area designated as ancient woodland is within the Order Limits which the Applicant will be responsible for managing. As such, the Forestry Commission advises that enhancement of this area should form an important part of the compensation measures for the direct loss and impacts being caused by the utilities which we understand cannot be installed using trenchless methods due to logistical/safety challenges despite the Applicant's efforts to consider this. We advise that this should form part of compensation for the loss and impacts to irreplaceable habitat. Although the 2 Ha of compensatory planting to the north is welcome, the benefits of this will take significant time to be realised and the enhancement to ancient woodland can help to compensate for this loss and provide meaningful benefits for biodiversity of irreplaceable habitat which could extend to the area of ancient woodland outside of the Order Limits.</u></p> <p><u>The Forestry Commission appreciates that the Applicant has engaged with us</u></p>	<ul style="list-style-type: none"> <li><u>Existing woodland character and plan</u></li> <li><u>Woodland function as a natural screen to construction works</u></li> </ul> <p><u>Design Principle LSP.01 also references REAC item LV028 'Protection of retained woodland, trees and hedges', which sets out commitments to prepare an Arboricultural Method Statement and Tree Protection Plan in line with British Standard 5837:2012 (British Standards Institution, 2012) to identify further measures to protect retained woodland, trees and hedges to be implemented prior to and throughout construction. This is also in line with REAC item LV001 'Trees and vegetation retention', which sets out a commitment to reduce the removal of trees and vegetation as far as reasonably practicable.</u></p> <p><u>Section 8 of the oLEMP describes the outline management prescriptions for habitat creation, management actions, timescales and measures of success for each of the proposed typologies contained within the management areas. The detailed management prescriptions will be developed during the detailed design phase, in consultation with the oLEMP Advisory Group, in line with the requirements of the oLEMP. As detailed in</u></p>		

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p><u>positively and effectively throughout the Examination period. We understand from the Applicant that at this stage in the Examination (after Deadline 8), it has not been possible to secure additional compensation measures to meet our request which, in our view, is needed as part of suitable compensation measures for the loss and impacts on Claylane Woods. As such, we regard this matter as 'Not Agreed'.</u></p>	<p><u>the oLEMP (paragraphs 4.1.13 and 4.4.14, and Appendix 1) the advisory group will be set up to:</u></p> <ul style="list-style-type: none"> <li><u>• Inform decision making</u></li> <li><u>• Assure and oversee the implementation of commitments made to stakeholders</u></li> <li><u>• Review monitoring outputs</u></li> <li><u>• Ensure successful achievement of objectives, and ensure that measures of success have been achieved</u></li> </ul> <p><u>The group will include representatives from local statutory environmental bodies, and the details of management activities to be undertaken will be developed between all relevant parties during the development of the LEMP. Given the Forestry Commission's position as both a local statutory environmental body and a principal consultee on all woodland-related matters, the Applicant expects to duly consult with the Forestry Commission on the oLEMP and LEMP, and to follow their advice (as well as that of other statutory environmental bodies) to ensure the successful implementation of the commitments outlined above.</u></p> <p><u>The Applicant acknowledges the Forestry Commission's desire for wider</u></p>		

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
			<u>enhancement in relation to the whole of Claylane Wood. However, as a privately owned woodland, the Applicant can only compulsorily acquire land required to undertake the works required as part of the DCO and for any essential mitigation and/or compensation, and not for wider enhancement.</u>		
Pipe installation	2.1.4 <b>RRE</b>	Trenchless installation is preferred in order to meet the standing advice hierarchy for ancient woodlands: Avoid, Mitigate and Compensate.	<p>REAC Commitment LV013 sets out a commitment to use trenchless installation methods to avoid the removal of ancient woodland where reasonably practicable, unless this would give rise to new or materially different environmental effects. Trenchless installation was considered then discounted at Shorne and Ashenbank Woods because the footprint required to facilitate this method of installation would have incurred a greater loss of ancient woodland.</p> <p>Significant woodland clearance to undertake the necessary ground investigations to inform the design would have been required, and there is a risk of further tree removal should the tunnelling machine become stuck.</p> <p>Concern has been raised by Natural England regarding trenchless installations beneath Sites of Special Scientific Interest</p>	ES Appendix 2.2: Code of Construction Practice <b>[Document Reference 6.3 ES Appendix 2.2 (9)]</b>	Matter Agreed

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Trenchless Study for A2 Enabling works

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
			<p>and ancient woodland due to potential future environmental impact (e.g. emergency repairs/interventions).</p> <p>As a trenchless installation would not have resolved or reduced the issue of woodland removal, the proposal is instead to install the pipeline at Shorne and Ashenbank Woods within an open cut trench, the working space for which would be shared with other Project construction works in this location.</p> <p>While this does not completely avoid woodland loss, the open cut proposal can be better managed, in terms of construction methods, associated risk and future operation and maintenance and can be continually developed to minimise the impacts.</p> <p><u><a href="#">At a technical meeting on 10 July 2023, the Applicant explained and evidenced the physical and logistical challenges posed by trenchless installation in this location.</a></u></p>		
<b>Terrestrial biodiversity</b>					
<b>Ancient woodland compensatory planting</b>					
Compensatory planting strategy	2.1.5 <b>RRE</b>	Ancient woodland compensatory planting should link up areas of ancient woodland and Sites of Special Scientific Interest (SSSIs) to each other which is considered good practice for	The ancient woodland compensation design follows Natural England's advice to strengthen existing ancient woodland and	ES Chapter 8: Terrestrial Biodiversity <b>[Document Reference 6.1</b>	Matter Agreed



Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		woodland creation at a landscape scale.	create links between retained woodland blocks.	<a href="#">ES Chapter 8 (2)</a>	
Management of new woodland	2.1.6 <b>RRE</b>	<p>More detail is required about who will manage the areas of ancient woodland compensatory planting and how this will be funded.</p> <p>There was not sufficient time to discuss this matter in detail at the technical meeting on 10.07.2023 between the Applicant and the Forestry Commission.</p> <p>The Forestry Commission outlined their main priority as to ensure an appropriate plan is in place for new woodland including long-term considerations for its access, management and establishment.</p> <p><u>Following a technical meeting on 19.10.2023, the Forestry Commission requested further information around how the oLEMP Advisory Group will assure effective and successful habitat establishment and management. This should include information around:</u></p>	<p>The Applicant is in the process of identifying and appointing suitably experienced and skilled partners to implement all ecological mitigation and compensation areas (including ancient woodland compensation and nitrogen deposition compensation land) and manage them in the long term.</p> <p>The Applicant will, however, be responsible for this management under the draft DCO, irrespective of who the appointed management bodies might be.</p> <p>There are a number of securing and funding mechanisms for appointing suitable bodies to carry out the management, including through Section 106 agreements. The long-term management may also be secured through a number of means: (1) direct ownership with direct management; (2) direct ownership with management contracted out; (3) lease to a suitable body with appropriate management prescriptions built in; or (4) a transfer of ownership to a third party subject to a section 253 (Highways Act 1980) agreement.</p>	<p><a href="#">Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</a></p> <p><a href="#">Outline Landscape and Ecology Management Plan – Appendix 1 – LEMP Terms of Reference [Document Reference 6.7 Appendix 1 (3)]</a></p> <p><a href="#">ES Appendix 2.2: Code of Construction Practice [Document Reference 6.3]</a></p>	Matter <b>Agreed*</b>

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<ul style="list-style-type: none"> <li><u>feedback mechanisms to ensure monitoring and remedial works</u></li> <li><u>how management partners will ensure commitments are delivered successfully</u></li> </ul> <p>The Forestry Commission also requested the following commitments:</p> <ul style="list-style-type: none"> <li><u>Commitment to consult Forestry Commission on the LEMP, CEMP and monitoring schedule as part of detailed design</u></li> <li><u>Commitment to ensure habitat creation will follow good practice, establish successfully, and be managed in perpetuity</u></li> </ul> <p>The Forestry Commission also requested that the Applicant have regard for the considerations listed in Appendix C item C.1.2 when drafting management plans.</p> <p>Based on the commitments made above, the Forestry Commission is satisfied that the Applicant has carried out positive and effective engagement to secure meaningful mitigation</p>	<p>The outline Landscape and Ecology Management Plan (oLEMP) (paragraphs 4.1.13 and 4.4.14, and Appendix 1) states that an advisory group will be set up to:</p> <ul style="list-style-type: none"> <li><u>Inform decision making</u></li> <li><u>Assure and oversee the implementation of commitments made to stakeholders</u></li> <li><u>Review monitoring outputs</u></li> <li><u>Ensure successful achievement of objectives and ensure that measures of success have been achieved</u></li> </ul> <p>The oLEMP Advisory Group will be consulted in developing the LEMP, Construction Environmental Management Plan (CEMP), and monitoring schedule. The group will include representatives from local statutory environmental bodies and all other relevant parties. Given the Forestry Commission's position as both a local statutory environmental body and a principal consultee on all woodland-related matters, the Applicant intends to consult with the Forestry Commission on the LEMP, CEMP and monitoring schedule. The Applicant will also take full consideration of the Forestry Commission's advice (see Appendix C) and implement this as far as reasonably practicable to</p>	<u>ES Appendix 2.2 (9)</u>	

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p><u>compensation measures. On this basis, the Forestry Commission can consider this matter agreed – subject to the commitments above being fulfilled.</u></p>	<p><u>ensure the successful delivery of the commitments and requirements of the DCO application.</u></p> <p><u>The Code of Construction Practice (CoCP) Section 2.7 'Enforcement and control procedures' states that the Applicant and any Contractors or management partners will be legally required to comply with the CoCP, including all commitments listed in the REAC, to ensure that these are delivered. This is a legal requirement, and the Applicant will take appropriate action to ensure compliance with the DCO.</u></p> <p><u>The Environmental Management Plan (EMP2) will set out the arrangements and responsibilities for implementing, monitoring, auditing and enforcing the environmental mitigation and compensation set out in the CoCP and REAC. This will include a monitoring and audit plan, for use when the Applicant and its representatives conduct site inspections and audits to verify the Contractors' compliance with EMP2, the CoCP and REAC. As detailed in the oLEMP, the Applicant's appointed monitoring party will feed back to the advisory group as part of the annual monitoring reporting.</u></p> <p><u>On request, the Environment Agency, Natural England, and the Secretary of</u></p>		

