

M54 to M6 Link Road

TR010054

Volume 7

**7.3 Draft Statement of Common Ground
with Natural England**

Regulation 5(2)(q)

Planning Act 2008

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

January 2020

Infrastructure Planning

Planning Act 2008

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

**M54 to M6 Link Road
Development Consent Order 202[]**

**7.3 Draft Statement of Common Ground with
Natural England**

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Planning Inspectorate Scheme Reference	TR010054
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S8	28/01/2020	DCO Application

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Natural England.

Signed.....
Andrew Kelly
Project Manager
on behalf of Highways England
Date: [DATE]

Signed.....
[NAME]
[POSITION]
on behalf of Natural England
Date: [DATE]

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This draft Statement of Common Ground ('SoCG') has been prepared in respect of an application for a Development Consent Order ('the application') under section 37 of the Planning Act 2008 ('PA 2008') for the proposed M54 to M6 Link Road ('the Scheme') made by Highways England Company Limited ('Highways England') to the Secretary of State for Transport ('Secretary of State').
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate website.
- 1.1.3 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.
- 1.1.4 This SoCG has been drafted based on discussions with Natural England throughout the process of preparing the DCO application, with all matters agreed being detailed in meeting minutes and e-mails. This SoCG was sent to Natural England on 10th January 2020. However, Natural England has not yet approved this document in full and it therefore represents Highways England's understanding of the current position.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Natural England (NE).
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 NE is an executive non-departmental public body sponsored by the Department for Environment, Food and Rural Affairs (Defra). NE is the government's advisor to protect England's nature and landscape for people to enjoy and for the services they provide.
- 1.2.4 NE's role in relation to the Development Consent Order (DCO) process derives from the PA 2008 and secondary legislation made under PA 2008. The roles and responsibilities of NE under the PA 2008 fall into the following categories:
- As one of the prescribed consultees under section 42 of the PA 2008 that applicants are required to consult before submitting a Nationally Significant Infrastructure Projects (NSIP) application.
 - As one of the consultation bodies that the Planning Inspectorate must consult before a scoping opinion is adopted in relation to any Environmental Impact Assessment (EIA) and as a prescribed consultee for the environmental information submitted pursuant to the Infrastructure Planning (EIA) Regulations 2009.

- As a statutory party in the examination of DCO applications.
- As a statutory nature conservation body under the Conservation of Habitats and Species and Planning (Various amendments) (England & Wales) Regulations 2018 (Habitats Regulations) in respect of the Habitats Regulations Assessment (HRA).
- As a consenting and licensing body/authority in respect of protected species and operations likely to damage the protected features of Sites of Special Scientific Interest (SSSIs) pursuant to the Wildlife and Countryside Act 1981 (as amended) (WCA 1981) and in relation to European protected species under the Habitats Regulations.

1.3 Terminology

- 1.3.1 In the tables in the issues chapter of this SoCG, “Not Agreed” indicates a final position, and ‘Under discussion’ where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. “Agreed” indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the issues chapter of this SoCG are not of material interest or relevance to NE, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to NE.

2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Natural England in relation to the application is outlined in Table 2.1 of this Statement. A list of the initials, names, role and organisation of the people mentioned in Table 2.1 is included at Appendix A. A list of abbreviations is included in Chapter 12 of the Introduction to the Application [TR010054/APP/1.1].

