

Date: 19 July 2021
Our ref: reference TBC
(NATIONALLY SIGNIFICANT INFRASTRUCTURE
PROJECT)



Highways England
Sent by e-mail only

Dear Mr Keith Ross,

<p>DRAFT MITIGATION LICENCE APPLICATION STATUS: INITIAL DRAFT APPLICATION LEGISLATION: THE WILDLIFE AND COUNTRYSIDE ACT 1981 (as amended) NSIP: A47/A11 Thickthorn Junction SPECIES: Water vole</p>

Thank you for your draft water vole mitigation licence application in association with the above NSIP site, received in this office on the 27th May 2021. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'letter of no impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

Assessment

Following our assessment of the resubmitted draft application documents, I can now confirm that, on the basis of the information and proposals provided, Natural England sees no impediment to a licence being issued, should the DCO be granted.

However, please note the following issues have been identified within the current draft of the method statement that will need to be addressed before the licence application is formally submitted.

Method Statement

There are 2 areas of concern in relation to the Cantley Stream:

(a) The A11 underpass for the Stream is to be extended by some 10m (from an existing width of c.30m). The Stream will be locally de-watered during these works which will create restrictions in the movement of riparian mammals (especially Otters). There is little information about the underpass size (it appears from aerial photos to be quite generous). Appendix F p.44 states that this extension will use the same aperture size.

(b) Of concern is a proposed new culvert at Cantley Lane South (a minor road) which will be 40m in length, replacing the existing one which is 10m long. The freeboard is limited to 428mm and is less than the Local Flood Authority wished. Little is known about Water Vole movement through culverts (Meryl Gelling, pers. comm.) but research is being undertaken to generally

address this. This could inform decisions when the licence application is received, but it seems that little could be done to change the culvert size as there are other considerations, already agreed. There is a potential risk that in “flood conditions”, riparian mammals will try to cross the road. There is a statement in Appendix F (table RD5) that “dry mammal ledges” will be incorporated into underpasses and culverts, but this may not be practical in the case of the Cantley Lane South culvert. Perhaps an additional, shorter “dry underpass pipe” under the road near the culvert could be considered for mammals.

Next Steps

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted. Please note that there will be no charge for the formal licence application determination, should the DCO be granted, or the granting of any licence.

If other minor changes to the application are subsequently necessary, e.g. amendments to the work schedule/s then these should be outlined in a covering letter and must be reflected in the formal submission of the licence application. These changes must be agreed by Natural England before a licence can be granted. If changes are made to proposals or timings which do not enable us to meet reach a ‘satisfied’ decision, we will issue correspondence outlining why the proposals are not acceptable and what further information is required. These issues will need to be addressed before any licence can be granted.

Full details of Natural England’s licensing process with regards to NSIP’s can be found at the following link:

[REDACTED]

As stated in the above guidance note, I should also be grateful if an open dialogue can be maintained with yourselves regarding the progression of the DCO application so that, should the Order be granted, we will be in a position to assess the final submission of the application in a timely fashion and avoid any unnecessary delay in issuing the licence.

I hope the above has been helpful. However, should you have any queries then please do not hesitate to contact me.

Yours sincerely

Katia Oddi – sent on behalf of Alan Britton

Tel: [REDACTED]

E-mail: [REDACTED]@naturalengland.org.uk

Annex - Guidance for providing further information or formally submitting the licence application.

Important note: when submitting your formal application please mark all correspondence 'FOR THE ATTENTION OF (Katia Oddi and Alan Britton).

Submitting Documents.

Documents must be sent to the Customer Services Wildlife Licensing (postal and email address at the top of this letter).

Changes to Documents –Reasoned Statement/Method Statement.

Changes must be identified using one or more of the following methods:

- underline new text/strikeout deleted text;
- use different font colour;
- block-coloured text, or all the above.

Method Statement

When submitting a revised Method Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively three paper copies. The method statement should be submitted in its entirety including all figures, appendices, supporting documents. Sections of this document form part of the licence; please do not send the amended sections in isolation.

Customer Feedback – EPS Mitigation Licensing

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

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

Fax: [REDACTED] or email to wildlife@naturalengland.org.uk



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

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

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

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

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

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

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

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

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

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

Fully *Partially* *Unresolved*

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

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

Positive support *No reaction* *Negative reaction*

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

Definitely *Possibly* *Unlikely* *No*

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