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
			<p><u>State will be able to attend and observe site inspections and audits and will have access to the results of these. Any and all non-conformances or non-compliances will be recorded and monitored through a contractor's action plan within an agreed risk-based timescale for resolution. Any stakeholder observations from site visits would be used to inform the ongoing management of the site through the oLEMP Advisory Group (see item 2.1.3).</u></p> <p><u>The responsibility for managing all land that would be permanently acquired for habitat creation would lie permanently with the Applicant and its Contractors and management partners.</u></p>		
Claylane Wood compensatory planting justification	2.1.7 <b>RRE</b>	The Forestry Commission contests the premise that the landscape and cultural heritage value of the RAF Gravesend Airfield north of Claylane Wood overrides the need for significant woodland planting in this location.	<p>The Applicant does not consider the cultural heritage and landscape value of the area north of Claylane Wood to override the value of ancient woodland and the need to ensure adequate compensatory planting to offset adverse effects.</p> <p>There are a number of factors to consider at each site, which need to be balanced. At Gravesend Airfield, cultural heritage and landscape requirements have been balanced against the need for ancient woodland compensatory planting.</p>	<p><u>ES Chapter 6: Cultural Heritage [REP4-116]</u></p> <p><u>ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]</u></p>	Matter Not Agreed

**Deleted:** The Applicant will discuss this matter further with the Forestry Commission.

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 ES Chapter 7: Landscape and Visual [\[APP-145\]](#)

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
			Substantial woodland planting has been included in the Claylane Wood area, including an additional 2ha as agreed with the Forestry Commission and detailed in item 2.1.8.		
Claylane Wood compensatory planting design	2.1.8	Forestry Commission is pleased to see the addition of 2 hectares of additional woodland planting to the north of Claylane Wood and support this addition to the scheme. They appreciate the logistical challenges presented by the proposed locations of the utilities, and believe this is a reasonable compromise.	The Applicant has included 2ha of additional woodland compensatory planting in the Claylane Wood area in response to Forestry Commission's request.	ES Chapter 8: Terrestrial Biodiversity <a href="#">[Document Reference 6.1 ES Chapter 8 (2)]</a>	Matter Agreed
<b>Utilities</b>					
General	2.1.9 <b>RRE</b>	Routes for the utilities, if permitted, will cause irreversible damage to and loss of valuable ancient woodland, some of which is also designated as Sites of Special Scientific Interest (SSSIs).	The Applicant recognises that utilities work may result in impacts on ancient woodland (some of which are designated SSSIs). The Applicant also acknowledges that it is not possible to replace ancient woodland. However, the Project has been designed to avoid, and where this was not possible, minimise adverse effects on these habitats, and significant reductions in impacts have been made since the Supplementary Consultation in 2020. Ancient woodland compensation planting has been proposed as part of the mitigation strategy and	<a href="#">ES Chapter 7: Landscape and Visual [Document Reference 6.1 ES Chapter 7 (2)]</a> <a href="#">ES Chapter 8: Terrestrial Biodiversity [Document Reference 6.1 ES Chapter 8 (2)]</a>	Matter Agreed

Deleted: [\[APP-146\]](#)

Deleted: ES Chapter 7: Landscape and Visual [\[APP-145\]](#)

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
			supports improved habitat connectivity within the wider landscape.		
<b>Mitigation</b>					
Green bridges	2.1.10	<p>The Forestry Commission asks for green bridges to be delivered to link woodland communities as part of mitigating ecological and landscape impacts from the Project. These should be delivered in accordance with Natural England and Landscape Institute Guidance on Green Bridges:</p> <ul style="list-style-type: none"> <li><a href="#">Natural England Literature Review (2015)</a> <a href="#">Landscape Institute Guidance based on Natural England Literature Review (2016)</a></li> </ul> <p><u>We welcome the commitment to the 7 new green bridges as part of the proposals. We also welcome the reference to the Natural England and Landscape Institute guidance mentioned above. However, we advise that the wording should be stronger to ensure high standards of green bridges. An important part of the landscape and ecological compensation measures is reliant on the green bridges being effective at providing strategically placed routes of</u></p>	<p>The Project proposals include seven green bridges. The green bridges form an integral part of the walking, cycling and horse riding (WCH) strategy. <u>The Project Design Principles commit to ensuring the green bridge design considers the Natural England Literature review when developing the design, and this is secured via clause STR.08.</u></p> <p><u>The Landscape Institute Guidance based on Natural England's Literature Review is referenced in paragraph 8.5.8 of ES Chapter 8: Terrestrial Biodiversity.</u></p> <p><u>The Applicant acknowledges the Forestry Commission's comments made in its review of this SoCG dated 11 December 2023. The Applicant also reaffirms its commitment to use the Landscape Institute Guidance based on Natural England's Literature Review when developing the green bridges design, as set out in ES Chapter 8: Terrestrial Biodiversity.</u></p> <p><u>Regarding the Forestry Commission's comments around Gravesend airfield, the changes to woodland planting plans at this</u></p>	<p><a href="#">ES Figure 2.4: Environmental Masterplan Document Reference 6.2</a> <a href="#">ES Figure 2.4 Sections 1 and 1a (4), Section 2 (5), Section 3 (4), Section 4 (2), Section 9 (6), Section 10 (4), Section 11 (3), Section 12 (3), Section 13 (3), Section 14 (3)]</a> <a href="#">Design Principles Document Reference 7.5 (7)]</a> <a href="#">ES Chapter 8: Terrestrial Biodiversity Document</a></p>	Matter <b>Not</b> Agreed

