

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

7.6B Statement of Common Ground with Natural England

Rule 8 (1)(e)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

April 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules
2010**

**The A1 in Northumberland: Morpeth to
Ellingham**

Development Consent Order 20[xx]

Statement of Common Ground with Natural England

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1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This Statement of Common Ground (SoCG) relates to an application made by Highways England (the Applicant) on 7 July 2020 to the Secretary of State for Transport via the Planning Inspectorate (the “Inspectorate”) under the Planning Act 2008 (the “2008 Act”) for a Development Consent Order (DCO). The application was accepted for examination by the Inspectorate on 4 August 2020.
- 1.1.2. If made, the DCO would grant consent for the A1 in Northumberland, Morpeth to Ellingham (the “Scheme”). The Scheme is formed of two parts as follows: A1 Morpeth to Felton (Part A) and A1 Alnwick to Ellingham (Part B). A detailed description of the Scheme can be found in Chapter 2: The Scheme of the Environmental Statement (ES) [APP-037].
- 1.1.3. This SoCG does not seek to replicate information which is available elsewhere within the application documents. All documents are available on the Inspectorate website <https://infrastructure.planninginspectorate.gov.uk/projects/North%20East/A1-in-Northumberland---Morpeth-to-Ellingham/>
- 1.1.4. The 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.

1.2 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.
- 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. Natural England is the government’s adviser for the natural environment in England, helping to protect England’s nature and landscapes for people to enjoy and for the services they provide. Within England, they are responsible for:
- a. promoting nature conservation and protecting biodiversity;
 - b. conserving and enhancing the landscape;
 - c. promoting access to the countryside and open spaces and encouraging open-air recreation; and
 - d. contributing in other ways to social and economic well-being through management of the natural environment, e.g. changes to wildlife licensing to improve flexibility for developers.

1.3 TERMINOLOGY

- 1.3.1. The tables within Chapter 3 of this SoCG, “Not Agreed” indicates a final position, and “Under Discussion” where these points will be the subject of on-going discussion wherever possible to resolve or refine the extent of disagreement between the parties. “Agreed” indicates where an issue has been resolved.
- 1.3.2. It can be taken that any matters not specifically referred to in Chapter 3 of this SoCG are not of material interest or relevance to Natural England 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 Natural England.

2 RECORD OF ENGAGEMENT

- 2.1.1. A summary of the meetings and correspondence that have taken place between Highways England and Natural England in relation to the Application is outlined in Table 2-1.
- 2.1.2. This table has been split to reflect discussions held on Part A, Part B and the Scheme as a whole. This reflects the history of the Scheme. Part A and Part B were originally proposed to be the subject of separate applications for DCOs but were combined into the current single Scheme.
- 2.1.3. Engagement detailed within the separate sections for Part A and Part B relates to discussions held prior to the combination of the two Parts into the Scheme in March 2020. With the exception of engagement relating to interim Letters of No Impediment (LoNIs) for Part A, all engagement following combination is detailed under the header for the Scheme. Engagement relating to the interim LoNIs for Part A continued until May 2020 and is captured under the Part A section of Table 2-1 for clarity in following the narrative of this engagement.
- 2.1.4. A SoCG for Part A was agreed and signed by both Highways England and Natural England on 19/03/2020 (as detailed within Table 2-1 below). Following this, Part A and Part B were combined into a single application for the Scheme, which was submitted to the Planning Inspectorate on 07/07/2020. The previous signed SoCG for Part A is considered an interim version and an account of consultation and agreement between Natural England and Highways England as of 19/03/2020. The interim SoCG for Part A (presented in Appendix A) has been used to inform this SoCG, which relates to the Scheme in its entirety.

Table 2-1 - Record of Engagement

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
Engagement Relating to the Scheme		
18/05/2020	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic</p> <p>Highways England explained a sensitivity test was being completed against updated Design Manual for Roads and Bridges (DMRB) guidance (released between July 2019 and March 2020) to determine if this would change the significance of effects assessment for the Scheme.</p> <p>Key Outcome</p> <p>Natural England confirmed on 22/05/2020 that the query had been referred to their air quality specialist for comment. Natural England provided a response on 30/06/2020, detailed below.</p>
01/06/2020	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic</p> <p>Due to the age of data, Highways England presented the proposed scope of a series of 2020 verification surveys for Part A of the Scheme. This included:</p> <ul style="list-style-type: none"> – A single breeding bird verification survey using nine walked transects; – An environmental DNA (eDNA) survey of each previously surveyed waterbody for great crested newts. It is proposed to assume that known populations of great crested newts remain stable and of the same population size class (small, medium, large); – An update Preliminary Bat Roost Assessment (PBRA) walkover of the Order limits plus 100 m, to verify the roosting suitability of buildings and trees; – A single verification activity survey (either dusk or dawn) of those buildings and trees last surveyed in 2017; – An update badger walkover survey of the Order Limits plus 100 m to verify the location and distribution of badger setts. An update to the territory marking survey was not proposed. <p>Further survey was not proposed for bat activity associated with habitats, barn owl, reptiles, red squirrel, water vole, otter, fish, white-clawed crayfish, aquatic macroinvertebrates or terrestrial invertebrates. This was primarily because there have been no significant changes to habitat distribution and use since the completion of previous surveys and/or existing mitigation is considered sufficient.</p> <p>Key Outcome</p> <p>Natural England confirmed in an email on 30/06/2020, “given that more of less all the surveys are less than three years old they would still be considered to be valid and thus scope of the verification surveys would appear to be appropriate particularly since there has not been any significant change in land use since the original surveys were undertaken.” Natural England also provided comment on the verification reports during a meeting on 15/12/2020 and subsequently within an email dated 11/02/2021 (see below).</p>
30/06/2020	Email from Bob Cussen (Lead Adviser), Natural England to Natural England	<p>Key Topic</p> <p>Email response from Natural England following the request for comment by Highways England on 18/05/2020 (see above) regarding the approach taken within the DMRB sensitivity air quality assessment.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome Highways England and Natural England do not agree on the approach to air quality assessment detailed in the updated DMRB.</p>
03/09/2020	Email from Highways England to Natural England Protected Species Licensing Team (general submissions email)	<p>Key Topic Submission of draft licence applications and supporting documentation to Natural England for review and comment and inform a Letter of No Impediment for Part B of the Scheme.</p> <p>Key Outcome Submission of applications and supporting documents associated with two draft European Protected Species bat licenses required for Part B of the Scheme. Provided to Natural England for a review and comment and to inform Letters of No Impediment.</p>
28/09/2020	Telephone call between Beth Hadfield (Advisor), Natural England and Highways England followed by subsequent email request in writing	<p>Key Topic Natural England queried and requested the submission of figure E4 missing from submitted draft licence applications for Part B of the Scheme.</p> <p>Key Outcome Highways England to submit requested figure E4 to Natural England to support submitted draft licence application for Part B of the Scheme (issued to Natural England on 28/09/2020, see below).</p>
28/09/2020	Email from Highways England to Beth Hadfield (Advisor), Natural England	<p>Key Topic Submission of requested figure E4 missing from original draft licence application submission for Part B of the Scheme.</p> <p>Key Outcome Submission of Figure E4 to Natural England as requested to support submitted draft license applications for Part B of the Scheme.</p>
05/10/2020	Telephone call between Abigail Halstead (Wildlife Lead Advisor), Natural England and Highways England	<p>Key Topic Call with request for submission of outstanding bat faeces DNA analysis results to support submitted draft licence application.</p> <p>Key Outcome Highways England to submit requested bat faeces DNA analysis results to support submitted draft licence application for Part B of the Scheme (issued to Natural England on 06/10/2020, see below).</p>
06/10/2020	Email from Highways England to Abigail Halstead (Lead Wildlife Advisor), Natural England	<p>Key Topic Submission of bat faeces DNA analysis results.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome Highways England submission of bat faeces DNA analysis results as requested by Natural England to support submitted draft licence application for Part B of the Scheme. Natural England confirmed receipt on 07/10/2020.</p>
<p>11/12/2020</p>	<p>Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England</p>	<p>Key Topic The 2020 verification bat surveys recorded new bat roosts within two bat boxes attached to tree T148A. The area of woodland containing T148A will be felled to facilitate construction of the Scheme and, in the absence of mitigation, the bat boxes would be lost. Highways England stated this action had been assessed against legislation (Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended)) and believed that the relocation could be completed under a precautionary working method statement (PWMS) rather than the need for a licence.</p> <p>Highways England presented a justification for the approach in relation to offences identified by the legislation, where a licence would otherwise be required, and request comment from Natural England. The justification included:</p> <p><i>Deliberately capture, injure or kill a wild bat</i> Relocation would be timed during transitional roosting periods (March to May, September to October) to reduce the likelihood of bats being present. Should a bat be present, the bat would be carefully transferred by gloved hand of a licensed ecologist, given a health check and then placed carefully inside sturdy box for transport. The bat would be carefully placed back in the bat box following relocation. The relocation of the bat boxes would be undertaken under the supervision of a licensed ecologist within a single day. As such, the relocation of the bat boxes would not result in the injury or killing of a bat. The capture would be covered by the class licence that the surveyor holds.</p> <p><i>Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats</i> In relation to an offence from disturbance, Regulation 43(2) of the Conservation of Habitats and Species Regulations 2017 (as amended) defines this as disturbance which is likely to impair the ability of a bat to survive, to breed/reproduce, to rear or nurture their young or to hibernate. The bat boxes of T148A support summer day roosts of a single soprano pipistrelle and a single unconfirmed species of bat (no echolocation on emergence). No evidence of breeding behaviour has been recorded. Relocation would be timed during transitional roosting periods to reduce the likelihood of bats being present. This timeframe would also avoid both the maternity and hibernation periods. A pre-start inspection would be undertaken by a licensed and experienced ecologist to confirm the presence/absence of roosting bats within the bat boxes. Should a bat be present, as detailed above, the bat would be carefully transferred by gloved hand of a licensed ecologist to a sturdy box for transport. The bat would be carefully placed back in the bat box following relocation. Relocation of the bat box would be completed within a matter of hours. In the event that a great number of bats are encountered that may suggest the presence of a roost of higher importance/significance, works would cease immediately, and Natural England contacted for advice and to obtain an EPS licence if necessary. It should be noted that surveys conducted to date have not recorded a roost of significance greater than day roosts. The measures above would ensure that the relocation of the bat box would result in no greater than trivial disturbance to two-day roosts and would not impede the ability of a bat to survive, breed/reproduce, rear young or hibernate. As such, the relocation of the bat boxes</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>could be achieved in a manner that does not affect the favourable conservation status of the species and would not constitute licensable disturbance.</p> <p><i>Damage or destroy a place used by bats for breeding or resting (roosts) (even if bats are not occupying the roost at the time)</i></p> <p>The bat boxes of T148A support day roosts. No evidence of breeding behaviour has been recorded. It is proposed to relocate the bat boxes to trees along the retained woodland edge to the north of T148A. The proposed relocation site is approximately 120m to the north of T148A. The bat boxes would be installed on the northern side of the trees, facing into the woodland. This would place the boxes in shade to replicate existing environmental conditions as closely as possible. The woodland along the River Coquet to the north of the proposed relocation site is more mature in comparison to the woodland surrounding T148A and offers foraging habitat of higher suitability. The proposed relocation site is also connected via existing woodland to the current location of T148A and would be subject to reduced disturbance from vehicular traffic due to a greater distance from the A1. As such, the proposed relocation site has the potential to provide more beneficial roosting conditions in comparison to the current roost location. As it is proposed to relocate the bat boxes, there would be no damage or destruction of a resting place.</p> <p><i>Intentionally or recklessly obstruct access to a bat roost</i></p> <p>A pre-start inspection would be completed by a licensed and experienced ecologist and bats temporarily transferred into a sturdy box and placed back in the bat boxes following relocation. Relocation of the bat boxes shall be undertaken in a single day and therefore actions shall not result in the obstruction of access to the bat roosts.</p> <p><i>Possess or advertise/sell/exchange a bat of a species found in the wild in the EU (dead or alive) or any part of a bat</i></p> <p>Proposed actions do not involve the advertisement, selling or exchange of bats.</p> <p>Key Outcome Natural England provided a response via email on 16/12/2020, see below.</p>
15/12/2020	Meeting between Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England and Highways England	<p>Key Topic Highways England requested comment on the ecological surveys undertaken to date for the Scheme.</p> <p>Key Outcome Natural England confirmed that the ecological surveys undertaken to date for the Scheme were appropriate, including methodologies, timing and extent.</p> <p>Key Topic Highways England requested comment on the biodiversity ES documents for Part B.</p> <p>Key Outcome Natural England provided a response via email on 11/02/2021 (see below).</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Topic</p> <p>Following the completion of verification surveys for Part A (scope previously agreed with Natural England, see email correspondence on 01/06/2020 above), Highways England presented a summary of the findings:</p> <p>Breeding birds – single verification survey using multiple transect across the Survey Area (Order Limits plus 100m). Survey did not record any additional species of conservation concern or species in numbers that exceeded those recorded in 2016. As such, impact assessment and mitigation of the ES are considered valid.</p> <p>Great crested newts (GCN) – updated Habitat Suitability Index (HSI) and eDNA survey of each of the previously surveyed waterbodies, where accessible. Access was not granted for four waterbodies, including A12 that supports GCN. Existing mitigation includes the completion of updated surveys to inform the proposed European Protected Species (EPS) licence. Therefore, the limited access for A12 for the verification survey was not a concern. No changes to presence/likely absence recorded for surveyed waterbodies and the impact assessment of the ES remains valid.</p> <p>Badger – updated walkover of Order Limits of Part A plus 100 m. Two new setts recorded to the west of the existing River Coquet Bridge, although located at least 150 m from construction (located adjacent to proposed woodland creation). Overall, no changes in baseline conditions were recorded that would alter the impact assessment or proposed mitigation.</p> <p>Bats:</p> <ul style="list-style-type: none"> – A single activity survey was also undertaken for each of the buildings/trees previously surveyed in 2016/17. Access was not granted to four trees with roosting suitability (T51A, T54A, T56A and T131A) that will be lost to the Scheme. The Applicant is currently seeking access to undertake a climb and inspect of the four trees. However, existing mitigation includes the completion of a pre-construction updated assessment/survey for all trees with roosting suitability (Low, Moderate or High). A new bat roost was recorded in building B105A, which will be retained and protected from disturbance by existing proposed mitigation measures. The roost recorded in building B4A was not recorded in 2020, although existing mitigation includes a licence for the demolition of the building (therefore sufficient and valid). A single soprano pipistrelle and a single unconfirmed species of bat were recorded emerging from two bat boxes on tree T148A; new roosts. It is proposed to relocate the bat boxes under precautionary working methods (rather than an EPS licence), as proposed within the email dated 11/12/2020 (see above). – An updated walkover Preliminary Bat Roost Assessment (PBRA) was also completed of the Order Limits plus 100 m. There were no changes to the roosting suitability of buildings that would change the impact assessment (including several additional buildings subject to an assessment in 2020). The survey recorded an additional 133 trees with roosting suitability, of which 15 may be directly lost to the Scheme or subject to high levels of disturbance. The additional trees were likely recorded due to the growth of the trees since the 2016/17 assessment (previously Negligible roosting suitability but now a tree/woodland of sufficient size or age to contain potential roost features, therefore classified as Low roosting suitability) or as a result of roosting features that have developed over the last four years. A further 11 trees had increased in roosting suitability from Negligible/Low to Moderate/High and would be lost to the Scheme or subject to high levels of disturbance. The Applicant is currently arranging access to undertake a climb and inspect of the 15 additional trees and 11 upgraded trees. However, existing mitigation includes the completion of a pre-construction updated assessment/survey for all trees with roosting suitability (Low, Moderate or High).