Table 2.1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes
30/08/2017	Meeting with TP, TRR, DL, AS (Aecom), TB (Amey) & GD (NE)	Introduction to the Scheme and route options, DCO process, project timescales and engagement methodology. Discussion of potential effects of route options on ancient woodland. Natural England confirmed route Option C (e) would have direct impacts upon ancient woodland at Burns Wood, Spring Coppice and Keeper's Wood and they would object to the Scheme at DCO if this option were taken forward as other options are available.
24/01/2019	Letter from AK (HE) to ES (NE)	Advising of Scheme progress and requesting a meeting to discuss NE views on proposed Dark Lane alignment.
24/01/2019	Email from TP (Aecom) to GD (NE)	Referring to previous discussions and requesting discretionary advice.
14/02/2019	Email from JR (NE) to TP (Aecom)	Including a quotation for advice based on information provided on request form.
15/02/2019	Email from TP (Aecom) to JR (EA)	Approving proposed fee for advice.
07/03/2019	Email from TP (Aecom) to JR, GD (EA)	Returning signed contract for advice and seeking date for first meeting.
27/03/2019	Meeting with GD (NE), RR, TP (Aecom) & TB, SG, DT (Amey)	Overview of survey effort to date and further surveys planned. Future engagement and EIA process. Provided NE with an understanding of the overall programme and requirement for on-going engagement. Discussion of main issues – HRA, possible ancient woodland fragments, Badgers, Bats. Discussed options for Dark Lane alignment.
24/04/2019	Email from TP (Aecom) to GD (NE)	Attaching purchase order to accompany contract for service advice.
30/04/2019	Email from TP (Aecom) to GD (NE)	Requesting advice on extent of Great Crested Newt (GCN) survey season and requesting extension of survey period until May 2019.
03/05/2019	Email from TP (Aecom) to GD (NE)	Attaching minutes from meeting on 27/03/2019 and first draft of SoCG.

Date	Form of correspondence	Key topics discussed and key outcomes
23/05/2019	Email from TP (Aecom) to GD (NE)	Advising of S42 consultation period and requesting comment from NE on PIER chapter and appendix reports by 04/07/2019. Arrangements for next meeting.
24/05/2019 & 04/06/2019	Emails from TP (Aecom) to GD (NE)	Checking receipt of S42 brochure and arrangements for meeting on 16/07/2019.
03/07/2019	Online statutory consultation questionnaire response from NE to HE	NE comments on the Preliminary Environmental Information Report (PEIR) as submitted for statutory consultation.
10/07/2019	Email from TP (Aecom) to GD (NE)	Attaching agenda for meeting.
16/07/2019	Meeting with GD, EG (NE), TC, GL (HE), HM (Tyler Grange), MO, AL, TP, AS (Aecom)	Overview of the Scheme and its current status. Update on the assessment of European Protected Sites. Information provided to NE on species scoped out of further assessment. Update on ecology survey progress and preliminary results. Discussion on the identification of ancient woodland within the Scheme boundary in response to NE comments in the PEIR.
17/07/2019	Email from HM (Tyler Grange) to GD (NE)	Queries discussed at meeting: outlined the reasoning for scoping out dormouse surveys to NE and requested NE's agreement. Provided information on the approach being used for bat surveys across the Scheme requesting NE's agreement. Requested clarification regarding the two years of bat survey data requested in the NE response to the PEIR. Outlined assumptions with regards to potential GCN waterbodies that could not be accessed or were dry. Provided further information in relation to the justification for scoping out the Cannock Chase Special Area of Conservation (SAC) and the Cannock Extension Canal SAC.
24/07/2019	Email from GD (NE) to TP (Aecom)	Response to the justification for scoping dormouse out of further survey/assessment.
30/07/2019	Email from TP (Aecom) to GD, EG (NE)	Issue of minutes from the meeting on the 16/07/2019 and provision of potential dates for a further meeting.
31/07/2019	Email from GD (NE) to TP (Aecom)	Further response to the justification for scoping dormouse out of further survey/assessment and response on meeting dates.
09/08/2019	Email from GD (NE) to HM (Tyler Grange & TP (Aecom)	Response on queries regarding bat survey data, assumptions in relation to GCN, the assessment of European Sites and net gain.