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p><u>connectivity. And given the nature of the project and its prominence of the area's landscape and ecological value, we would expect these to be exemplars that provide a lasting positive legacy.</u></p> <p><u>We advise that effective connectivity is particularly important considering the direct loss/impacts to ancient woodland sites and considering that the Gravesend airfield to the North of Claylane Wood is not being proposed for woodland creation as requested (Matter 2.1.7), which will limit the level of connectivity between Claylane Wood and other woodland areas, and the severance of green space that will be replaced with the road proposal to the East of Claylane Wood.</u></p> <p><u>We appreciate the detail of the design will be confirmed later in the process and welcome our involvement as part of this. However, we request that Applicant commits to following the guidance outlined in the aforementioned guidance and delivers these in line with advisory group recommendations to ensure these are of an acceptable standard.</u></p>	<p><u>location were confirmed at Design Refinement Consultation in 2020. These changes were made in response to stakeholder feedback at Statutory Consultation and Supplementary Consultation, in order to maintain the open views which are characteristic of the area's open, arable, flat to gently undulating landscape. This landscape has a strong association with the wooded skyline of Shorne Woods within the Kent Downs AONB to the east.</u></p> <p><u>The changes to woodland planting were also made to protect the cultural heritage of Gravesend airfield and the associated remains of the 20th century military activity within this area.</u></p> <p><u>As set out in ES Chapter 6: Cultural Heritage, the establishment of woodland around the edge of surviving open areas of the former airfield would further enclose what remains of its open landscape character, as well as potentially impacting buried remains of the airfield.</u></p> <p><u>As such, the shape of woodland planting proposed at Design Refinement Consultation was updated to be considerate to this landscape character whilst also reflecting the former alignment of the RAF Gravesend airstrip.</u></p>	<p><b><u>Reference 6.1 ES Chapter 8 (2)</u></b>  <u>ES Chapter 6: Cultural Heritage [REP4-116].</u></p>	

**Deleted:** ES Figure 2.4: Environmental Masterplan [APP-159 to APP-168] Design Principles [APP-516]

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<ul style="list-style-type: none"> <li><u>The Forestry Commission appreciates that the Applicant has engaged with us positively and effectively throughout the Examination period. We understand from the Applicant that at this stage in the Examination (after Deadline 8), it has not been possible to secure changes to meet our request which, in our view, is needed to ensure adequate levels of connectivity once established. As such, we regard this matter as 'Not Agreed'.</u></li> </ul>	<p><u>Additionally, the planting design also had to be amended to accommodate the necessary above- (overhead line) and below-ground (gas mains) utility diversions and the associated utility provider's required wayleaves and legal easements. The Forestry Commission had previously confirmed in an email to the Applicant on 17 June 2021 that they supported these changes. The Applicant looks forward to continuing to engage closely with the Forestry Commission throughout detailed design to ensure that the green bridge design achieves the Project's mitigation and compensation objectives.</u></p>		
Soil Protection Zone	2.1.11	The Forestry Commission recommends implementing a Soil Protection Zone.	The Code of Construction Practice (CoCP) requires that there will be topic management plans developed for environmental subjects that require further measures and controls to be implemented during the construction phase, and this will include soils.	ES Appendix 2.2: Code of Construction Practice <b>[Document Reference 6.3 ES Appendix 2.2 (9)]</b>	Matter Agreed
Ancient woodland soil translocation	2.1.12 <b>RRE</b>	The Forestry Commission would like National Highways to carry out ancient woodland soil translocation and monitor its effectiveness	The Applicant has included a REAC commitment to translocate ancient woodland soils in some locations (REAC Commitment TB028 'Ancient Woodland Soil Translocation'). The Environmental Masterplan (ES Figure 2.4) identifies areas	<b>ES Figure 2.4: Environmental Masterplan [Document Reference 6.2 ES Figure 2.4</b>	Matter Agreed

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
			of ancient woodland compensatory planting, which would be inoculated, where reasonably practicable, with translocated ancient woodland soils from within the Order Limits. The outline Landscape and Ecology Management Plan (oLEMP) details monitoring requirements.	<p><a href="#">Sections 1 and 1a (4).</a>  <a href="#">Section 2 (5).</a>  <a href="#">Section 3 (4).</a>  <a href="#">Section 4 (2).</a>  <a href="#">Section 9 (6).</a>  <a href="#">Section 10 (4).</a>  <a href="#">Section 11 (3).</a>  <a href="#">Section 12 (3).</a>  <a href="#">Section 13 (3).</a>  <a href="#">Section 14 (3)]</a></p> <p>ES Appendix 2.2: Code of Construction Practice  <a href="#">[Document Reference 6.3 ES Appendix 2.2 (9)]</a>.</p> <p>Outline Landscape and Ecology Management Plan  <a href="#">[Document Reference 6.7 (7)]</a>.</p>	