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome</p> <p>Highways England confirmed that reports detailing the findings of the verification surveys were to be issued to the Planning Inspectorate at Deadline 1 (12/01/2021). Natural England confirmed that, once available, they would review the reports and provide comment. Natural England provided comment within an email on 11/02/2021 (see below).</p> <p>Natural England confirmed they would provide comment regarding the approach to the relocation of the bat boxes appended to tree T148A (precautionary working methods or an EPS licence) in a separate email (see email dated 16/12/2020 below).</p> <p>Key Topic</p> <p>Highways England confirmed that following questions from the Examining Authority (ExA), changes are proposed to the HRA Report, which shall be resubmitted at Deadline 1 (12/01/2020).</p> <p>Item 1</p> <p>Highways England confirmed that the northbound diversion of the A1 is located within 200m of the Northumberland Marine Special Protection Area (SPA) at a single location; the A1068 over the mouth of the River Coquet. This conflicts with a statement made in the current version of the HRA. Highways England confirmed that it was deemed that the diversion would not lead to likely significant effects to the SPA as the diversion utilises an existing road (therefore no land take from SPA and qualifying bird species would already be acclimatised to disturbance from road traffic) and the diversion would be temporary and for short durations (therefore impacts from nitrogen deposition (vehicle emissions) would not occur). Highways England also confirmed that the proposed diversion route represents the existing route that would be used for diversion of A1 traffic (although not a designated route).</p> <p>Item 2</p> <p>Highways England explained that the ExA had questioned the assessment regarding decommissioning of the Scheme. Highways England confirmed that it was not intended to update the HRA Report following the comment, but that clarification would be provided within a response to the ExA's question. The response would refer to Chapter 2: The Scheme, which confirms that demolition (decommissioning) would not be either feasible or desirable and was therefore not considered within the ES. The response would also clarify that, for the purposes of the HRA Report, it was assumed that any decommissioning would be conducted in a similar manner to construction.</p> <p>Item 3</p> <p>Highways England also confirmed that the referenced construction traffic volumes within the ES would be updated to align with those presented within the Construction Traffic Assessments for Part A [APP-199] and Part B [APP-270]. However, the changes in traffic volumes were small and do not change the conclusions of the assessment.</p> <p>Item 4</p> <p>Further to a comment from the ExA, Highways England requested verification from Natural England that the qualifying features of the River Tweed SAC did not include "Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)."</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome</p> <p>Regarding Item 1, Natural England confirmed that the assessment sounded reasonable but requested further information within an email so that this could be reviewed in detail. Highways England issued the information via email on 18/01/2021, see below.</p> <p>Regarding Item 2, Natural England agreed with the approach presented.</p> <p>Natural England acknowledged Item 3 but did not provide comment.</p> <p>Regarding Item 4, Highways England issued an email on 18/12/2020 (see below) with a definitive list of qualifying features for the River Tweed SAC and requested confirmation from Natural England that this list was correct. Natural England provided a response on 11/01/2021.</p>
16/12/2020	Email from Michael Miller (Team Leader- Sustainable Development and Marine), Natural England to Highways England	<p>Key Topic</p> <p>Response from Natural England following the email from Highways England on 11/12/2020 (see above) regarding the proposed relocation of the bat boxes of T148A under precautionary working methods rather than a licence.</p> <p>Key Outcome</p> <p>Natural England confirmed that a licence would be required for the relocation of the bat boxes of T148A.</p>
18/12/2020	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader- Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>Further to the meeting between Highways England and Natural England on 15/12/2020 (see above), Highways England provided the proposed amendments to the HRA Report following comments by the Examining Authority (ExA) during their first written questions (EXQ1).</p> <p>Highways England confirmed the existing HRA Report states “diversions would not affect roads or transport links in close proximity to the [Northumberland Marine SPA].” The following amendments are proposed within the Northumberland Marine SPA screening matrix of Section 2 (with similar amendments in Table B-4 of Appendix B). The ExA identified that the northbound diversion for Part A includes the A1068 which crosses and runs alongside the River Coquet and the boundary of the Northumberland Marine SPA. As such the following amendments were proposed:</p> <p>In relation to emissions (‘Description of Part A: Emissions’):</p> <p>“The proposed northbound diversion (see Appendix C: Diversion Route Plans of the Construction Traffic Management Plan [APP-347]) includes the A1068, which is located within 200m of the European Site at a single location; where the A1068 crosses and runs alongside the mouth of the River Coquet. The use of the A1068 carriageway as a diversion route for traffic during construction of Part A will be required intermittently and temporarily, with the majority comprising overnight closures (see paragraph 2.6.24 of the Construction Traffic Management Plan [APP-347]). Due to the intermittent and temporary use of the diversion route during construction, no adverse effects are predicted to the European Site or its qualifying features as a result of vehicle emissions.”</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>In relation to transportation requirements ('Description of Part A: transportation requirements'):</p> <p><i>"The proposed northbound diversion is located within 200m of the European Site at a single location; where the A1068 crosses and runs alongside the mouth of the River Coquet (Appendix C: Diversion Route Plans of the Construction Traffic Management Plan [APP-347]). As the A1068 is an existing carriageway subject to regular traffic movements, no direct impacts to the European Site or its qualifying features are anticipated. Effects associated with vehicle emissions are also not predicted, as discussed above in the 'Description of Part A: Emissions' section. The qualifying features of the European Site predominantly comprise seabird species which utilise cliff and coastal edge habitat. The areas of the European Site at the mouth of the River Coquet, located within 200m of the A1068, lie within the intertidal zone and may be used by foraging birds that are a qualifying feature of the European Site. However, as an existing carriageway, any birds that utilise the low tide exposed habitats will be accustomed and habituated to road traffic noise and movements and are therefore unlikely to be adversely impacted by diverted traffic movements. There are no other diversion routes proposed within 200m of the European Site."</i></p> <p>Highways England also requested confirmation of the qualifying features of the River Tweed SAC, following discussion during the meeting held on 15/12/2020 (detailed above). Highways England stated that the qualifying features of the River Tweed SAC assessed within the HRA Report are:</p> <ul style="list-style-type: none"> - Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation. (Rivers with floating vegetation often dominated by water-crowfoot) - Atlantic Salmon <i>Salmo salar</i> - Otter <i>Lutra lutra</i> - Brook lamprey <i>Lampetra planeri</i> - River Lamprey <i>Lampetra fluviatilis</i> - Sea Lamprey <i>Petromyzon marinus</i> <p>Key Outcome</p> <p>Natural England provided a response on 11/01/2021 (see below) and confirmed that the list of qualifying features presented above is correct.</p>
05/01/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>Highways England requested a timeframe for the update of the LoNIs previously provided for Part A in early 2020 (see the email dated 19/05/2020 within the Part A section of this table below). This includes the single bat draft licence, two GCN draft licences and single badger draft licence. The only update required is the update of the scheme name; "A1 in Northumberland: Morpeth to Ellingham, Part A".</p> <p>Key Outcome</p> <p>Highways England issued a follow up email to Natural England on 11/02/2021 (see below).</p>
05/01/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-	<p>Key Topic</p> <p>Highways England requested comment from Natural England regarding specific areas that had been scoped out of the 2020 verification bat preliminary roosting assessment survey undertaken for Part A.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
	Sustainable Development and Marine), Natural England	<p>Highways England confirmed that the surveyed area for the 2020 survey was the Order limits plus 100m. Highways England stated that the survey area was refined to the Order limits only in relation to the de-trunked section of the existing A1 carriageway and the unnamed road to be used as an access route from Felton (northern end of Part A) as impacts of the Scheme during both construction and operation would be restricted to trivial disturbance only. Highways England confirmed that proposals along the de-trunked section of the A1 involve minimal works to convert this section of road into an access for properties and communities along its length (as detailed in paragraphs 2.5.44 to 2.5.55 of Chapter 2: The Scheme [APP-037]) and would not result in the loss of trees.</p> <p>Key Outcome Natural England responded via email on 11/02/2021 (see below).</p>
10/01/2021	Email from Highways England to Michael Miller (Team Leader- Sustainable Development and Marine) and Bob Cussen (Lead Adviser), Natural England	<p>Key Topic Highways England requested if it would be possible to receive updated LoNIs from Natural England for Part B to reflect the correct Scheme name (A1 in Northumberland: Morpeth to Ellingham, Part B). The same approach has been proposed for the Part A LoNIs (see email dated 05/01/2021 above).</p> <p>Key Outcome Natural England responded via email on 11/01/2021 (see below).</p>
11/01/2021	Email from Michael Miller (Team Leader- Sustainable Development and Marine), Natural England to Highways England	<p>Key Topic Natural England response to Highways England's email dated 11/01/2021 (see above). Natural England confirmed that it would be possible to update the Part B LoNIs to reflect the correct Scheme name. Natural England requested confirmation of the Scheme name and the Planning Inspectorate (PINS) reference number.</p> <p>Key Outcome Highways England responded via email on 12/01/2021 (see below).</p>
11/01/2021	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topics In response to the email from Highways England dated 18/12/2020, Natural England confirmed that they do not consider that the proposed update to the HRA relating to the use of the A1068 as a temporary diversion route will change the overall conclusion of the HRA. Natural England stated that this was for the following reasons: "The proposed diversion using the existing A1 diversion route along the existing A1086 and does not require any additional land take or construction impacting on the SPA. The proposed diversion is temporary in nature and for short periods only, primarily for night time closures of the A1, when traffic levels would naturally be lower. Interest features of the Northumberland Marine SPA using the sections of the R. Coquet Estuary close to the proposed diversion route are already habituated to the disturbance associated with the existing road and therefore not likely to be significantly affected by the proposed diversion route. The aerial emissions from the limited additional traffic movements associated with the proposed temporary diversion are likely to be minimal and, therefore, unlikely to have a significant effect on the SPA and its interest features."</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Natural England also confirmed that the qualifying features of the River Tweed SAC, as detailed in Highways England’s email dated 18/12/2020 (see above), are correct and that Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) are not a qualifying interest feature of the SAC.</p> <p>Finally, Natural England confirmed agreement with the HRA Report for the Scheme, stating “<i>Natural England has previously confirmed that it agreed with the HRA conclusions for both Part A (Morpeth to Felton) and Part B (Alnwick to Ellingham) separately and I can also confirm that Natural England agrees with the conclusions of the HRA assessment (i.e. no likely significant effect) for the scheme as a whole for the proposed improvements to the A1 in Northumberland – Morpeth to Ellingham.</i>”</p> <p>Key Outcome</p> <p>The HRA Report was updated in response to the ExAs first written questions and in accordance with the engagement detailed above. The updated HRA Report was issued to the ExA at Deadline 1 [REP1-012].</p>
12/01/2021	Email from Highways England to Michael Miller (Team Leader- Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>In response to Natural England’s email dated 11/01/2021 regarding the updated Part B LoNIs (see above), Highways England confirmed the Scheme name and PINS number.</p> <p>Key Outcome</p> <p>Highways England awaits receipt of the updated Part B LoNIs.</p>
21/01/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader- Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>An email from Highways England to request comment from Natural England on the verification ecology survey reports issued to the ExA at Deadline 1. These include:</p> <ul style="list-style-type: none"> REP1-014 – breeding bird verification report REP1-015 – preliminary bat roost assessment verification report REP1-016 – bat activity verification survey report REP1-017 – great crested newt verification survey report REP1-018 – badger verification survey report <p>Key Outcome</p> <p>Natural England provided comment on all but the great crested newt verification survey report within an email dated 11/02/2021 (see below). At the time of writing, Highways England is awaiting comment on the great crested newt verification survey report.</p>
03/02/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-	<p>Key Topic</p> <p>Highways England requested a response to their email dated 05/01/2021 (see above) regarding the areas scoped out of the verification bat survey. Highways England also confirmed that the same approach was applied to the verification badger survey and requested comment for the approach taken to both surveys.</p>