Date	Form of correspondence	Key topics discussed and key outcomes
04/09/2019	Meeting with GD, HW, LB (NE), HM (Tyler Grange), TP, AS, RR (Aecom)	Overview of the Scheme and its current status. Update on the assessment of European Protected Sites. Information provided on species scoped out of further assessment. Update on ecology survey progress and preliminary results. Discussion on programme for draft GCN, bat and badger licences and provision of letters of no impediment.
16/09/2019	Meeting with GD, EG (NE), AK, TC (HE), HM (Tyler Grange), TP, AS (Aecom)	Advised that Option 2 is progressing at Dark Lane and the related tree loss. Discussion about extent of ancient woodland and mitigation/compensation ratios, also habitat losses and gains.
16/09/2019	Email from HM (Tyler Grange) to (NE)	Email outlining bat surveys conducted in 2018 and 2019 and information on bat roosts likely to require a bat licence to inform letter of no impediment. Response received 01/11/19 (see below).
16/09/2019	Email from CG-S (Tyler Grange) to LB (NE)	Confirming the scope of the survey work to date in 2018 and 2019 with plan. Providing information on the location of bat roosts and potential tree loss to inform a future letter of no impediment regarding a licence for the site.
17/09/2019	Email from HM (Tyler Grange) to GD (NE)	Queries regarding noise and vibration including receptors to be assessed in relation to noise and vibration impacts during construction and requesting agreement that operational vibration is not an issue in relation to potential ecological receptors.
04/10/2019	Email from KB (Tyler Grange) to HW (NE)	Email seeking agreement of assumed medium populations, definition of metapopulation boundaries and evaluation to inform draft license application and letter of no impediment.
07/10/2019	Document issue from (Tyler Grange) to GD (NE)	Issue of the Habitats Regulations Assessment: No Likely Significant Effects report [TR010054/APP/6.9] for review.
08/10/2019	Email from GD (NE) to TP (Aecom) & HM (Tyler Grange)	Acknowledging receipt of Habitats Regulations Assessment report. Stating that her response to noise and vibration email is imminent.
10/10/2019	Email from GD (NE) to HM (Tyler Grange)	Response to HM email of 17/09/2019 providing advice on noise and vibration assessment and querying whether an assessment of air quality on veteran trees and ancient woodland is being undertaken.
28/10/2019	Email from KB (Tyler Grange) to GD (NE)	Seeking agreement of items in email of 04/10/19 regarding GCN surveys and interpretation of results to inform draft license application and letter of no impediment.
28/10/2019	Email from CG-S (Tyler Grange) to LB (NE)	Email seeking agreement of items in email of 16/09/2019 regarding bat surveys and bat roosts requiring license to inform draft bat license and letter of no impediment.

Date	Form of correspondence	Key topics discussed and key outcomes
01/11/2019	Email from LB (NE) to CG-S (Tyler Grange)	Response to Tyler Grange email of 16/09/2019 regarding bat data – requesting further survey data in 2020 and asking for additional information on completed surveys, impacts, assessment and mitigation/compensation to inform letter of no impediment.
01/11/2019	Email from HW (NE) to KB (Tyler Grange)	Response to Aecom email of 04/10/19 – assumption of medium population would require on application of New Licensing Policy 4. Accepted approach to assumption of metapopulation size, definition of metapopulation boundaries and evaluation. Given county level importance may need to prepare a Habitat Management and Maintenance Plan as part of the application submission.
01/11/2019	Email from GD (NE) to TP (Aecom) & HM (Tyler Grange)	Comments on the Habitats Regulations Assessment: No Likely Significant Effects [TR010054/APP/6.9] .
12/11/2019	Email from HM (Tyler Grange) to GD (NE)	Email seeking agreement of the critical load for veteran trees and ancient woodland in the air quality assessment.
12/11/2019	Email from GD (NE) to HM (Tyler Grange)	Agreement to the proposed critical loads to use for ancient woodland and veteran tree assessment.
14/11/2019	Email from HM (Tyler Grange) to GD (NE)	Response to comments on the Habitats Regulations Assessment stating that NE's comments are unlikely to alter the outcome of the assessment.
15/11/2019	Email from HM (Tyler Grange) to NE	Attaching a draft badger licence application sent to obtain a letter of no impediment.
22/11/2019	Email from GD (NE) to HM (Tyler Grange)	Confirmation of agreement to the conclusions of the Habitats Regulations Assessment: No Likely Significant Effects report [TR010054/APP/6.9] .
05/01/2020	Email from CG-S (Tyler Grange) to NE	Attaching a draft bat mitigation licence application for a letter of no impediment.
06/12/2019	Email from MW-H (Aecom) to HW (NE)	Attaching draft GCN mitigation licence application for a letter of no impediment.
13/12/2019	Email from HW (NE) to AK (HE)	Attaching the formal response to the draft species (Badger) management licence application (letter of no impediment).
10/01/2020	Email from TP (Aecom) to GH (NE)	Attaching a second draft of the SoCG for review and comment.
10/01/2020	Email from TP (Aecom) to GH (NE)	Attaching ES Chapter 9. Geology & Soils and appendices
10/01/2020	Email from HW (NE) to AK (HE)	Attaching letter of no impediment for GCN.