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
Detailed design and engagement	2.1.16 (DL4)	<p>The Forestry Commission wishes to engage closely with the Applicant throughout detailed design to reduce impacts on ancient woodland and to maximise the effectiveness and value of mitigation and compensation measures to protect, expand, enhance and connect woodland habitats, with appropriate management and maintenance to ensure these measures are delivered effectively.</p> <p>Ancient woodlands are an irreplaceable habitat and there should be no loss or deterioration of them. The Forestry Commission therefore encourages all efforts to remove the ancient woodland footprint from the detailed design as far as possible. If this is not possible and permission is granted then we encourage the detailed design phase to avoid impacts as far as possible by limiting the footprint of the works, retaining trees and soil in situ and planting an appropriate woodland edge that provides a variety of species, irregular shape and long-term maintenance. The Forestry Commission encourages the use of underplanting with a mixed</p>	<p>The Applicant welcomes and values the constructive engagement with the Forestry Commission to date, and agrees that this should continue throughout detailed design.</p> <p>The <u>detailed design process</u> will <u>involve continued engagement with all relevant stakeholders (including the Forestry Commission) to further reduce and minimise impacts on all woodland, trees and vegetation (including ancient woodland) as set out in REAC item LV001 'Trees and vegetation retention'.</u></p> <p><u>As set out in SoCG matters 2.1.3 and 2.1.6, the oLEMP Advisory Group will be consulted in developing the LEMP. The group will include representatives from local statutory environmental bodies and all other relevant parties. Given the Forestry Commission's position as both a local statutory environmental body and a principal consultee on all woodland-related matters, the Applicant expects to duly consult with the Forestry Commission on the LEMP before this is presented to the Secretary of State.</u></p> <p><u>The details of management activities to be undertaken will be developed between all relevant parties during the development of the LEMP. These relevant parties would</u></p>	<p><u>Outline Landscape and Ecology Management Plan [Document Reference 6.7 (7)]</u></p>	<p>Matter <u>Agreed*</u>,</p>

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p>broadleaved hedge/scrub mix within the red line to provide a screening for the remaining woodland, which could offer biodiversity benefits as well as a buffer to capture/reduce the effects of noise and pollution to the existing woodland.</p> <p>With the replanting scheme it was highlighted, during the technical meeting on 10.07.2023 that the utilities corridors would be converted to grassland. The Forestry Commission welcomes consideration for a woodland glade mix to connect and support the existing ancient woodland such as LW8M or LW8P- Native Woodland and Heavy Shade Wildflower Mix.</p> <p>As part of detailed design, the Forestry Commission requests that the proposed green bridges are designed and delivered in accordance with Natural England and Landscape Institute guidance (see SoCG Item 2.1.10).</p> <p><u>Following a technical meeting on 19.10.2023, the Forestry Commission requested that woodland creation and management proposals are carried out</u></p>	<p><u>include wildlife trusts and any other interested management partners, although the parties consulted would naturally vary according to the location of the management proposals. For example, both Kent Wildlife Trust and Essex Wildlife Trust would be consulted wherever relevant, although not all parties consulted would be relevant for every site.</u></p> <p><u>The Applicant will also take full consideration of the Forestry Commission's advice (see Appendix C) and implement this as far as reasonably practicable to ensure the successful delivery of the commitments and requirements of the DCO application.</u></p> <p><u>Natural England's submission at Deadline 7 states that an area on the southern boundary of The Wilderness measuring 0.44ha meets the criteria for designation as ancient woodland. The Applicant has therefore updated its assessment accordingly and has submitted this into Examination at Deadline 8.</u></p>		

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p><u>in collaboration with local bodies such as Kent Wildlife Trust, and that the Applicant work with wildlife trusts and others to maximise ecological benefit, whilst complementing other habitat creation and conservation work in the local area. Woodland management should be carried out in accordance with the UK Forestry Standard.</u></p> <p><u>The Forestry Commission understands that an area of broad-leaved priority woodland habitat known as 'the Wilderness' has been reported as being designated Ancient Woodland by Natural England, and is within 100 meters of highway associated with the Application. If and when this is confirmed by Natural England, we request that the Applicant affords this site the same level of consideration as other ancient woodland that may be affected by the Project due to potential impacts from increased air pollution</u></p>			

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p><u>associated with the Project<sup>1</sup>. If an impact is expected to occur, we request that the mitigation and compensation strategy is updated to avoid impacts in line with NPPF Paragraph 180c the mitigation hierarchy in addition to the mitigation and compensation measures already being proposed.</u></p> <p><u>Based on the commitments made above, the Forestry Commission is satisfied that the Applicant has carried out positive and effective engagement to secure meaningful mitigation compensation measures. On this basis, the Forestry Commission can consider</u></p>			