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	Sustainable Development and Marine), Natural England	<p>Highways England also requested a response to their email dated 21/01/2021 (see above) regarding comments on the verification ecology survey reports.</p> <p>Key Outcome Natural England provided a response within an email dated 11/02/2021 (see below).</p>
03/02/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England	<p>Key Topic Highways England issued a courtesy email to Natural England (and the Environment Agency) to make them aware of the submission of a Biodiversity No Net Loss (BNNL) Assessment for the Scheme [REP2-009] and accompanying Annex A Approach to the Assessment of Losses and Gains for Watercourses [REP2-010] at Deadline 2 (29 January 2021).</p> <p>Key Outcome Natural England provided a response within an email dated 11/02/2021 (see below).</p>
05/02/2021	<p>Meeting between Highways England and Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England</p> <p>Northumberland County Council was also in attendance.</p>	<p>Key Topic Highways England provided a summary of the findings of the Updated Biodiversity Air Quality DMRB Sensitivity Assessment to be issued to the ExA at Deadline 3 (12 February 2021). The updated assessment was in response to: The change in the opening year from 2023 to 2024 (with associated changes to traffic flows and speeds); The release of updated air quality datasets (with associated changes in speed-banded vehicle emission rates and background concentrations); and Reflection by the Applicant of how the updated DMRB guidance (namely LA 108 Biodiversity) has been applied to the assessment.</p> <p>Highways England confirmed that the previous DMRB sensitivity assessment (Appendix 16.7 Biodiversity DMRB Sensitivity Test: The Scheme [APP-333]) concluded that there would be no significant effects (adverse or beneficial) to ecological receptors as a result of changes in operational nitrogen deposition.</p> <p>Highways England explained that the updated DMRB sensitivity assessment concluded that increases in nitrogen deposition may lead to significant adverse effects at the following: Borough Woods Local Nature Reserve (LNR) and ancient woodland (impacted area of LNR contains the impacted area for the ancient woodland) Well Wood ancient woodland Veteran tree T682 Veteran tree T701</p> <p>Highways England confirmed that no significant effects to the River Coquet and Coquet Valley Woodlands SSSI were predicted as the Maintain air quality attribute threshold (1.7 kg N/ha/yr) is not predicted to be exceeded (maximum increase predicted to be 1.3 kg N/ha/yr).</p>

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		<p>Key Outcomes</p> <p>Further to Natural England’s email dated 30/06/2020 (see above), Natural England maintain that they do not agree with the approach to the air quality assessment detailed in the updated DMRB. Natural England believe the air quality attribute for the River Coquet and Coquet Valley Woodlands SSSI should be Restore (Rather than Maintain). Highways England agreed to discuss this particular matter further within a separate meeting (to be arranged at the time of writing).</p> <hr/> <p>Key Topic</p> <p>Highways England presented mitigation options where significant effects may occur as a result of operational nitrogen deposition. Highways England explained that LA 105 Air Quality (the updated DMRB guidance) states the following mitigation measures should be assessed for suitability, alongside any other proposed viable mitigation measures for the project:</p> <ol style="list-style-type: none"> 1. vertical barrier of at least 9m in height 2. speed limits adjusted for air quality <p>Highways England explained that preliminary discussions within the project team concluded both options to be unviable for the ecological receptors under consideration.</p> <p>Key Outcome</p> <p>Natural England acknowledged that it is unlikely to be appropriate to install a vertical barrier of at least 9m in height due to landscape constraints, visual obstruction and public perception. Highways England concurred with this statement. Natural England also acknowledged that reducing the speed limit was also likely unviable as the purpose of the Scheme is to dual the A1; Highways England confirmed that this action could compromise the objectives of the Scheme.</p> <p>Natural England and Highways England agreed to continue discussions to explore potential opportunities for mitigation and, if viable, seek to secure these.</p> <hr/> <p>Key Topic</p> <p>Following the discussion of mitigation options, opportunity for compensation was discussed. Highways England confirmed that the following compensation opportunities had been identified and were to be explored further:</p> <p>Both veteran trees are located within grazed grassland fields (believed to be sheep). Highways England suggested the installation of stock fencing around the tree to reduce the pressures of grazing.</p> <p>Highways England enquired regarding other known pressures on the Borough Woods LNR/ancient woodland and Well Wood ancient woodland, where it may be possible to develop intervention measures to “offset” the impacts of increased operational nitrogen deposition predicted as a result of the Scheme. Northumberland County Council stated that their Country Parks Team may be able to assist.</p> <p>Key Outcome</p> <p>Natural England did not raise objection to the potential opportunity to fence the veteran trees as a compensatory measure.</p>

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		<p>Natural England and Highways England agreed to continue discussions to explore potential opportunities for compensation and, if viable, seek to secure these. It was agreed that this may involve measures to reduce adverse effects from recreational pressure, littering and dog fouling (as examples); compensatory planting and/or a financial contribution/commuted sum.</p>
08/02/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>Highways England provided confirmation of how comments raised by the former lead from Natural England for Part B on 10/02/2020 (see below) have been addressed. The comments by Natural England were in response to a review of an early version of the Part B Chapter 9: Biodiversity and prior to the combination of Part A and Part B as the Scheme. The comments provided by Natural England are provided in italics below, with responses by Highways England below each item.</p> <p><i>In terms of your query regarding the ‘less than local’ categorisation – the logic behind this appears sound, and assuming there is an equivalent in the survey guidelines which you’ve been using I don’t see there being any objection to you using this approach.</i></p> <p>Highways England confirmed that this approach is consistent with CIEEM Ecological Impact Assessment (EclA) guidelines.</p> <p><i>Paragraph 9.5.1 – we usually accept surveys up to 3 years old as being valid to support an application, and so it would be helpful to see what advice we have offered in this regard.</i></p> <p><i>Table 9.6 – it is noted in the ornithology section that the breeding and wintering bird surveys were carried out in 2015/16, and so are now 4 years old – please see my previous comment regarding the age of survey data.</i></p> <p>Highways England confirmed that this comment has been superseded by subsequent meetings with Natural England where the approach to surveys and assessment and validity of data have been discussed and approach agreed (see meeting dated 15/12/2020 above). Part B was additionally supplemented with an updated desk study in search of new bird records prior to submission.</p> <p><i>Section 9.7 – a map showing the proposal limits, including construction compound locations, in relation to designated sites would be useful.</i></p> <p>Highways England confirmed that these are provided in Figures 9.1 – Statutory Designated Sites [APP-153] and Figure 9.2 – Habitats of Principal Importance and Non-Statutory Designated Sites [APP-154].</p> <p><i>Table 9.7 – It is noted that the main construction compound will be 0.5km south of the River Coquet SSSI – as the proposal boundaries are north of the River Coquet, presumably there will be construction traffic from the main compound frequently crossing the SSSI. Has the potential impact from exhaust fumes from the construction traffic on the SSSI interest features been considered?</i></p> <p><i>Paragraph 9.7.4 – we note the statement that no ancient woodland will be affected as none falls within the 200m buffer, but it is unclear if this buffer includes travel from the main construction compound. River Coquet SSSI includes ancient woodland, immediately adjacent to the A1 crossing, but it is unclear if impacts from exhaust fumes from construction traffic on this habitat has been considered when making the statement above.</i></p> <p>Highways England confirmed construction traffic data has been used to inform the air quality assessment of potential impacts arising from construction traffic movements, but none trigger the DMRB criteria and have been subsequently scoped out of the assessment.</p>

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		<p>This has since been subject to additional assessment following the combining of Parts A and B and conclusions remain the same (see paragraph 2.1.7 of the Updated Biodiversity Air Quality DMRB Sensitivity Assessment [REP3-010]).</p> <p>Table 9.10 – Red squirrel & Bats (RS01 & BAT03) – we note the comment that a species protection plan would be produced in consultation with Natural England for these species. Presumably any species licenses issued would cover mitigation and compensation requirements, which could then be transposed into a SPP, without the need for further NE input?</p> <p>Highways England confirmed amendments had been made to the Outline CEMP [REP3-013] to remove the need for consultation with Natural England. Consultation with Natural England will only be engaged in the event of a need for licensing.</p> <p>Highways England requested confirmation from Natural England that the comments have been addressed following their review of the final ES submitted with the DCO.</p> <p>Key Outcome Natural England provided a response via email on 11/02/2021 (see below).</p>
11/02/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader- Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>Further to emails on 05/01/2021 and 10/01/2021, Highways England requested a timeframe of when it is anticipated that the updated LoNIS for both Part A and Part B would be provided. Highways England confirmed for those listed below, this relates to the Scheme name: A1 in Northumberland: Morpeth to Ellingham (Part A/Part B as appropriate) and PINS reference TR010059 only:</p> <ul style="list-style-type: none"> - Draft badger licence Part A - Draft great crested newt licence Part A - Burgham Park - Draft bat licence Part B - Northern woodland near Charlton Hall Road - Draft bat licence Part B - Charlton Mires <p>For the Draft great crested newt licence Part A - River Coquet, Highways England confirmed it is intended to update the above details in addition to capturing the small area of additional woodland to be temporarily lost as a result of the proposed changes to the Scheme (bank stabilisation of the north bank of the River Coquet). Highways England requested that the email identifying agreement with this approach is forwarded on (as discussed during the meeting on 05/02/2021 (see above)).</p> <p>For the Draft bat licence Part A – Building B4A, further to Natural England’s email dated 16/12/2021, Highways England confirmed it is intended to submit an updated draft licence to capture the relocation of the bat boxes (which support roosts) of tree T148A (as per previous correspondence).</p> <p>Key Outcome Natural England provided updated LoNIs for the two draft great crested newt licences on 11/02/2021 (see below). At the time of writing, Highways England awaits a response regarding the other LoNIs. This matter was further discussed during a call and subsequent email on 17/03/2021 (see below). The updated draft bat licence for Part A was issued to Natural England for review and comment on 24/03/2021 (see below).</p>

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11/02/2021	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic</p> <p>Further to previous engagement (see 30/06/2020 above for most recent email correspondence) Natural England confirmed that, at a national level, they have issues with the approach taken in the updated DMRB guidance for air quality (LA 105 Air Quality) and are not able to endorse the approach taken in the guidance. Natural England also raised that the assessment does not deal with potential impacts of increases in ammonia as a result of the Scheme.</p> <p>Key Outcome</p> <p>As detailed in the outcome to the email dated 30/06/2020 above, Highways England and Natural England do not agree on the approach to air quality assessment detailed in the updated DMRB. However, both parties continue to engage on this matter and the suitability of an assessment of ammonia.</p> <p>Key Topic</p> <p>Natural England provided updated LoNIs for the Draft great crested newt licence Part A - Burgham Park and Draft great crested newt licence Part A - River Coquet licence.</p> <p>Key Outcome</p> <p>Highways England replied via email on 16/02/2021 (see below) requesting confirmation from Natural England that the LoNI for the Draft great crested newt licence Part A - River Coquet licence covers the additional temporary woodland loss that would arise should the proposed changes to the Scheme (bank stabilisation works) be accepted by the ExA (with reference to recent emails). At the time of writing, Highways England is awaiting a response.</p> <p>Key Topic</p> <p>Further to the meeting held on 15/12/2020 (see above), Natural England provided comment on Chapter 9: Biodiversity Part B [APP-049]. Natural England noted that the chapter of the ES indicates that Part B would result in a net loss of running and open water habitat of approximately 611 m, although this has been reduced to approximately 156 m following reassessment (Annex A Approach to the Assessment of Losses and Gains for Watercourses [REP2-010]). Natural England commented that <i>“it is important that measures are put in place to address this loss.”</i></p> <p>Apart from the above, Natural England agreed with the conclusions of Chapter 9: Biodiversity Part B [APP-049].</p> <p>Key Outcome</p> <p>Highways England provided a response via email on 16/02/2021 (see below).</p> <p>Key Topic</p> <p>Natural England provided comment on Appendix 9.26 Wintering Bird Verification Survey Report Part A [APP-252]. Natural England stated that <i>“the survey was carried out using current best practice guidance but was more limited both spatially and temporally.”</i> However, Highways England acknowledge that Natural England provided agreement with the scope of the verification surveys in an email dated 30/06/2020. Natural England queried whether the verification survey used a subset of the same transect routes that were used to collect the baseline data in 2016-17 [APP-240].</p>