Date	Form of correspondence	Key topics discussed and key outcomes
14/01/2020	Email from GD (NE) to AK (HE)	Enclosing a letter of no impediment with caveats for the Bat licence application
24/01/2020	Email from GD (NE) to TP (Aecom)	Detailed comments on the ALC assessment and soils (ES Vol. 6.1 Chapter 9 Geology and Soils [TR010054/APP/6.1] and ES Vol 6.3 Appendix 9.2 [TR010054/APP/6.3])

- 2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Applicant and (2) Natural England in relation to the issues addressed in this SoCG.
- 2.1.3 The Applicant and NE have worked collaboratively throughout the DCO application stage using the Discretionary Advice Service (DAS) to engage with relevant experts within NE.

3 Issues

3.1 Introduction and General Matters

3.1.1 This chapter sets out the ‘issues’ which are agreed, not agreed, or are under discussion between NE and Highways England at the point of submission of the application (30/01/2020).

3.2 Issues related to the Environmental Statement (ES)

Table 3.1: Issues related to the ES

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status ¹
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.3 ‘Assessment methodology’	Ecological impact assessment methodology	Natural England has confirmed that the ecological impact assessment methodology, including desk studies and timing of the 2015/2018 surveys, is appropriate for assessing the ecological effects of the Scheme.	The ecological impact assessment methodology used was reported in the EIA Scoping Report and ES and has taken account of NE comments.	Agreed
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.9 ‘Assessment of likely significant effects.’	Potential impacts on Ancient woodland	Impacts on possible fragments of ancient woodland should always be to avoid loss in the first instance. Any unavoidable loss of ancient woodland must be compensated for with appropriate planting at a ratio agreed with Natural England.	The locations of ancient woodland within or adjacent to the Scheme boundary have been discussed and agreed with NE as outlined in meeting minutes of 16/07/19. A 7:1 ratio for ancient woodland compensation planting was agreed with Natural England as outlined in meeting minutes of 16/09/19.	Agreed

¹ Items marked as ‘agreed’ in this column are items HE and NE have agreed and are documented in meeting minutes and e-mails. However, this SoCG as a document has not yet been formally approved by NE.

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status ¹
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.9 'Assessment of likely significant effects. '	Potential impacts on Ancient woodland	Improvement works to Whitgreaves Wood should be considered as part of the mitigation strategy for ancient woodland.	Improvement works to Whitgreaves Wood have been provisionally agreed with the National Trust and Whitgreaves Wood included in the Order limits for the purpose of woodland improvements. These are subject to formal agreement and can only be delivered if legal agreement is reached with National Trust for their implementation.	Under discussion
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.9 'Assessment of likely significant effects'	Assessment of potential impacts of noise on protected species	NE were updated on the approach of the noise assessment including assessment of potential impacts on ecological features including bat roosts, badger setts etc.	ES Chapter 8: Biodiversity provides details of the assessment of noise on protected species (construction and operation).	Agreed
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.8 'Design, mitigation and enhancement	Biodiversity net gains	NE expect to see at least 10% net gain achieved.	A biodiversity metric calculation has been undertaken based on the method published by Defra in Biodiversity Offsetting Pilots Technical Paper: the metric for the biodiversity offsetting pilot in England (Defra, 2012), to determine effects of the Scheme. In July 2019 DEFRA published Net Gain: Summary of responses and government	Under discussion

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status ¹
				<p>response to consultation on the objectives of net gain policy. The document was clear that consultation proposals for a mandatory requirement for net gain did not include nationally significant infrastructure projects because they have 'fundamentally different characteristics to other development types'. Further, whilst Highways England agree that delivering biodiversity net gain is desirable, it is not at this time required by the Planning Act 2008 consenting regime.</p> <p>In addition, it should be noted that Highways England is seeking to acquire land for the Scheme through compulsory acquisition. In order to secure those powers, Highways England must demonstrate that the land subject to compulsory acquisition is required for the Scheme or is required to facilitate or is incidental to the Scheme (section 122 of the Planning Act 2008). This means that, whilst land required to mitigate</p>	

