

From: [Ayliffe, Stephen](#)
To: [A585 Windy Harbour to Skippool](#)
Cc: [Knowles, Elizabeth](#)
Subject: 293212 NE RESPONSE NSIP ref TR010035 - Natural England's Update at Deadline 7
Date: 20 September 2019 14:32:42
Attachments: [Natural England Deadline 7 submission TR010035 20Sep2019.pdf](#)

NSIP Reference Code: TR010035

User Code: 20021773

Please find attached, Natural England's comments for Deadline 7.

Stephen Ayliffe
Team Leader – Coast and Marine Team
Cheshire, Greater Manchester, Merseyside and Lancashire Area Team
Natural England
Hornbeam House, Electra Way
Crewe, CW1 6GJ
landline no. 0208 026 8468 mobile no. [REDACTED]

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

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

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Date: 20 September 2019
Our ref: 12817/293212
Your ref: TR010035



The Planning Inspectorate
Major Applications & Plans
3D
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Sir or Madam

A585 Windy Harbour to Skippool Improvement Scheme

NSIP Reference Code: TR010035

User Code: 20021773

Deadline 7

Comments on the ExA's proposed schedule of changes to the Development Consent Order (DCO)

Comments on the Report on the Implications for European Sites (RIES)

Comments on the Outline Construction Environmental Management Plan (CEMP)

Comments on the Record of Environmental Actions and Commitments (REAC)

Thank you for your consultation via the Rule 8 letter, on the above, dated and received by Natural England on 16 April 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

1 Comments on the ExA's proposed schedule of changes to the Development Consent Order (DCO)

- 1.1 We have no comments to make on the ExA's proposed schedule of changes to the DCO.
- 1.2 We are still in discussions with Highways England regarding suggested changes to the DCO (full details in our response for Deadline 6 dated 21 August 2019).
- 1.3 In response to Natural England's comments further changes to the DCO have been proposed by Highways England (email dated 18 September 2019). Natural England have not yet been able to review these DCO proposals.

2 Comments on the Report on the Implications for European Sites (RIES)

- 2.1 We have reviewed the RIES dated 27 August 2019.
- 2.2 Natural England thanks you for the preparation of the RIES which in general, captures

our concerns well.

- 2.3 The RIES concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the internationally designated sites in question.
- 2.4 Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured via the Development Consent Order (DCO).
- 2.5 We will remain in contact with Highways England and will seek to conclude a Statement of Common Ground with them before Deadline 8.

3 Comments on the Outline Construction Environmental Management Plan (CEMP)

- 3.1 We have reviewed the Outline CEMP (Rev 3, August 2019).
- 3.2 At Deadline 5, in response to our concerns raised regarding night-time working, Highways England responded (ref. REP3-019.6) saying;

'... The Outline Construction Environmental Management Plan (document reference TR010035/APP/7.2 – Rev 2) will further regulate night-time working.'
- 3.3 However, nothing additional has been included within this latest version of the Outline CEMP to regulate night-time working.
- 3.4 This matter should be clarified and the CEMP amended as previously agreed.

Bird Mitigation Strategy

- 3.5 We have reviewed a new version of the CEMP Appendix B - Bird Mitigation Strategy (Rev 2, September 2019), supplied to us by Highways England on 11 September 2019 and a subsequent amendment (sent via email on 18 September 2019). We understand this document will be formally submitted at Deadline 7.
- 3.6 Natural England is satisfied that all our previous concerns and suggestions regarding this Strategy have been adequately addressed by Highways England.
- 3.7 We note further progress on securing the shooting rights to enable this mitigation to be successful and that this is reflected in the addition of paragraph 2.4.2 of the Bird Mitigation Strategy (as emailed to Natural England on 018 September 2019).
- 3.8 Paragraph 2.4.2 notes that suspension of shooting has been agreed however it is not clear how this is fully secured.
- 3.9 We await further updates on this matter, before we can be satisfied that all elements of the Bird Mitigation Strategy are fully secured.

4 Comments on the Record of Environmental Actions and Commitments (REAC)

- 4.1 We have reviewed a new version of the REAC (Rev 5, September 2019) supplied to us by Highways England on 11 September 2019 and a subsequent amendment (sent via email on 18 September 2019). We understand this document will be formally submitted

at Deadline 7.

- 4.2 Natural England is satisfied that all our previous concerns and suggestions regarding this Strategy have largely been adequately addressed by Highways England.
- 4.3 Natural England have advised Highways England (via email on 20 September 2019) that Environmental Action and Commitment 4AM (regarding Hedgerow management) should in 3 occurrences state 'shall' rather than 'would shall'.

Natural England
20 September 2019

For further information please contact:

Elizabeth Knowles
Land Use Lead Adviser 0208 225 7506
elizabeth.knowles@naturalengland.org.uk