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		<p>Natural England agreed with the report’s conclusion that the wintering bird verification survey and the impact assessment presented in Chapter 9: Biodiversity Part A [APP-048].</p> <p>Key Outcome Highways England provided a response to Natural England’s query regarding the transect routes within an email dated 16/02/2021 (see below).</p> <p>Key Topic Natural England provided comment on the Badger 2020 Verification Survey Report [REP1-018]. Natural England confirmed that the surveys were carried out using industry standard methodologies. Natural England stated that <i>“the survey was carried out in June and July and while this is not the optimal time (i.e. early spring or Autumn) for such a survey, measures were taken to ensure that areas of dense vegetation was inspected for evidence of badger use.”</i></p> <p>Natural England confirmed they agree with the report’s conclusion that the badger verification survey does not change the impact assessment and mitigation set out in Chapter 9: Biodiversity Part A [APP-048].</p> <p>Key Outcome Highways England note that Natural England agrees with the conclusions of the verification report and that the impact assessment and mitigation detailed in Chapter 9: Biodiversity Part A [APP-048] remains valid.</p> <p>Key Topic Natural England provided comment on the Breeding Bird Verification Survey Report [REP1-014]. Natural England confirmed that the 2020 verification survey utilised the same industry standard survey methods used in the baseline breeding bird survey of 2016 [APP-239]. Natural England confirmed that <i>“there has not been any significant changes in land use in the area since the [2016] baseline studies were undertaken and it is not surprising that, when compared with the baseline surveys of 2016, the verification survey did not record any species of greater conservation concern that would increase the importance valuation of breeding birds presented in the relevant chapter of the ES.”</i></p> <p>Natural England confirmed they agree with the report’s conclusion that the breeding bird verification survey does not change the impact assessment and mitigation set out in Chapter 9: Biodiversity Part A [APP-048].</p> <p>Key Outcome Highways England note that Natural England agrees with the conclusions of the verification report and that the impact assessment and mitigation detailed in Chapter 9: Biodiversity Part A [APP-048] remains valid.</p> <p>Key Topic Natural England provided comment on the Preliminary Bat Roost Assessment Verification Survey Report [REP1-015] and Bat Activity 2020 Verification Survey Report Part A [REP1-016]. Natural England provided the following comments and queries:</p> <ul style="list-style-type: none"> - <i>“Trees T51A, T54A, T56A and T131A - A winter inspection would be highly unlikely to reveal evidence of use and therefore prove absence (most tree roosts unsuitable for use as hibernation roost and signs of bat usage in trees do not persist very long). Could it be suggested that the final pre-fell inspection or better yet, a dusk/dawn followed by a pre fell inspection, is undertaken during spring/summer to have more confidence in a negative result? It also assumes that the tree will be fully inspectable i.e. what if the features can’t be accessed during an aerial inspection?”</i> - <i>“Verification surveys for trees T209A and T215A cancelled due to weather. It’s probably a bit doubtful to conclude that nothing</i>

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		<p><i>was roosting due to surveyors present in that locality surveying other trees (one of whom was 20m away) who didn't see anything (tree surveys notoriously difficult to record anything due to poor view points), but as they're being retained likely insignificant."</i></p> <ul style="list-style-type: none"> - <i>"Weather conditions - Weather recorded as raining at start and end of 19 August 2020 (Dusk) survey but not listed as a constraint/weather conditions not expanded upon. Likely not significant or there were periods of dry weather, as bat roost recorded during this survey in building B105A."</i> - <i>"Building B105A now has a recorded roost not picked up in 2017. Only august 2020 data for new location where 3 SPIPS [soprano pipistrelle] emerged. Therefore, has not been a survey from maternity season. If the risk is assessed as high risk/potential for such a roost in original survey it would need a full season of surveys. However, mitigation is already in place and a precautionary method statement to be followed should mitigate. Is this a just proximity disturbance and will all works will be conducted in daylight hours?"</i> <p>However, Natural England confirmed they agree with the report's conclusion that the bat verification surveys do not change the impact assessment and mitigation set out in Chapter 9: Biodiversity Part A [APP-048].</p> <p>Key Outcome</p> <p>Highways England note that Natural England agrees with the conclusions of the verification report and that the impact assessment and mitigation detailed in Chapter 9: Biodiversity Part A [APP-048] remains valid. Highways England provided a response to Natural England's comments and queries within an email dated 16/02/2021 (see below).</p> <hr/> <p>Key Topic</p> <p>Natural England provided comment on the Biodiversity No Net Loss Assessment for the Scheme [REP2-009] and the supporting Annex A - Approach to the Assessment of Losses and Gains of Watercourses [REP2-010]. Natural England confirmed that they had not been in a position to study the documents in detail but highlighted the following:</p> <ul style="list-style-type: none"> - Natural England acknowledged that while the Scheme will regrettably result in the loss ancient woodlands from within the River Coquet and Coquet Valley Woodlands SSSI this has been addressed in the Ancient Woodland Strategy developed for the Scheme. - <i>"Overall the Scheme will not achieve no net loss due to the loss of hedgerow and river habitat and consideration must be given to what additional measures can be put in place to remediate for these losses."</i> - Natural England stated if the amended plans for the construction of the new bridge across the River Coquet SSSI (proposed changes to the Scheme) are accepted the No Net Loss Assessment will need to be revised further. <p>Key Outcome</p> <p>Highways England provided a response to Natural England's comments and queries within an email dated 16/02/2021 (see below).</p> <hr/> <p>Key Topic</p> <p>Further to emails from Highways England on 05/01/2021 and 03/02/2021 (see above), Natural England provided comment on the approach taken to the refinement of the survey areas for land adjacent to the de-trunked section of Part A for the 2020 verification bat preliminary roost assessment and badger surveys [REP1-015 and REP1-018 respectively].</p> <p>As detailed in the email dated 05/01/2021 (above), the surveyed area for the 2020 bat and badger surveys was the Order limits plus 100m. The survey area was refined to the Order limits only in relation to the de-trunked section of the existing A1 carriageway and the unnamed road to be used as an access route from Felton (northern end of Part A) as impacts of the Scheme during both construction and operation would be restricted to trivial disturbance only. Highways England confirmed that proposals along the de-trunked section</p>

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		<p>of the A1 involve minimal works to convert this section of road into an access for properties and communities along its length (as detailed in paragraphs 2.5.44 to 2.5.55 of Chapter 2: The Scheme [APP-037]) and would not result in the loss of trees or badger setts.</p> <p>Natural England considered the changes to be minimal and disturbance is not likely to be significant.</p> <p>Key Outcome No actions necessary.</p> <hr/> <p>Key Topic Further to Highways England’s email dated 08/02/2021 (see above) regarding comments from Natural England relating to the Part B biodiversity (see email dated 10/02/2020 within the “Engagement Relating to Part B” below), Natural England agreed that these items had been addressed within the ES.</p> <p>Key Outcome No actions necessary.</p>
16/02/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader- Sustainable Development and Marine), Natural England	<p>Key Topic In response to Natural England’s email dated 11/02/2021 (see above), Highways England requested confirmation from Natural England that the LoNI for the Draft great crested newt licence Part A - River Coquet licence covers the additional temporary woodland loss that would arise should the Change Request (bank stabilisation works) be accepted by the ExA.</p> <p>Key Outcome At the time of writing, Highways England is awaiting a response and also requested an update during a teleconference with Natural England on 17/03/2021 (see below).</p> <hr/> <p>Key Topic Highways England provided a response to Natural England’s comment within their email dated 11/02/2021 (see above) regarding the loss of watercourse for Part B and the need for measures to address this loss. Highways England confirmed that measures to address the loss of watercourse for the Scheme (inclusive of both Part A and Part B) were under discussion and consideration. Highways England confirmed that this matter was also to be discussed further with the Environment Agency.</p> <p>Key Outcome At the time of writing, there has been no further engagement on this specific matter.</p> <hr/> <p>Key Topic Highways England provided a response to Natural England’s query regarding whether the verification wintering bird survey [APP-252] used a subset of the same transect routes that were used to collect the baseline data in 2016-17 [APP-240]. Highways England confirmed the survey area of the 2016/17 assessment allowed for flexibility in the design of Part A and therefore extended up to 500 m from the proposed road alignment at the time of survey. The survey area for the 2020 verification survey was refined to be proportionate to the</p>

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		<p>zone of influence of Part A, to account for the refinement of the design of Part A since 2016. The verification survey was based upon the transect routes used in the 2016-17 baseline surveys, but routes were shortened or modified to cover the Order limits of Part A plus an additional 100 m buffer.</p> <p>Highways England requested comment from Natural England to the response provided.</p> <p>Key Outcome</p> <p>Natural England provided a response via email on 17/03/2021 (see below).</p> <hr/> <p>Key Topic</p> <p>Highways England provided a response to Natural England’s comments within their email dated 11/02/2021 (see above) regarding the bat verification survey reports [REP1-015 and REP1-016]. The comments provided by Natural England are provided in italics and bold below, with responses by Highways England below each item.</p> <p><i>Trees T51A, T54A, T56A and T131A - A winter inspection would be highly unlikely to reveal evidence of use and therefore prove absence (most tree roosts unsuitable for use as hibernation roost and signs of bat usage in trees do not persist very long). Could it be suggested that the final pre-fell inspection or better yet, a dusk/dawn followed by a pre fell inspection, is undertaken during spring/summer to have more confidence in a negative result? It also assumes that the tree will be fully inspectable i.e. what if the features can’t be accessed during an aerial inspection?</i></p> <p>Highways England confirmed that at the time of writing it had not been possible to undertake the proposed climb and inspect survey of trees T51A, T54A, T56A and T131A, although they were continuing to pursue access agreements. Highways England agreed that a wintering inspection may not reveal evidence of use and therefore prove absence. The aim of the proposed climb and inspect assessment prior to the summer period and during the DCO examination is to collect further, more accurate information via a close-up inspection of any roost features than would be possible from ground level. This survey has the potential to downgrade the roosting suitability of the trees compared to the current classification.</p> <p>Highways England confirmed that current mitigation includes a pre-fell inspection and/or dusk/dawn re-entry survey of trees that retain bat roost suitability (measure S-B7 from the Outline CEMP [REP3-014 and -015]. Dusk/dawn re-entry surveys would be undertaken between May and September in accordance with best practice.</p> <p><i>Verification surveys for trees T209A and T215A cancelled due to weather. It’s probably a bit doubtful to conclude that nothing was roosting due to surveyors present in that locality surveying other trees (one of whom was 20m away) who didn’t see anything (tree surveys notoriously difficult to record anything due to poor view points), but as they’re being retained likely insignificant.</i></p> <p>Highways England noted Natural England’s comment and stated the absence of a roost within trees T209A and T215A as recorded by surveys for nearby trees was indicative only. However, it is correct these trees would be retained and buffered from disturbance by retained vegetation (particularly for T209A). Highways England agreed that the absence of a survey for the two trees is insignificant.</p> <p><i>Weather conditions - Weather recorded as raining at start and end of 19 August 2020 (Dusk) survey but not listed as a constraint/weather conditions not expanded upon. Likely not significant or there were periods of dry weather, as bat roost recorded during this survey in building B105A.</i></p> <p>Highways England confirmed that whilst rain was recorded during the survey, this was not identified as a significant limitation as bat activity was recorded and a roost was identified.</p>

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		<p>Building B105A now has a recorded roost not picked up in 2017. Only august 2020 data for new location where 3 SPIPS [soprano pipistrelle] emerged. Therefore, has not been a survey from maternity season. If the risk is assessed as high risk/potential for such a roost in original survey it would need a full season of surveys. However, mitigation is already in place and a precautionary method statement to be followed should mitigate. Is this a just proximity disturbance and will all works will be conducted in daylight hours?</p> <p>Highways England confirmed whilst surveyed on a single occasion in 2020, it should be noted that B105A (which represents a garage block) is located between B104A and B106A (bungalow properties), which were surveyed on two occasions in 2017 (August and September (Appendix 9.8 Bat Activity Survey Report Part A [APP-234]). The surveys of B104A and B106A did not record any roosts within B105A.</p> <p>B105A does not contain any roost features suitable to support a roost of significance, both in terms of the number of bats or roost type (such as maternity). The building is also retained by the Scheme. As such, the reduced level of survey effort is not considered a significant limitation to the impact assessment. Highways England confirmed that predicted impacts were due to the proximity of B105A to the Scheme and therefore potential disturbance. Building B105A is afforded the same precautionary works mitigation as the bat roosts previously recorded in nearby buildings B86A and B101A, which are closer than B105A to the new West Moor junction to the northeast (see sheet 9 of 19 on the Land Plans [APP-006]). Building B105A has been included within measure A-B24 of the Outline CEMP [REP3-014 and -015], which includes (but not limited to) a toolbox talk to site personnel, keeping duration of works within 100m of the roost to a minimum and restricting these works to daylight hours.</p> <p>Highways England requested comment from Natural England to the response provided.</p> <p>Key Outcome At the time of writing, there has been no further engagement on this specific matter.</p> <p>Key Topic Highways England provided a response to Natural England’s queries within their email dated 11/02/2021 (see above) regarding the Biodiversity No Net Loss Assessment for the Scheme [REP2-009] and the supporting Annex A - Approach to the Assessment of Losses and Gains of Watercourses [REP2-010]. Regarding the net loss of hedgerow and river habitat, Highways England confirm that this matter was being considered further. In relation to the need to amend the no net loss assessment in response to the proposed changes to the Scheme, Highways England confirmed the proposed amendments to the application (particularly the bank stabilisation of the north bank of the River Coquet) would impact woodland for which compensation is addressed within the Ancient Woodland Strategy [APP-247] (as updated at Deadline 4). As such, the habitat loss and area of proposed compensatory planting has been excluded from the no net loss calculation (in accordance with the methodology of the assessment). The Biodiversity No Net Loss Assessment for the Scheme would be subject to an update at detailed design following further refinement and/or design of the construction of the Scheme. If the proposed amendments to the application are accepted by the ExA, it is proposed to capture any changes to the Biodiversity No Net Loss Assessment for the Scheme at the detailed design stage. Highways England requested comment from Natural England to the response provided.</p> <p>Key Outcome Natural England provided a response on 17/03/2021 and 26/03/2021 (see below).</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
04/03/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>The ExA stated within Issue Specific Hearing 2 on 25/02/2021 that Table 3.2 of the draft SoCG with Natural England [REP3-019] contains quite specific agreed matters in relation to the Ancient Woodland Strategy [APP-247]. The ExA requested that there be a more general statement to confirm that Natural England consider that the ancient woodland strategy is acceptable.</p> <p>Highways England has requested a statement from Natural England to this effect.</p> <p>Key Outcome</p> <p>Natural England provided a response via email on 10/03/2021 (see below).</p>
10/03/2021	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic</p> <p>Response from Natural England to Highways England’s email dated 04/03/20201 (see above) requesting a statement to confirm that Natural England consider that the Ancient Woodland Strategy [APP-247] is acceptable, as requested by the ExA during Issue Specific Hearing 2.</p> <p>Natural England confirmed that <i>“the Ancient Woodland Strategy is considered to be acceptable to Natural England. The strategy has been drawn up following detailed discussion and collaboration with Natural England. Finer details of the strategy will be developed at the detailed design stage and agreed with Natural England.”</i></p> <p>Key Outcome</p> <p>No action necessary.</p>
17/03/2021	Teleconference and subsequent email between Highways England and Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>Highways England and Natural England held a teleconference to discuss outstanding responses/comments following recent engagement. This was followed up by an email from Highways England to Natural England to summarise the discussion. The discussion included:</p> <p>1) Progress of the updated LoNIs</p> <p>Natural England provided updated LoNIs for the Draft great crested newt licence Part A - Burgham Park and Draft great crested newt licence Part A - River Coquet licence (email dated 11/02/2021, see above). Further to Highways England’s email dated 16/02/2021 (see above), Highways England requested confirmation from Natural England that the LoNI for the Draft great crested newt licence Part A - River Coquet licence covers the additional temporary woodland loss that would arise should the Change Request (bank stabilisation works) be accepted by the ExA.</p> <p>Further to Highways England’s email dated 11/02/2021 (see above), Highways England requested a timeframe of when it is anticipated that the updated LoNIs for the below draft licences would be provided (these relate to the Scheme name: A1 in Northumberland: Morpeth to Ellingham (Part A/Part B as appropriate) and PINS reference: TR010059 only):</p> <ul style="list-style-type: none"> - Draft badger licence Part A - Draft bat licence Part B – Northern woodland near Charlton Hall Road - Draft bat licence Part B – Charlton Mires