<sup>1</sup> Natural England has found that the traffic emission from major roads can negatively impact ancient woodland. Bignal and others (2007; see Section 3.3 Impacts on habitats and communities) reported that the number of sessile oak and beech trees showing signs of insect damage, at Bradley Wood and Aston Rowant NNR respectively, was greatest within the first 100m of the motorways. (Cited in 'Natural England Commissioned Report NECR199 The ecological effects of air pollution from road transport: an updated review')

Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
		<p><u><a href="#">this matter agreed – subject to the commitments above being fulfilled.</a></u></p> <p>The Forestry Commission has outlined a number of additional measures and principles that they encourage to be considered and adopted in the detailed design, as far as possible, which they look forward to discussing with the Applicant in more detail (see <a href="#">Appendix C, item C.1.1</a>).</p>			
<b>Nitrogen deposition</b>					
Methodology and Compensation Strategy	2.1.13	The Forestry Commission has been consulted on, and agrees with, the methodology and mitigation and compensation strategy.	The air quality assessment methodology has been updated following discussions with Natural England to include the impact of ammonia emitted from exhausts, as well as considering nitrogen oxides (NOx). The Project has identified an approach to offset the potential impact of nitrogen deposition by creating 250ha new compensatory habitats at a landscape scale. These areas would provide additional benefits, including public access, enhancing local landscape and improving biodiversity.	ES Chapter 5: Air Quality <a href="#">[APP-143]</a>	Matter Agreed
Air Modelling	2.1.14	The Forestry Commission has been consulted on, and agrees with, the changes to the air quality model inputs and assessment methodology.	There have been a number of changes to the air quality model inputs to the assessment methodology which include the following: traffic data; the change in opening year from 2027 to 2030; the	ES Chapter 8: Terrestrial Biodiversity <a href="#">[Document Reference 6.1]</a>	Matter Agreed

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Topic	Item No.	Forestry Commission Comment	The Applicant's Response	Application Document Reference	Status
			emission factors have been updated from Emission Factor Toolkit (EFT) version 9 to EFTv11; background air quality maps and the NO <sub>x</sub> to NO <sub>2</sub> tool have been updated; the model verification against monitoring data has changed as a result of the updates above; and the ammonia component to nitrogen deposition has been included in the assessment.	<del>ES Chapter 8 (2)</del>	
Biodiversity – Net Gain	2.1.15 <b>RRE</b>	Forestry Commission appreciates the Project's commitment to net gain. However, as an irreplaceable habitat, ancient woodland cannot be used in any net gain metric, as there is no way to replace it via any compensatory or mitigation scheme.	In line with Natural England's latest metric guidance, ancient woodland has not formed any part of the Project baseline calculation or the Project design calculation.	ES Appendix 8.14: Designated Sites Air Quality Assessment [APP-403 to APP-406]	Matter Agreed

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## Appendix A Engagement activity

**Table A.1 Engagement activities between the Applicant and the Forestry Commission since the DCO application was submitted on 31 October 2022**

Date	Overview of engagement activities
16 November 2022	DCO walkthrough presentation to provide stakeholders a summary of where to find relevant DCO Application Documents.
25 November 2022	Forestry Commission attended the Applicant's Biodiversity and Ecology Briefing.
09 January 2023	Email to notify Forestry Commission of Relevant Representations opening, and to offer 1:1 meeting between the Forestry Commission and the Applicant if required.
16 February 2023	Email to remind Forestry Commission of closing date for Relevant Representations, and to offer to set up a regular monthly meeting between Forestry Commission and the Applicant.
06 March 2023	Email about PADS and to offer 1:1 meeting between Forestry Commission and the Applicant if required.
10 March 2023	Email to notify Forestry Commission about Ministerial Statement of 09 October 2023
23 March 2023	Email to Forestry Commission in response to request for more information about proposed changes in the Minor Refinements Consultation.
02 May 2023	Forestry Commission attended Stakeholder Landscape and Ecology Working Group workshop session.
17 May 2023	Stakeholder briefing on the Minor Refinements Consultation material.
10 July 2023	Meeting between Forestry Commission and the Applicant to discuss SoCG matters, and to present GIS and other technical drawings.
<a href="#">19 October 2023</a>	<a href="#">Meeting between Forestry Commission and the Applicant to discuss SoCG matters.</a>
<a href="#">06 December 2023</a>	<a href="#">Meeting between Forestry Commission and the Applicant to discuss SoCG matters.</a>

**Table A.2 Detailed record of engagement activities between the Applicant and the Forestry Commission which took place prior to DCO application submission on 31 October 2022**

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
July 2018-April 2022	Teams and progress meetings	Regular technical meetings to discuss the programme, SoCG topics and compensatory enhancements. Held as required, typically quarterly to monthly.
Oct 2018-Sept 2021	Public consultations	Forestry Commission has been consulted on all of the Applicant's public consultations.