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status ¹
				<p>the impact of the Scheme can be secured through compulsory acquisition, such powers do not extend to the acquisition of land for enhancement or gain.</p> <p>Highways England is nonetheless seeking to fully mitigate the impact of the Scheme on biodiversity so far as possible and seeks to deliver a scheme that results in no net loss in biodiversity.</p>	
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.3 'Assessment Methodology'	Scope of ecological surveys	<p>Natural England has confirmed that the survey coverage and methodologies used are appropriate for the ecological impact assessment.</p> <p>In the full GCN licence application, the assumption of GCN presence, where access was not granted or surveys were incomplete will need to be supported by the most up to date survey information, as well as Habitat Suitability Index (HSI) data and desk-based surveys.</p>	<p>The surveys required to appropriately define ecological baseline conditions are sufficient to enable the ecological impact assessment. The surveys have been subject to ongoing discussions between Highways England and NE during the preparation of the DCO application and were outlined in the PEIR as reviewed by NE.</p>	Under discussion
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.8 'Design, mitigation and enhancement measures'	Requirement for protected species licences	<p>Natural England considers that licences would be required for the following:</p> <ul style="list-style-type: none"> GCN 	<p>Draft licences submitted for comments and approval. Based on current survey results, there is no requirement</p>	Letters of no impediment have been received for all three species and are contained in

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status ¹
			<ul style="list-style-type: none"> roosting bats; badgers. 	for water vole and otter licences.	Appendix B of the Consents and Agreements Position Statement (CAPS) [TR010054/APP/3.3].
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.4 'Assessment assumptions and limitations'	Where access has restricted gathering baseline data collection, there was an agreed approach to enable conclusions to be made in the ES	Natural England considers assuming a medium GCN population size due to lack of survey access or where surveys were incomplete is reliant upon New Licensing Policy 4. As part of the licence application, explanation will need to be provided as to why update surveys are not considered appropriate.	Draft licences submitted for comments and approval.	A letter of no impediment was issued by Natural England for GCN on 10 th January 2020, refer to Appendix B (B2) of this CAPS [TR010054/APP/3.3].
ES Chapter 8: Biodiversity [TR010054/APP/6.1] Appendix 8.2 [TR010054/APP/6.3]	Section 8.9 'Assessment of likely significant effects'	To confirm no impact upon National Statutory Designated Sites	Natural England queried the inclusion of nationally designated sites stating it was not clear why certain areas had not been included.	National statutory designated sites were scoped into the assessment (even if no impact anticipated) within 2 km buffer and explanation given as to why no impact anticipated.	Under discussion
ES Chapter 8: Biodiversity [TR010054/APP/6.1] and Appendix 8.2 [TR010054/APP/6.3]	Section 8.6 'Baseline conditions'	Great crested newt, results for inaccessible waterbodies	Natural England have commented that to assume a medium GCN population size due to lack of survey access or where surveys were incomplete is reliant upon New Licensing Policy 4. As part of the licence application, explanation will need to be provided as to why update	Draft licences submitted for comments and approval.	A letter of no impediment was issued by Natural England for GCN on 10 th January 2020, refer to Appendix B (B2) of this CAPS [TR010054/APP/3.3].

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status ¹
			<p>surveys are not considered appropriate.</p> <p>In the full licence application, this assumption will need to be supported by the most up to date survey information, as well as HSI data and desk-based surveys. There will need to be confidence that the population has not changed since the survey. This should include any details where there have been efforts to gain updates, such as eDNA.</p> <p>As discussed in the meeting on 04/09/2019, the survey data was noted to not be from the current breeding season. However, there was an intention of submitting the full licence application in Winter 2020/Spring 2021. The older the survey data, the more difficult it will be to justify.</p> <p>The compensation needs to be appropriate for the size class that has been assumed.</p>		
ES Chapter 8: Biodiversity [TR010054/APP/6.1]	Section 8.6 'Baseline conditions'	Great crested newt, defining metapopulations	NE have agreed to the methodology to determine GCN metapopulation, as described in Appendix 8.11 of the ES [TR010054/APP/6.3] , with	Agreed	Agreed