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Natural England confirmed that it had not been possible to update these to date due to resource availability. Highways England offered to make the edits within the PDF documents of the LoNIs and issue these to Natural England for approval and agreement. Highways England issued the updated LoNIs to Natural England within the follow up email after the call.</p> <p>Highways England also confirmed that the updated Draft bat licence for Part A was nearly ready for issue to Natural England for review and subsequently issued the documents on 24/03/2021 (see below).</p> <p>Highways England issued a LoNI tracker spreadsheet to Natural England so that both parties could keep track of progress.</p> <p>2) Review of the great crested newt verification survey report [REP1-017]</p> <p>Further to comments from Natural England on 11/02/2021 (see above) for other species verification reports issued at Deadline 1, Highways England requested an update on when comments would be received for the great crested newt verification survey report [REP1-017].</p> <p>3) Highways England's Responses to Natural England's comments on the species verification reports issued at Deadline 1</p> <p>Within an email dated 16/02/2021 (see above), Highways England provided responses to comments received from Natural England following their review of the Appendix 9.26 Wintering Bird Verification Survey Report Part A [APP-252] and the bat verification survey reports [REP1-015 and REP1-016]. Highways England requested an update on when a response to this email would be received. Natural England confirmed that a response would be provided as soon as possible.</p> <p>4) Updated documents for Change Request</p> <p>Highways England provided a copy of the updated Ancient Woodland Strategy [REP4-055], Updated Habitats Regulations Assessment [REP4-057] and updated Biodiversity No Net Loss Assessment for the Scheme [REP4-059] that all relate to the proposed changes to the Scheme for Natural England's comment.</p> <p>Key Outcome</p> <p>1) Progress of the updated LoNIs</p> <p>At the time of writing, Highways England is awaiting a response regarding confirmation about the Draft great crested newt licence Part A - River Coquet, approval of the amended LoNIs and comment on the updated Draft bat licence for Part A.</p> <p>2) Review of the great crested newt verification survey report [REP1-017]</p> <p>Natural England confirmed during the phone call that the great crested newt verification survey report had been reviewed and that comments would be provided. At the time of writing, Highways England is awaiting the comments.</p> <p>3) Highways England's Responses to Natural England's comments on the species verification reports issued at Deadline 1</p> <p>Natural England provided a response to Highways England's comments for Appendix 9.26 Wintering Bird Verification Survey Report Part A [APP-252] following the teleconference (see below, email 17/03/2021). At the time of writing, Highways England is awaiting a response to the comments for the bat verification survey reports [REP1-015 and REP1-016].</p> <p>4) Updated documents for Change Request</p> <p>At the time of writing, Highways England is awaiting comment on the updated documents for the change request.</p>
17/03/2021	Email from Bob Cussen (Lead Adviser), Natural	<p>Key Topic</p> <p>Following the teleconference earlier in the day (see above, 17/03/2021), Natural England provided comment in response to Highways England's email dated 16/02/2021 (see above) regarding the verification reports.</p>

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	England to Highways England	<p>In relation to Appendix 9.26 Wintering Bird Verification Survey Report Part A [APP-252], Natural England acknowledged that the transect lines used for the verification survey were the same as for the original survey undertaken in 2016/17 but that their length was shortened to reflect the finalised road route/design. Natural England confirmed that this is acceptable.</p> <p>Key Outcome No action necessary.</p> <p>Key Topic Natural England provided comment in response to Highways England’s email dated 16/02/2021 (see above) regarding the need to update the Biodiversity No Net Loss Assessment for the Scheme [REP2-009] as a result of the proposed changes to the Scheme (bank stabilisation and southern access works). Natural England acknowledged that should the proposed changes to the Scheme be accepted, compensation for the area of woodland damaged/destroyed would be addressed in the Ancient Woodland Strategy. Natural England also confirmed that they understand that impacts on the River Coquet and Coquet Valley Woodlands SSSI as a result of the proposed changes would be dealt with separately and is excluded from the biodiversity no net loss assessment.</p> <p>Key Outcome No action necessary.</p>
23/03/2021	Emails from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader- Sustainable Development and Marine), Natural England	<p>Key Topic Highways England issued a courtesy email to Natural England with links to the Examination Library for relevant documents submitted at Deadline 4. This included:</p> <ul style="list-style-type: none"> - Ancient Woodland Strategy for Change Request – clean and tracked [REP4-054 and 055] - Updated HRA Report for Change Request – clean and tracked [REP4-056 and 057] - Biodiversity No Net Loss for the Scheme for Change Request – clean and tracked [REP4-058 and 059] - Updated ES Addenda for the Stabilisation Works [REP4-063] and Southern Access Works [REP4-064] - Updated Ancient Woodland Strategy (without Change Request) – clean and tracked [REP4-008 and 009] <p>Key Outcome At the time of writing, Highways England is awaiting comment on the documents issued at Deadline 4.</p>
24/03/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader- Sustainable Development and Marine), Natural England	<p>Key Topic Highways England issued the updated Draft bat licence Part A to Natural England for their review and comment, and to support the update of the existing draft LoNI.</p>

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		<p>Key Outcome</p> <p>At the time of writing, Highways England is awaiting comment on the updated draft licence.</p>
26/03/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>Further to Natural England’s review of the Preliminary Bat Roost Assessment Verification Survey Report [REP1-015], Highways England confirmed that they had completed further survey (aerial climb and inspection and/or an inspection of features with the use of a camera on a telescopic pole) of the trees that were previously surveyed in 2016/17 and have increased in suitability to Moderate or High, or were additional trees recorded in 2020 that were classified as Moderate or High roosting suitability that will either be felled or subject to high levels of disturbance during construction.</p> <p>As a correction to the report, Highways England confirmed the number of trees should be 26 (not 27 as T105A was listed twice, in error, in Table 4-1 [REP1-015]).</p> <p>Highways England provided a summary of the findings (below) and requested comment from Natural England:</p> <p>Access was not achieved for a single tree (T20.17). This tree therefore remains of Moderate roosting suitability, as identified within the Preliminary Bat Roost Assessment Verification Survey Report [REP1-015]. A further 18 trees were downgraded from High to Moderate roosting suitability or maintained a Moderate roosting suitability classification following the further survey (T2A, T29A, T44A, T53A, T55A, T68A, T105A, T20.9, T20.52, 20.57, T20.58, T20.77, T20.97, T20.107, T20.122, T20.123, T20.132 and T20.135).</p> <p>Measure S-B7 of the Outline CEMP [REP4-013 and 014] has been updated to confirm that these trees would be subject to further survey (dusk emergence/dawn re-entry surveys) to confirm the presence/likely absence of roosting bats. The surveys would be undertaken pre-construction, between May and September and in accordance with good practice guidelines published by the Bat Conservation Trust. In addition, as detailed within the existing text of S-B7, “... those trees where suitability for roosting bats remains (Moderate or High suitability), although presence of a roost has not been confirmed, should be soft-felled under ecological supervision (by the ECoW [Ecological Clerk of Works] suitably experienced and licensed)). This will consist of the removal of major branches and limbs followed by section felling of the main trunk, with these lowered to the floor for inspection by the ECoW.” If the surveys identify a bat roost(s), the Applicant would liaise with Natural England and obtain a licence to permit the lawful destruction of the roost(s).</p> <p>Five trees (T108A, T109A, T110A, T111A and T20.76) were downgraded from Moderate roosting suitability to Low roosting suitability. In accordance with best practice, these trees shall be subject to a pre-fell inspection to confirm that there have been no changes in roosting suitability. This pre-fell inspection is detailed in measure S-B7 of the Outline CEMP [REP4-013 and 014].</p> <p>Two of the trees (T20.72 and T20.73) were downgraded from Moderate to Negligible roosting suitability. As such, no further survey or mitigation is required.</p> <p>Key Outcome</p> <p>At the time of writing, Highways England is awaiting a response.</p>
26/03/2021	Email from Highways England to Bob Cussen (Lead Adviser) and Michael Miller (Team Leader-Sustainable Development and Marine), Natural England	<p>Key Topic</p> <p>Within Natural England’s email dated 11/02/2021 (see above), Natural England provided comment on Biodiversity No Net Loss for the Scheme [REP2-009], although highlighted that they had not been in a position to study the documents in detail. A subsequent email on this topic was provided by Natural England on 17/03/2021. Highways England asked Natural England to confirm if their comments on the Biodiversity No Net Loss for the Scheme [REP2-009] within their email dated 17/03/2021 represented a full review of the document.</p>

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		<p>Key Outcome Natural England provided a response via email on 26/03/2021 (see below).</p>
26/03/2021	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic In response to Highways England's email (26/03/2021, see above) relating to Natural England's review of the Biodiversity No Net Loss for the Scheme [REP2-009], Natural England confirmed that their emails on 11/02/2021 and 17/03/2021 did not represent a full review of the report. Natural England confirmed that they intend to fully review the Biodiversity No Net Loss for the Scheme [REP2-009] as soon as possible.</p> <p>Natural England also confirmed that they intend to provide comment on the documents issued at Deadline 4, following Highways England's email on 23/03/2021 (see above).</p> <p>Key Outcome At the time of writing, Highways England is awaiting full comment on the Biodiversity No Net Loss for the Scheme [REP2-009] and comment on the documents issued at Deadline 4.</p>
26/03/2021	Email from Michael Miller (Team Leader- Sustainable Development and Marine), Natural England to Highways England	<p>Key Topic Natural England confirmed that they intend to provide a response as soon as possible to Highway's England's email dated 26/03/2021 (see above) regarding the results of the aerial climb and inspection of trees and proposed mitigation. Natural England confirmed that their availability had been impacted by a couple of incidents (not related to the Scheme) that required urgent action.</p> <p>Key Outcome At the time of writing, Highways England is awaiting a response.</p>
Engagement Relating to Part A		
01/11/2017	Meeting (between Andrew Whitehead (Team Leader – Sustainable Development & Marine) and Bob Cussen (Lead Adviser), Natural England and Highways England	<p>Key Topic Highways England discussed the proposed design of the new River Coquet Bridge which would carry the new carriageway of the A1 over the river.</p> <p>Key Outcome Natural England commented that no structures should be in the river itself and those that are provided should be as far back from the river as possible. Highways England has considered this comment during the design of the bridge, with further consultation made on the matter (see Item 11, Table 3-2). The northern pier of the new River Coquet bridge has been well set-back from the river. The placement of the southern pier is adjacent to the river, with mitigation proposed in relation to the installation of the pier (see EM014 of Table 9-23, Chapter 9: Biodiversity Part A [APP-048]) Some in-river elements of the design are unavoidable.</p>