<b>Date</b>	<b>Form of contact/ correspondence</b>	<b>Key topics discussed and key outcomes</b>
Sept 2018-June 2020	Workshops	Technical workshops to discuss Project identification, design development, utilities diversions, DCO, impacts and mitigation.
11 July 2018	Meeting	Introductory meeting between Forestry Commission and the Lower Thames Crossing Project.
12 July 2018	Email	Notification of updated Order Limits
5 September 2018	Meeting	Project Identification Workshop
6 September 2018	Meeting	Project updates including environmental surveys and Order Limits update. Forestry Commission suggested providing strategic connections to existing open access areas and woodlands.
October – December 2018	Statutory Consultation	Statutory public consultation on the Project's design in the Preferred Route Announcement. Consultation response received from the Forestry Commission.
19 October 2018	Email	Green Infrastructure Study Opportunities Plan. Comments requested on projects identified
23 October 2018	Meeting	Briefing to the Forestry Commission on vision, strategic goals, legacy and benefits.
18 December 2018	Email	Forestry Commission enquired about impact on woodland utilities. The Applicant provided an overview of works.
24 April 2019	Meeting	Design Development Workshop South of the River Thames. The Applicant presented the latest thinking on the Project's design development and sought initial feedback and suggestions for improving the design.
26 September 2019	Meeting	Environment and Community Group Forum. Update on ecology surveys and environmental mitigation approach after Statutory Consultation.
7 November 2019	Meeting	Design Development Workshop with key local authorities and Statutory Environmental Bodies to update on Supplementary Consultation delivery, pre-enabling works, design refinement and development boundary.
4 December 2019	Utilities Diversion Workshops (north and south)	Utilities Diversion Workshop to update on utilities design and the potential impact on environmental designations and Order Limits
January – March 2020	Supplementary Consultation	Non-statutory public consultation on Project changes and development of the Project. Consultation response received from the Forestry Commission.
22 April 2020	Meeting	Preliminary Environmental Impact and Mitigation & Code of Construction Practice Review South.

<b>Date</b>	<b>Form of contact/ correspondence</b>	<b>Key topics discussed and key outcomes</b>
15 May 2020	Meeting	The Applicant explained the current utilities design including areas which were awaiting input from Statutory Undertakers.
21 May 2020	Meeting	Key elements of the DCO workshop.
3 June 2020	Email	Shared draft CoCP, comments requested
10 June 2020	Meeting	Design Development Workshop South. Update on supplementary consultation delivery, pre-enabling works, design refinement and development boundary.
23 & 25 June 2020	Meeting	Environmental Impact & Mitigation and REAC Review workshop
26 June 2020	Meeting	Bilateral meeting on woodland loss figures
29 June 2020	Email	The Applicant shared the draft DCO, noting to the Forestry Commission that it disapplies the need for a tree felling licence under the Forestry Act 1967. Major or substantive comments were welcomed.
1 July 2020	Meeting	Environmental Impact Update and discussions on ancient woodland compensatory planting.
14 July 2020	Email	Shared draft Environmental Masterplan
July – August 2020	Design Refinement Consultation	Non-statutory public consultation on design refinements of the Project. Consultation response received from the Forestry Commission.
7 August 2020	Meeting	Progress meeting
26 August 2020	Email	Shared draft Design Principles and cross sections of key structures.
18 September 2020	Meeting	Progress meeting
16 October 2020	Meeting	Review issues log ahead of initial DCO submission.
24 November 2020	Meeting	Update on DCO application post withdrawal
3 December 2020	Email	The Applicant shared all of its DCO documents with the Forestry Commission.
4 December 2020	Meeting	Update meeting to brief the Forestry Commission on scope changes expected to be incorporated between withdrawal and resubmission of the DCO.
8 December 2020	Meeting	Walkthrough of DCO documents.
8 December 2020	Email	Shared Forest Research's Forest Concept Report
22 January 2021	Meeting	Project updates and issues revisited after reviewing DCO documents.
26 January 2021	Meeting	Inaugural Environment Working Group Legacy meeting

Date	Form of contact/ correspondence	Key topics discussed and key outcomes
22 February 2021	Email	Shared new DCO documents including the outline Landscape and Ecology Management Plan, outline Site Waste Management Plan. Any major or substantive comments were welcomed.
12 March 2021	Meeting	Present utilities design refinements which reduce the Project's impacts on Claylane Wood and Ashenbank Wood. Review of associated issues.
7 May 2021	Meeting	Forestry Commission shared new feedback on the ancient woodland compensatory design at Claylane Wood.
16 June 2021	Meeting	The Applicant presented a draft proposal for additional ancient woodland compensatory planting at Claylane Wood.
14 July – 8 September 2021	Community Impacts Consultation	Consultation response received from the Forestry Commission.
20 April 2022	Meeting	To provide Forestry Commission with update on the changes to the Order Limits, nitrogen deposition, air quality modelling and Hole Farm.