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status ¹
and Appendix 8.2 [TR010054/APP/6.3]			agreement that dispersal barriers (whether natural or man-made) need to be considered as potential constraints to dispersal.		
ES Chapter 8: Biodiversity [TR010054/APP/6.1] and Appendix 8.2 [TR010054/APP/6.3]	Section 8.6 'Baseline conditions'	Great crested newt, evaluation of ecological importance	NE has agreed to the evaluation which considers the ten metapopulations of GCN with potential to be affected by the Scheme are each of up to County ecological importance.	Agreed	Agreed
ES Chapter 8: Biodiversity [TR010054/APP/6.1] and Appendix 8.2 [TR010054/APP/6.3]	Section 8.9 'Assessment of likely significant effects'	To confirm impact on ancient woodland and veteran trees	Natural England have agreed to use the critical load of 10-20 kg N ha ⁻¹ year ⁻¹ in relation to ancient woodland and veteran trees for the assessment of impacts of air quality.	The critical load of 10-20 kg N ha ⁻¹ year ⁻¹ will be used in the air quality assessment for ancient woodland and veteran trees.	Agreed
Chapter 9. Geology and Soils					
Chapter 9: Geology and Soils	9.8.14 - 9.8.17 Appendix 9.2	9.8 Mitigation Section	NE recommend inclusion of a soil resources plan, a detailed Agriculture Land Classification survey, a Material Management Plan and a Site Waste Management Plan.	An Agricultural Land Classification Report has been produced and will be included as Appendix 9.2 of the ES [TR010054/APP/6.1] . ES Chapter 9: Geology and Soils [TR010054/APP/6.1] specifies that the primary measures to mitigate the impacts on soil resources would be set out in a Soil Management Strategy, to be prepared at the detailed design	Agreed

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status ¹
				<p>stage. The Soil Management Strategy would include a Soil Resource Plan and Soil Handling Strategy.</p> <p>ES Chapter 10: Material Assets and Waste [TR010054/APP/6.1], specifies the requirement to produce a Materials Management Plan and Site Waste Management plan at the detailed design stage.</p> <p>Reference to protecting soils is included in the mitigation section of the ES Chapter 8: Biodiversity [TR010054/APP/6.1].</p>	
Chapter 9: Geology and Soils	9.8.14 - 9.8.17	9.8 Mitigation Section	NE recommend a discussion regarding soil management.	Soil management is addressed in paragraphs 9.8.14 – 9.8.17 of the ES [TR010054/APP/6.1] .	Under discussion

Issues relating to the Habitats Regulation Assessment: No Significant Effects Report

Table 3.2: Issues relating to the Habitats Regulation Assessment: No Significant Effects Report

ES Chapter	Paragraph reference	Sub-section	Natural England comment	Highways England response	Status
The Habitats Regulations Assessment: No Significant Effects Report (NSER) [TR010054/APP/6.9]	-	-	Natural England have confirmed that they agree with the contents and conclusions of the NSER.	Agreed	Agreed.

Appendix A Initials and details of individuals involved

Initials	Name	Role or Discipline	Organisation
AK	Andrew Kelly	Project Manager	Highways England
AL	Alison Leeder	DCO Lead	Aecom
AS	Amy Spencer	Environmental	Aecom
CG-S	Carly Goodman-Smith	Director	Tyler Grange
DT	Dyfan Thomas	Highways	Amey
EG	Emma Goldberg	Forestry & Woodland	NE
FL	Fiona Lee	Archaeology	Aecom
GD	Gillian Driver	Case Officer	NE
GL	Graham Littlechild	Project Manager	Highways England
HM	Hazel Murrells	Associate Ecologist	Tyler Grange
HW	Helen Wooley	Newts & Badgers	NE
GH	Gillian Higgins		NE
GM	Grady MacLean		NE
JR	Joanna Redgwell	West Mids Team Manager	NE
KB	Katherine Bubb	Senior Ecologist	Tyler Grange
LB	Lesley Barton	Bats	NE
MW-H	Marcus Wainwright-Hicks	Ecologist	Aecom
MO	Matt Oakley	Ecology	Aecom
RR	Rob Ramshaw	Project Manager	Aecom
SG	Stuart Graham	Ecology	Amey
TB	Tom Bennett	Former Stakeholder Lead	Amey
TC	Tom Clancy	Environmental Advisor	Highways England
TP	Tamara Percy	Environmental Lead	Aecom