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		<p>Natural England stated that consideration should also be given to the provision of compensatory habitat to address vegetation loss (ancient woodland), monitoring/aftercare, air quality impacts and additional run off from the new carriageway.</p>
20/03/2018	Meeting between Bob Cussen (Lead Adviser) and Abby Halstead (Wildlife Lead Adviser), Natural England and Highways England	<p>Key Topic Highways England confirmed that lack of access to buildings that may be impacted by Part A was presenting restrictions in assessing their suitability for and presence of roosting bats.</p> <p>Key Outcome Highways England agreed with Natural England that data collected during other nearby bat surveys would be used to inform impact assessment. It was agreed that precautionary and, if necessary, worst-case scenario approaches were to be considered and appropriate mitigation developed to assess the impact of these.</p> <hr/> <p>Key Topic Highways England raised deviation in methodology from guidance for the DEFRA transects (extended duration of surveys) and DEFRA Local Scale (crossing point) surveys (reduced number of survey visits, extended duration of surveys and surveys completed along the existing A1 only).</p> <p>Key Outcome Natural England confirmed they would comment on the crossing point surveys and deviations from methodology following the meeting (see email response of 24/08/2018 set out below).</p> <hr/> <p>Key Topic Highways England confirmed that a bird survey was not undertaken within the River Coquet and Coquet Valley Woodlands SSSI, with transects undertaken along the woodland edge due to health and safety associated with access constraints (steep topography).</p> <p>Key Outcome Natural England confirmed that the absence of direct survey effort within the Site of Special Scientific Interest (SSSI) was not a significant issue, given that the impacts of the proposed development are relatively small. Breeding birds on the SSSI citation are not the primary reason for qualification and the area to be impacted by the proposed new bridge over the River Coquet is not considered to hold value for nesting kingfisher.</p> <hr/> <p>Key Topic Highways England raised the age of the bird survey data, which dated back to 2016, to inform the impact assessment of Part A.</p> <p>Key Outcome Natural England confirmed they would provide comments following the meeting (see email response of 07/08/2018 set out below).</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Topic Highways England sought to deviate from the guidance of a 1.5km survey area for barn owls to a proposed 500m survey area from the Order Limits of Part A. This proposal was to undertake a proportionate and pragmatic study, based on professional judgement from knowledge of similar schemes.</p> <p>Key Outcome National England confirmed that further justification for the deviation would be required. Highways England provided this on 04/09/2018 and Natural England provided their email response on 24/09/2018, as set out below.</p>
09/05/2018	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic Highways England issued a template Ancient Woodland Salvage Plan document to Natural England for comment.</p> <p>Key Outcome Natural England provided a response on 07/08/2018, as set out below.</p>
03/08/2018	Telephone call between Highways England and Bob Cussen (Lead Adviser), Natural England	<p>Key Topic Highways England requested comment from Natural England regarding the age of the breeding bird survey data (survey undertaken in 2016) and its suitability to inform the ecological impact assessment. Highways England also confirmed that the steep topography of the River Coquet and Coquet Valley Woodlands SSSI (southern bank of the River Coquet) prevented access and completion of a transect within the boundaries of the SSSI. However, Highways England clarified that a survey was achieved adjacent to the SSSI and requested comment from Natural England regarding the validity of the data.</p> <p>Key Outcome Natural England provided a response via email on 07/08/2018, detailed below.</p>
07/08/2018	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic Email response provided by Natural England following a telephone call held on 03/08/2018, see above, in relation to the age of the breeding bird survey data.</p> <p>Key Outcome Natural England confirmed the survey undertaken in 2016 is considered current thus suitable to inform the impact assessment assuming there has not been any significant changes in the way the land has been used within the intervening time period.</p> <p>Highways England are not aware of any significant land use changes. Further correspondence regarding the validity of survey data was discussed on 15/12/2020 (see 'Engagement Record for the Scheme' section above), when Natural England confirmed that the ecological surveys (in general) undertaken to date for the Scheme were appropriate, including methodologies, timing and extent.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Topic Email response provided by Natural England following a telephone call held on 03/08/2018, see above, in relation to the bird survey not undertaken within River Coquet and Coquet Valley Woodlands SSSI, with transects undertaken along the woodland edge.</p> <p>Key Outcome Natural England confirmed that the bird survey (which included effort along the boundaries of the SSSI) was considered to be of good quality and it was noted that it would be used to inform appropriate mitigation, as necessary.</p> <hr/> <p>Key Topic Natural England provided comments on the Ancient Woodland Salvage Plan, following issue of a skeleton document on 09/05/2018 (see above).</p> <p>Key Outcome Natural England provided detailed comments/suggestions on the proposed strategy and information to be included to address the impacts to ancient woodland. The comments provided were used to develop the Ancient Woodland Strategy [APP-247] submitted with the DCO Application.</p>
24/08/2018	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England to Highways England	<p>Key Topic Deviation from guidelines in relation to bat DEFRA surveys and bat survey work (initially raised during a meeting on 20/03/2018, as detailed above).</p> <p>Key Outcome Natural England confirmed the bat survey data is sufficient to effectively understand the impacts of Part A and design mitigation within the ES.</p>
24/08/2018	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic Highways England presented a plan showing the proposed location of woodland planting for the purposes of compensation in relation to the impacts to ancient woodland.</p> <p>Key Outcome Natural England provided a response on 24/09/2018, as set out below.</p>
04/09/2018	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Further to the meeting held between Highways England and Natural England on 20/03/2018 (see above), Highways England presented further justification for the reduction in the barn owl survey area; from a 1.5km survey area to a 500m survey area from the Order limits of Part A.</p> <p>Highways England confirmed that their professional judgement was based on the following:</p> <p>A low number of barn owl desk study records. Habitat suitability within the Order limits of Part A – areas of optimal (Type 1) and sub-optimal (Type 2) habitat are sparsely distributed within the survey area and therefore poor barn owl habitat occupies the majority of the 500m buffer. The low concentration of potentially suitable features barn owl may use for roosting/nesting. The presence of physical barriers within the landscape that may limit barn owl movement (such as the A1 and A697, major roads). The average barn owl home range - in the winter barn owl homes ranges can be up to 5,000 hectares but in summer, when there's more food about, the area barn owl use most shrinks to about 350 hectares. This equates to an approximate 1km radius around the nest when they are breeding (Barn Owl Trust - https://www.barnowltrust.org.uk/barn-owl-facts/barn-owl-home-range/). Therefore, the survey area of a 1km corridor (500m buffer) is considered proportionate. The anticipated potential construction and operation impacts.</p> <p>Key Outcome Natural England provided a response via email on 24/09/2018, as set out below.</p>
24/09/2018	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic Email response provided by Natural England following discussion at the meeting of 20/03/2018 in relation to the deviation of survey area for barn owl (500m from the Order limits of Part A) in comparison to guidance (1.5km survey area).</p> <p>Key Outcome Natural England confirmed that following review of the justification for the reduction in the survey area (see email dated 04/09/2018 above), they are satisfied that the survey area of 500m from the Order Limits of Part A should be sufficient to inform the impact assessment.</p> <p>Key Topic Natural England provided an email response in relation to the proposed location of the ancient woodland compensation area (southwest of the River Coquet bridge), which was provided by Highways England via email on 24/08/2018 (see above).</p> <p>Key Outcome Natural England confirmed that the proposed location of ancient woodland compensation was acceptable. The proposed location of woodland creation was used within the Ancient Woodland Strategy [APP-247] submitted with the DCO Application.</p>
26/09/2018	Email from Highways England to Andrew	<p>Key Topic</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
	Whitehead (Team Leader – Sustainable Development & Marine) and Silas Walton (Lead Advisor), Natural England	<p>Highways England issued a document detailing the proposed approach to the impact assessment associated with building B101A due to refusal of access, which is presented in Appendix D of Appendix 9.9: Bat Survey Report 2018 Part A [APP-235]. The approach involved the assumption of the presence of roosting bats equivalent to an adjacent building with bat roosts; building B84A.</p> <p>Building B84A had a higher suitability for roosting bats in comparison to B101A. B84A was subject to a Preliminary Roost Assessment (PRA) in 2017 and three emergence/re-entry surveys, in 2017 (July, August and September). The surveys identified common species roosting within the building; including day roosts supporting a single common pipistrelle <i>Pipistrellus pipistrellus</i>, a single soprano pipistrelle <i>Pipistrellus pygmaeus</i> and a single brown long-eared bat <i>Plecotus auritus</i>. As such, it was assumed that building B101A also supported day roosts of low numbers of common pipistrelle, soprano pipistrelle and brown long-eared bats. There was no evidence to suggest that either building supported a maternity roost, given individual bats were recorded during surveys conducted within the peak maternity season. In addition, B84A did not contain roosting features suitable for a hibernation roost and the same was assumed for B101A (due to lack of potential roost features recorded from external vantage points, the building is inhabited and therefore internally heated and the type and condition of the building).</p> <p>Both buildings B84A and B101A are retained by the Scheme, although located adjacent to a proposed slip road connecting to a new junction (West Moor Junction), approximately 100 m to the north. The document identified the potential for disturbance impacts during both construction and operation.</p> <p>The document detailed the proposed mitigation measures to reduce the potential impacts of disturbance, which were timing of construction activities, use of suitable lighting (temporarily) during construction and landscape design to screen the roosts from the junction and guide bats to suitable crossing points.</p> <p>Key Outcome Natural England provided a response on 04/10/2018, as set out below.</p>
04/10/2018	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England to Highways England	<p>Key Topic</p> <p>Email response provided by Natural England following the issue by Highways England of a proposed impact assessment with regards to bats and building B101A on 26/09/2018 (as detailed above), due to refusal of access. Highways England were seeking agreement to the proposed approach to inform the impact assessment detailed in Chapter 9: Biodiversity Part A of the ES [APP-048].</p> <p>Key Outcome</p> <p>Natural England confirmed they agreed with the approach taken to assume presence of roosting activity within B101A and the mitigation proposed to address potential impacts. Natural England considered that the approach proposed demonstrated that there is no satisfactory alternative and that the works will not adversely affect the favourable conservation status of the bats assumed to be present.</p>
10/10/2018	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic</p> <p>Highways England issued a draft HRA screening report for Part A for Natural England’s review and comments. Highways England were seeking agreement to the approach and conclusions of the assessment.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome Natural England provided a response on 23/11/2018, as set out below.</p>
23/11/2018	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic Email response from Natural England regarding the approach taken and conclusions of no likely significant effects detailed within the draft HRA screening report for Part A, following issue of the document on 10/10/2018 (as detailed above).</p> <p>Key Outcome Natural England requested additional information regarding impacts of aerial emissions. Natural England suggested it would be appropriate to highlight the inclusion of pollution prevention and control measures to avoid the risk of polluted surface water runoff during construction and network of detention basins during operation. The additional information requested and suggested was incorporated into a revised HRA Report issued to Natural England for comment on 02/05/2019; reply received 09/05/2019 (set out below). Overall, Natural England concurred with the conclusions of the report that the proposal is not likely to have a significant impact on the coastal and marine Natura 2000 (European) sites.</p>
01/03/2019	Meeting between Bob Cussen (Lead Adviser), Natural England and Highways England	<p>Key Topic Highways England presented a draft of an Ecological Mitigation Plan for Part A, seeking agreement from Natural England to the approach and proposals.</p> <p>Key Outcome Natural England confirmed that their initial review was the draft ecological mitigation was proportionate and Natural England will provide additional comment, where appropriate, following receipt of the ES. Following a review of the draft ES in July 2019, Natural England confirmed in an email dated 08/08/2018 that <i>“all the relevant surveys and the mitigation outlined for the species and habitats that are likely to be impacted by the proposed scheme are in line with current guidance and best practice.”</i> Upon review of the final ES submitted with the DCO application, Natural England has not provided further comment.</p> <p>Key Topic Highways England provided an update regarding impacts to ancient woodland as a result of Part A and confirmed the Order limits had been reduced, thereby reducing the loss of ancient woodland. Highways England confirmed that the then latest calculations identified the loss of approximately 0.27ha of ancient woodland within the River Coquet and Coquet Valley Woodlands SSSI (previously 0.37ha) and loss of 0.41ha of woodland within the Coquet River Felton Park LWS (not designated ancient woodland but treated as ancient woodland for the purposes of mitigation, as detailed in paragraph 2.1.2 of the Ancient Woodland Strategy Part A [APP-247]). It was therefore predicted that Part A would result in the loss of 0.68ha of ancient woodland. Highways England confirmed that they propose to compensate at a 1:12 ratio, resulting in woodland creation to the value of 8.16ha. This ratio was applied within the Ancient Woodland Strategy Part A [APP-247].</p> <p>Key Outcome Natural England confirmed that they are satisfied with the area (8.16ha) and location of the proposed compensation woodland planting.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Topic Highways England presented a list of high levels tasks that were proposed as part of an Ancient Woodland Strategy, as per the following:</p> <ol style="list-style-type: none"> 1. Receptor site¹ - Test soil conditions/nutrient levels 2. Receptor site - Manipulate soils 3. Receptor site - Re-test to confirm achieved 4. Donor site² – translocate ground flora to wider SSSI/ancient woodland. Salvage saplings (by hand) if achievable. 5. Donor site – fell woodland (retain material for use on receptor site) 6. Donor site – soil strip 7. Receptor site – spread stripped soils 8. Receptor site – sow hay meadow seed mix and plant nursery transplants (60-90cm) and salvaged saplings (if achieved) 9. Wider woodland – collect and transplant saplings by hand into the receptor site) 10. Manage and maintain receptor site <ol style="list-style-type: none"> a. During which, ground flora seed obtained and grown on, ready to be transplanted at suitable time (trigger – when canopy of woodland has developed and hay meadow grassland has started to die back/recede). <p>Key Outcome Natural England confirmed that the steps in the high-level task list are appropriate and that translocation of ground flora to the wider SSSI and collection of tree saplings from wider SSSI would require SSSI Assent. This confirmation and additional comments and advice on individual elements of the strategy (provided within an email dated 08/08/2019, see below and discussed in detail within Chapter 3 Issues, Table 3-2) were used to inform the Ancient Woodland Strategy Part A [APP-247] submitted with the DCO Application.</p>
02/05/2019	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic Highways England issued a revised HRA Report for Part A for Natural England’s review and comment. Highways England were seeking agreement with Natural England to the information and conclusions presented.</p> <p>Key Outcome Natural England provided a response on 09/05/2019, as set out below.</p>
09/05/2019	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic Email response from Natural England regarding the information presented within the updated HRA Report for Part A, following issue of the document on 02/05/2019 (as detailed above).</p>