## Appendix B Glossary

Term	Abbreviation	Explanation
Code of Construction Practice	CoCP	Contains control measures and standards to be implemented by the Project, including those to avoid or reduce environmental effects.
Development Consent Order	DCO	Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008.
Environmental Management Plan	EMP / EMP2	For the Project, a plan setting out the conclusions and actions needed to manage environmental effects as defined by the Design Manual for Roads and Bridges standard LA 120. The CoCP is the equivalent of the first iteration of the EMP (EMP1). The contractor's EMP would be EMP2 and the end of construction EMP would be EMP3.
Nitrogen oxides	NOx	A group of seven gases and compounds composed of nitrogen and oxygen, sometimes collectively known as NOx gases.
National Policy Statement for National Networks	NPSNN	The NPSNN sets out the need for, and Government's policies to deliver, development of Nationally Significant Infrastructure Projects on the national road and rail networks in England. It provides planning guidance for promoters of Nationally Significant Infrastructure Projects on the road and rail networks, and the basis for the examination by the Examining Authority and decisions by the Secretary of State.
outline Landscape and Ecology Management Plan	oLEMP	A document which provides details on the delivery and management of the landscape and ecology elements identified in the Environmental Masterplan for the Project, including their success criteria.
Register of Environmental Actions and Commitments	REAC	The REAC identifies the environmental commitments that would be implemented during the construction and operational phases of the Project if the Development Consent Order is granted, and forms part of the Code of Construction Practice.
Site of Special Scientific Interest	SSSI	A conservation designation denoting an area of particular ecological or geological importance.
Statutory Undertaker	SU	Bodies carrying out functions of a public character under a statutory power. They may either be in public or private ownership, for example the Post Office, Civil Aviation Authority, the Environment Agency, or any water undertaker, public gas transporter or supplier of electricity.
Walkers, cyclists and horse riders	WCH	Walkers, cyclists and horse riders, in the context of their use and interaction with the road network.

## Appendix C Forestry Commission advice for detailed design

- C.1.1 The Forestry Commission encourage exhaustive efforts to adopt the below measures as part of mitigation and compensation measures in the detailed design, which reiterate what the Forestry Commission raised in the LTC Working group meeting on 2 May 2023:
- a. Continue to proactively engage with Forestry Commission on creation/management proposals
  - b. Exhaust opportunities to improve condition of existing woodland
  - c. Implement mitigation/compensation as early as possible to help establish them quickly and effectively, while ensuring measures are truly additional
  - d. Urban planting to create and enhance tree and woodland cover where people live and work in local communities and the many benefits this can have in addition to biodiversity (eg health and wellbeing)
  - e. Provide clear and concise updates to changes in design/proposals
  - f. Robust commitments relating to:
    - i. Climate resilience measures for habitat creation and management eg using species and provenance resilient to changing climate. The Forestry Commission can advise further on this.
    - ii. Management and monitoring
    - iii. Deer and squirrel management with input from Forestry Commission Deer Officer
    - iv. Plant Health measures to avoid spread of pests/disease. The Forestry Commission can advise further on this.
  - g. Management in line with UK Forestry Standard
  - h. Work with LNRS responsible authorities to align with and deliver landscape-scale recovery
  - i. Design for multi-functional benefits eg nature based solutions to flood management, public access, shade/cooling
  - j. Engagement/involvement with communities eg planting with local community

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- k. Consider using metrics/KPIs to monitor progress eg Natural England's Green Infrastructure Standards, Urban Green factor, tree canopy cover, latest BNG guidance/metric

C.1.2 The Forestry Commission requests that the Applicant has regard to the following considerations when drafting management plans for habitat creation as part of the detailed design, which reiterate what the Forestry Commission raised following the technical meeting held on 19 October:

- l. Tree tube checking, replacing and removal scheduled – ensure these are in good condition and taken away at appropriate times to avoid plastic waste
- m. Any losses to be replaced – where losses occur, identify and understand why, and adjust plans and management to avoid in future
- n. Planting and post management in line with BS 8545:2014
- o. Management in line with UK Forestry Standards (UKFS)
- p. Management and monitoring plans designed and implemented before planting is carried out
- q. Check during construction and assurance that contractors are aware of what they must do, e.g. via Toolbox talks by ecologists at key points and ECoW checks (especially for ancient woodland soil translocation and any other sensitive works)
- r. Soil assessment to ensure suitability, including desk assessments as a minimum as part of planting plans. Testing soil samples would be best practice but may not be viable at such a scale unless initial assessments indicated that this was needed OR as part of monitoring/establishment plans, where significant failures occur and the reason for this is unclear
- s. Resilience to extreme weather events, e.g. how to avoid drought impacts in places most at risk – targeted watering or natural irrigation may be needed (e.g. through ditching) and additional mulching in high-risk areas, alongside suitable species selection
- t. Commitment to a 20-year landscape management plan which translates into 10-year woodland management plan (compliant with Forestry Commission standards) in line with latest UKFS guidance
- u. Landscape-scale approach to pest management (e.g. deer and squirrel) across all impacted sites and all sites to be enhanced through habitat creation or compensation, with partnership working approach between National Highways, landowners, and any interested management partners

- v. Landscape-scale approach to tree disease management, including any tree diseases that may emerge in the next 20 years as the woodland establishes across all impacted sites and all sites to be enhanced through habitat creation or compensation, with partnership working approach between National Highways, landowners, and any interested management partners

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

National Highways Limited registered in England and Wales number 09346363