¹ Compensatory woodland planting area

² Area within red line boundary

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome</p> <p>Natural England acknowledged that comments made on 23/11/2018 with regards to the earlier draft have been addressed. Natural England confirmed agreement with the conclusions of the report, in that the proposal is not likely to have a significant impact on the coastal and marine Natura 2000 (European) sites. The agreed version of the HRA Report was submitted to the Planning Inspectorate as part of the DCO application [APP-342].</p>
17/07/2019	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic</p> <p>Highways England issued a draft Chapter 9: Biodiversity for Part A of the Scheme and the accompanying technical appendices (Appendix 9.1 to 9.25 [APP-227 to APP-251]).</p> <p>Key Outcome</p> <p>An initial response was received from Natural England on 08/08/2019, as detailed below. Natural England comments on the draft documents are also presented within Table 3-2 Issues Related to Part A Only alongside a response from Highways England.</p>
25/07/2019	Email from Highways England to Bob Cussen (Lead Adviser) and Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England	<p>Key Topic</p> <p>Highways England issued a draft SoCG relating to Part A to Natural England for their consideration and amendment, as required.</p> <p>Key Outcome</p> <p>Natural England provided a response on 07/08/2019, as detailed below.</p>
07/08/2019	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England to Highways England	<p>Key Topic</p> <p>Natural England stated that they were unable to provide meaningful comment on the contents of the draft SoCG for Part A due to the lack of details and suggested that a specific section(s) is included to make clear which areas have been agreed / work is ongoing / remain in dispute.</p> <p>Key Outcome</p> <p>Highways England provided a response on 10/09/2019, as detailed below.</p>
07/08/2019	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic</p> <p>Highways England informed Natural England that targeted surveys for brown hare were not undertaken or proposed as part of the baseline assessment of the Scheme and requested agreement to the approach.</p> <p>Highways England also requested comment or agreement to the outcomes of the air quality assessment on designated sites, detailed within the draft Chapter 9: Biodiversity issued on 17/07/2019 (as detailed above).</p> <p>Key Outcome</p> <p>Natural England provided a response on 08/08/2019, as set out below.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
08/08/2019	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic</p> <p>Email response from Natural England to the email dated 07/08/2019 (detailed above) regarding the approach to assessment of brown hare.</p> <p>Key Outcome</p> <p>Natural England acknowledged that targeted surveys have not been undertaken for brown hare. Natural England confirmed that the proposed mitigation to encourage dispersal from within the Order Limits and the overall design of the scheme should be sufficient to ensure that the local brown hare population is not significantly impacted by the proposal.</p> <hr/> <p>Key Topic</p> <p>Email response from Natural England to the email dated 07/08/2019 (detailed above) regarding the approach to air quality assessment and impact conclusions regarding the River Coquet and Coquet Valley Woodlands SSSI.</p> <p>Key Outcome</p> <p>Approach to assessment changed following this consultation. Outcome no longer relevant. This matter is discussed further below in relation to the email dated 18/10/2019.</p>
08/08/2019	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic</p> <p>Email response from Natural England with comment on the draft ES submission, issued via email on 17/07/2019 (detailed above).</p> <p>Key Outcome</p> <p>Natural England confirmed that <i>“all the relevant surveys and the mitigation outlined for the species and habitats that are likely to be impacted by proposed scheme are in line with current guidance and best practice.”</i> It was also commented that <i>“the various comments and advice given by Natural England in the many detailed discussions and consultations regarding the proposals over the last 18 months have been taken on board. In particular, the considerable amount of time spent consulting on the specifics of the woodland compensation area have resulted in a detailed Ancient Woodland Strategy which will hopefully prove to be reasonable compensation for the unfortunate, but unavoidable, loss of an area of Ancient and Semi-Natural woodland within the River Coquet and Coquet Valley Woodlands SSSI.”</i></p> <p>With regards to the Ancient Woodland Strategy, Natural England stated they <i>“would like to acknowledge the resource and effort that Highways England and their consultants have put into to developing the Ancient Woodland Strategy and looks forward to helping further refine the design of the Woodland Creation Area at the detailed design stage.”</i></p> <p>Several items were raised, which were considered and used to update Chapter 9:</p> <ul style="list-style-type: none"> - Inclusion of bullhead with regards to biosecurity. - Use of aquatic vegetation consistent with what is existing within watercourses within proposed planting.

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<ul style="list-style-type: none"> - Inclusion of a badger sett approximately 360m west of the River Coquet bridge within the proposed pre-commencement walkover survey. - Minor comments on the Ancient Woodland Strategy. <p>Natural England confirmed that they welcome the additional enhancements listed in Section 3.2.19 – 3.2.24 of the Ancient Woodland Strategy Part A [APP-247].</p> <p>These items are discussed further in Chapter 3 of this document.</p>
21/08/2019	Email from Highways England to Bob Cussen (Lead Adviser), Natural England	<p>Key Topic</p> <p>Highways England provided responses to the comments raised by Natural England on 08/08/2019 (see above), following review of the draft ES documents for Part A.</p> <p>The response confirmed that the proposed river training measures to facilitate the construction of the southern pier of the new River Coquet Bridge were temporary. The response also acknowledged that several suggested additions/amendments to the Ancient Woodland Strategy [APP-247] had been actioned.</p> <p>Highways England requested if Natural England would be able to provide any advice and guidance on how management of the SSSI works in practice and, if a third party is contracted, whether it would be possible to obtain contact details to assist discussions.</p> <p>Key Outcome</p> <p>Natural England provided a response on 18/10/2019, as set out below.</p> <hr/> <p>Key Topic</p> <p>Following the issue of the draft Chapter 9: Biodiversity for Part A of the Scheme on 17/07/2019, Highways England presented an updated impact assessment for the River Coquet and Coquet Valley Woodlands SSSI in relation to operational air quality. The updated assessment accounted for the loss of SSSI woodland during construction of the Scheme (addressed by the Ancient Woodland Strategy [APP-247]) and changed the conclusion of significance of effect from Slight adverse (not significant) to Neutral (not significant).</p> <p>Key Outcome</p> <p>Natural England provided a response on 18/10/2019, as set out below.</p>
10/09/2019	Email from Highways England to Andrew Whitehead (Team Leader –	<p>Key Topic</p> <p>Highways England provided a response to the email from Natural England dated 08/08/2019 (see above) in relation to the draft SoCG for Part A.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
	Sustainable Development & Marine), Natural England	<p>Key Outcome</p> <p>Highways England confirmed that the SoCG for Part A shall be updated to capture any recent changes in section/table references for the ES, but it is intended that the structure of the SoCG would remain the same. The updated SoCG for Part A was issued to Natural England on 20/09/2019, see below.</p>
20/09/2019	Email from Highways England to Bob Cussen (Lead Adviser) and Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England	<p>Key Topic</p> <p>Highways England requested an update and comment to the email dated 21/08/2019 regarding the updated air quality assessment for the River Coquet and Coquet Valley Woodlands SSSI.</p> <p>Key Outcome</p> <p>Natural England provided a response on 18/10/2019, as set out below.</p> <p>Key Topic</p> <p>Highways England issued an updated draft SoCG for Part A following the email dated 10/09/2019 (detailed above) for Natural England’s consideration and amendment, as required.</p> <p>Key Outcome</p> <p>Natural England provided a response on 14/10/2019, as detailed below.</p>
14/10/2019	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England to Highways England	<p>Key Topic</p> <p>Advice from the Natural England Wildlife Licensing Team confirming the information required with respect to the protected species licences in order to provide Letters of No Impediment (LoNI).</p> <p>Key Outcome</p> <p>Natural England requested a full draft licence application with as much information as the Applicant can provide at the time. This would include a draft Application Form, Method Statement and Reasoned Statement. Also, where possible and appropriate; a master plan, work schedule and appropriate, labelled supporting figures should be provided.</p> <p>Natural England recognised that the full project design may not be known at the time. However, the more information Natural England can assess at this stage, the greater confidence Natural England’s advisers can have in their consideration of whether the proposals are likely to meet licensing requirements.</p> <p>This email was further supported by an email on 18/10/2019, as set out below, regarding specific advice for the bat draft licence applications. Natural England requested that the following be included:</p> <ul style="list-style-type: none"> - Reference to all buildings within the Order Limits and if they have been ruled out of the licence application in relation to bat suitability. Please say why and what type of survey this is based on.

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>- Provide an explanation of the buffer zone and say why it is needed or rule it out if necessary.</p> <p>Natural England confirmed that this was preliminary advice and that further comments may be raised following assessment of the draft licence application. Highways England prepared draft species licences for great crested newts, bats and badger. These were submitted to Natural England on 23/01/2020 (as detailed below).</p>
18/10/2019	Email from Bob Cussen (Lead Adviser), Natural England to Highways England	<p>Key Topic</p> <p>Email to address responses from Highways England (issued on 21/08/2019, detailed above) to the comments provided by Natural England following review of Chapter 9 and appendices (see email dated 08/08/2019).</p> <p>Key Outcome</p> <p>Natural England provided thanks for the clarifications given regarding the comments on the draft ES. Natural England confirmed that the only outstanding query regarding the clarifications provided relates to Section 4.5.12 of the Ancient Woodland Strategy [APP-247] and the question of the long-term management of the Woodland Creation Area and whether this would be in perpetuity. Highways England confirmed that the Woodland Creation Area will be retained as a woodland in perpetuity, as detailed within Item 49 of Table 3-2 of this SoCG.</p> <p>Natural England noted that the revised assessment (provided by email on 21/08/2019, see above) concludes that while the critical load threshold for NOx is exceeded within 15m to the east of the existing bridge, it falls below the threshold at the Order limits. The area affected by NOx levels exceeding the critical load lies within the SSSI woodland that will be compensated for by the provision of the Woodland Creation Area (as part of the Ancient Woodland Strategy Part A [APP-247]). Natural England also confirmed that the conclusion that the Scheme would result in effects of overall Neutral significance to the River Coquet and Coquet Valley SSSI as a result of changes to air quality is supported by the evidence provided (within the email dated 21/08/2019, see above).</p>
18/10/2019	Email from Abby Halstead (Wildlife Lead Adviser), Natural England to Highways England	<p>Key Topic</p> <p>Following a brief phone call, advice from Natural England prior to the submission of a draft bat licence for building B4A for the LoNI.</p> <p>Key Outcome</p> <p>Natural England advised that the method statement should make reference to all of the buildings within the Order limits, what surveys have been undertaken and an explanation why other buildings have been ruled out of the licence in relation to bat suitability. The advice provided by Natural England was used to inform and update the Bat Method Statement for Part A [APP-248].</p>
04/11/2019	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England to Highways England	<p>Key Topic</p> <p>Natural England requested that the draft SoCG for Part A (issued on 20/09/2019 (see above)) be updated to detail consultation responses provided to date following review of the ES and associated documents provided. Of importance are the comments made regarding air quality and the River Coquet and Coquet Valley Woodlands SSSI.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome Highways England provided an updated SoCG for Part A on 15/01/2020, see below.</p>
15/01/2020	Email from Highways England to Andrew Whitehead (Team Leader – Sustainable Development & Marine) and Bob Cussen (Lead Adviser), Natural England	<p>Key Topic Highways England issued an updated SoCG for Part A following comments received by Natural England on 04/11/2019 (see above).</p> <p>Key Outcome Natural England provided a response on 05/02/2020, set out below.</p>
20/01/2020	Email from Highways England to Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England	<p>Key Topic Highways England issued pre-submission screening forms to Natural England for the four draft species licences for Part A, a procedural action. This included: Bat draft licence (building B4A) [APP-248] Badger draft licence [APP-249] Great crested newt River Coquet draft licence [APP-250] Great crested newt Burgham Park draft licence [APP-251]</p> <p>Key Outcome Highways England issued the draft species licences for Part A to Natural England on 23/01/2020.</p>
23/01/2020	Email from Highways England to Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England	<p>Key Topic Highways England issued the four draft species licences for Part A to Natural England to support a request for LoNIs. Highways England confirmed that, as detailed within the documentation, the draft licences are intended to support the DCO application and LoNIs only and do not represent licence applications. Future licence applications would be based on the information provided within the draft documentation, detailed design and update surveys. As such, Highways England confirmed there were sections of the Application Forms and Method Statements, such as Named Ecologist details and declarations, which have not been provided as these would be confirmed within the future licence application.</p> <p>Key Outcome Natural England requested further information/clarification at later dates, which are detailed below (see 05/02/2020 (request for reasoned statements), 26/03/2020 (requested clarification for the draft bat licence) and 06/04/2020 (comment on draft great crested newt licences)). Natural England issued LoNIs for the four draft licences on 19/02/2020 (see below).</p>
05/02/2020	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England to Highways England	<p>Key Topic Natural England confirmed that, following review of the updated SoCG for Part A issued on 15/01/2020 (detailed above) that they had no further comments to make in relation to the content and looked forward to receiving the final version for signing.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome Highways England issued the SoCG for Part A for signing on 04/03/2020, see below.</p>
05/02/2020	Email from Claire Storey (Wildlife Licensing Lead Adviser), Natural England to Highways England	<p>Key Topic Natural England requested reasoned statements to support the draft bat and great crested newt licences, to satisfy the No Satisfactory Alternative and Imperative Reasons of Overriding Public Interest tests.</p> <p>Key Outcome Highways England issued the requested reasoned statements on 24/03/2020, as detailed below.</p>
18/02/2020	Email from Claire Storey (Wildlife Licensing Lead Adviser), Natural England to Highways England	<p>Key Topic Natural England questioned if there were any issues relating to otters and if a draft licence would be issued.</p> <p>Key Outcome Highways England confirmed via email on 19/02/2020 there are no licensable impacts predicted to otter within the ES and therefore a licence application is not proposed. No response was received by Natural England on this matter.</p>
04/03/2020	Email from Highways England to Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England	<p>Key Topic Highways England issued the finalised SoCG for Part A of the Scheme to Natural England for signing.</p> <p>Key Outcome Natural England signed and returned the SoCG for Part A to Highways England on 19/03/2020, see below.</p>
19/03/2020	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England to Highways England	<p>Key Topic Natural England signed and returned the SoCG for Part A to Highways England.</p> <p>Key Outcome Following the return of the SoCG for Part A, Part A and Part B were combined into a single Application for the Scheme, which was submitted to the Planning Inspectorate on 07/07/2020. The previous signed SoCG for Part A is considered an interim version and an account of consultation and agreement between Natural England and Highways England as of 19/03/2020. The interim SoCG for Part A (presented in Appendix A) has been used to inform this SoCG, which is a full and final account for the Scheme in its entirety.</p>
24/03/2020	Email from Highways England to Claire Storey (Wildlife Licensing Lead Adviser), Natural England	<p>Key Topic Highways England issued the reasoned statements for the draft bat and great crested newt licences to Natural England to support the request for LoNIs.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome Natural England provided a response to the draft licences on 19/05/2020, see below.</p>
26/03/2020	Email from Annie Ivison (Wildlife Lead Adviser), Natural England to Highways England	<p>Key Topic Natural England requested clarification for the draft bat licence submitted on 23/01/2020 (main documents) and 24/03/2020 (reasoned statement), see above. This included the location of the 6.1km offline development (i.e. start and end points) and the number of buildings in the vicinity of the offline works. Natural England confirmed that they were trying to ascertain what the roost potential of the buildings in the vicinity of the new section was or if there were any buildings that are known to host a roost.</p> <p>Key Outcome Highways England provided a response on 26/03/2020, as set out below.</p>
26/03/2020	Email from Highways England to Annie Ivison (Wildlife Lead Adviser), Natural England	<p>Key Topic In response to the email from Natural England on 26/03/2020, see above, Highways England provided an annotated plan identifying the location of the on and offline sections of Part A. Highways England also confirmed that building B4A was the only building known to support a roost that would be lost to the Scheme. Highways England confirmed that there are other buildings and tree along the Scheme that support roosting which may be subject to disturbance, although this has been addressed in the ES (Chapter 9: Biodiversity Part A [APP-048]) and mitigation has been proposed.</p> <p>Key Outcome Natural England acknowledged receipt of the response and confirmed this had helped their understanding on 26/03/2020. Natural England issued a LoNI for the draft bat licence on 19/02/2020 (see below).</p>
06/04/2020	Email from Isabelle Pashley (Wildlife Lead Adviser), Natural England to Highways England	<p>Key Topic Two emails from Natural England following review of the two draft great crested newt licences [APP-250 and APP-251]. Within the emails, Natural England outlined amendments to the draft licence application that would be required as part of the formal (future) licence application and that would need to be agreed in order to provide LoNIs. Natural England confirmed that Highways England was not required to resubmit the draft method statements.</p> <p>Key Outcome Highways England confirmed the requested amendments would be included within the formal licence applications on 15/04/2020.</p>
15/04/2020	Email from Highways England to Isabelle Pashley (Wildlife Lead Adviser), Natural England	<p>Key Topic Highways England provided a response to Natural England's email of the 06/04/2020 and confirmed the requested amendments to the two draft great crested newt licences would be included within the formal licence applications. Highways England requested confirmation from Natural England that the responses provided was sufficient to inform the LoNI for the two draft great crested newt licences.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome Natural England confirmed the responses provided were sufficient to inform the LoNIs for the two draft great crested newt licences, which were issued by Natural England on 19/05/2020, see below.</p>
14/05/2020	Email from Highways England to Claire Storey (Wildlife Licensing Lead Adviser), Natural England	<p>Key Topic Highways England requested an update on the LoNIs following email correspondence with the individual wildlife licence assessors on 26/03/2020 (above, in relation to the draft bat licence) and 15/04/2020 (above, in relation to the two draft great crested newt licences).</p> <p>Key Outcome Natural England provided a response on 19/05/2020, detailed below.</p>
19/05/2020	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England to Highways England	<p>Key Topic Natural England issued a LoNI for the draft badger licence and LoNIs with caveats for each of the draft bat licence and two draft great crested newt licences. The caveats associated with each of the bat and great crested newt licences are detailed in Chapter 3 Issues, Table 3-2.</p> <p>Key Outcome No actions taken. The LoNIs for Part A issued by Natural England in May 2020 are considered interim LoNIs. The interim LoNIs have subsequently been updated to reflect the correct Scheme name (A1 in Northumberland: Morpeth to Ellingham) and, with reference to the draft bat licence and draft great crested newt – River Coquet licence, in response to changes to the draft licence documentation.</p> <p>Highways England has agreed that each caveat item will be addressed within the formal licence applications.</p>
Engagement Relating to Part B		
07/11/19	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine), Natural England with Lisa Southwood (Licensing Team Leader), Natural England CC'd to Highways England	<p>Key Topic Discussion of implications to protected species, particularly bats and birds, from the Scheme and requirements for licensing to support DCO. Brief discussion about arranging a review of the HRA for Part B by the Natural England.</p> <p>Key Outcome Natural England provided contact details for appointed licensing team member to discuss protected species and licensing requirements for project. Highways England also confirmed to send a draft copy of the HRA for Natural England's review and comment.</p>
18/11/19	Email from Highways England to Andrew Whitehead (Team Leader –	<p>Key Topic Submission of draft HRA document to Natural England for Review and comment</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
	Sustainable Development & Marine), Natural England)	Key Outcome Copy of draft HRA for Part B submitted to Natural England for review and comment.
27/11/19	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine) Natural England to Highways England	<p>Key Topic Reply from Natural England addressing their review of draft HRA.</p> <p>Key Outcome Natural England agree with the conclusions of the draft HRA for Part B, of no significant impacts on any European designated sites as a result of the development and “<i>We do not consider it necessary to undertake an Appropriate Assessment</i>”.</p>
11/12/2019	Meeting between Natural England (Lisa Southwood, Licensing Team Lead; Abby Halstead; Annie Ivison and Nick White) and Highways England	<p>Key Topic Meeting with representatives from Natural England to discuss approach to survey effort and mitigation for protected species and implications for draft licensing.</p> <p>Key Outcome Natural England provided feedback and comment on Highways England’s approach to surveys and mitigation. Following explanation of the approach to surveys and assessment of protected species and those receptors omitted from assessment, Natural England were happy with the approach taken and the justifications given for those receptors omitted from assessment (namely terrestrial invertebrates, hare and hedgehog).</p> <p>Natural England provided comment on: The approach to mitigation for bats, stating their desire to see a land agreement/legal agreement to ensure protection of mitigation (namely relocation of bat boxes) for bats for a minimum of 10 years in respect of the maternity roost; however, being content with the proposed approach to mitigation and relocation of bat boxes. The approach to mitigation for the loss of bat roosts associated with the demolition of Charlton Mires and East Cottage, being content with mitigation proposed. Recommendations for a revision to bat box monitoring strategy, recommending the adoption of a ‘staggered’ monitoring approach – e.g. years 1, 3 and 5 etc. The approach to Letters of No Impediment for the scheme, citing specificity in timing/proposals/extent of mitigation and works being key for draft licence applications.</p>
20/12/2019	Email from Highways England to Lisa Southwood (Licensing Team Lead) Natural England	<p>Key Topic Submission of link to Biodiversity Chapter and supporting appendices to Natural England for review and comment.</p> <p>Key Outcome Document submission to Natural England with request for review and comment.</p>
07/01/2020	Email from Lisa Southwood (Licensing Team Lead)	<p>Key Topic Comment on meeting minutes from meeting between Natural England and Highways England on the 11th December 2019 received from Natural England with regards mitigation for bats:</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
	Natural England to Highways England	<p>In reference to Item 8 – <i>“This was a suggestion of something it would be good to see rather than a requirement under the licence. It could be argued that these bat boxes are above and beyond the compensation requirements, but if some were erected in advance of the current boxes being moved it would allow bats to become familiar with their presence. If they are agreed to, I don’t think we would need to insist the bat boxes need to show signs of occupation prior to the originals being moved.”</i></p> <p>In reference to Item 9 of the meeting minutes – <i>“Monitoring in year one can help identify early on any issues with the adequacy/suitability of compensation (e.g. temperatures in loft void being much colder than expected, or new building/planting/growth has obstructed flight lines to bat boxes). Staggered years 1, 3 and 5 may therefore be appropriate.”</i></p> <p>Key Outcome Amendments to meeting minutes required to provide further clarity in respect of both Items 8 and 9 raised and subsequent reissue of meeting minutes to Natural England for review and agreement.</p>
17/01/2020	Email from Abby Halstead (Wildlife Lead Advisor) Natural England to Highways England	<p>Key Topic Email from Natural England confirming accuracy of items and points discussed during meeting held 11th December 2019 within issued meeting minutes.</p> <p>Key Outcome Natural England response confirming that meeting minutes are an accurate representation of what was discussed and agreed during meeting 11th December 2019.</p>
21/01/2020	Email from Highways England to Andrew Whitehead (Team Leader – Sustainable Development & Marine) and Lisa Southwood (Licensing Team Leader), Natural England	<p>Key Topic Email to Natural England to request comment on the use of a ‘Less than Local’ category when defining importance of an ecological receptor within Chapter 9: Biodiversity of the ES [APP-049] impact assessment methodology (see Table 9-4 – Importance Criteria of Chapter 9).</p> <p>Key Outcome Highways England request by email for comment by Natural England on the use of a ‘Less than Local’ category when defining importance of an ecological receptor as part of the impact assessment methodology. Natural England provided a response via email on 10/02/2020 (see below).</p>
10/02/2020	Email from Andrew Whitehead (Team Leader – Sustainable Development & Marine)	<p>Key Topic Reply from Natural England providing comments following review of the Biodiversity Chapter following its submission to Natural England on 20/12/2019 (see above). Response also included a reply to the query issued by Highways England on 21/01/2020 regarding the use of a ‘Less than Local’ category within the importance criteria of the impact assessment methodology.</p> <p>Natural England provided several comments, as detailed below, regarding a number of aspects of the Biodiversity Chapter and addressing the query surrounding the use of a ‘Less than Local’ category:</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<p>In terms of your query regarding the ‘less than local’ categorisation – the logic behind this appears sound, and assuming there is assuming there is an equivalent in the survey guidelines which you’ve been using I don’t see there being any objection to you using this approach;</p> <p>Paragraph 9.5.1 – we usually accept surveys up to 3 years old as being valid to support an application, and so it would be helpful to see what advice we have offered in this regard;</p> <p>Paragraph 9.6.2 – we agree with the distance criteria used for identifying sites which may potentially be impacted by the proposals;</p> <p>Table 9.6 – it is noted in the ornithology section that the breeding and wintering bird surveys were carried out in 2015/16, and so are now 4 years old – please see my previous comment regarding the age of survey data;</p> <p>Section 9.7 – a map showing the proposal limits, including construction compound locations, in relation to designated sites would be useful;</p> <p>Table 9.7 – It is noted that the main construction compound will be 0.5km south of the River Coquet SSSI – as the proposal boundaries are north of the River Coquet, presumably there will be construction traffic from the main compound frequently crossing the SSSI. Has the potential impact from exhaust fumes from the construction traffic on the SSSI interest features been considered?</p> <p>Paragraph 9.7.4 – we note the statement that no ancient woodland will be affected as none falls within the 200m buffer, but it is unclear if this buffer includes travel from the main construction compound. River Coquet SSSI includes ancient woodland, immediately adjacent to the A1 crossing, but it is unclear if impacts from exhaust fumes from construction traffic on this habitat has been considered when making the statement above;</p> <p>Table 9.10 – Red squirrel & Bats (RS01 & BAT03) – we note the comment that a species protection plan would be produced in consultation with Natural England for these species. Presumably any species licenses issued would cover mitigation and compensation requirements, which could then be transposed into a SPP, without the need for further NE input?</p> <p>Key Outcome</p> <p>The above items and points were addressed within subsequent revisions of Chapter 9: Biodiversity [APP-049] for Part B. Highways England contacted Natural England on 08/02/2021 (see above within “Engagement Relating to the Scheme” section) to confirm how comments raised have been addressed. Natural England provided agreement that the above items had been addressed within an email dated 11/02/2021 (see above within “Engagement Relating to the Scheme” section).</p>

2.1.5. It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Natural England in relation to the issues addressed in this SoCG.

3 ISSUES

Table 3-1 - Issues Related to the Whole Scheme

Item	ES Chapter/Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
1.	Appendix 16.7: Biodiversity DMRB Sensitivity Test: The Scheme [APP-333]			Natural England does not agree with the approach to the air quality assessment detailed in the updated DMRB and therefore the assessment in Appendix 16.7.	Highways England and Natural England do not agree on the approach to air quality assessment detailed in the updated DMRB	Under discussion

Table 3-2 - Issues related to Part A Only

Item	ES Chapter/Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
1.	Chapter 9: Biodiversity Part A of the ES [APP-048]	9.9.1 to 9.9.11 Including Table 9-22 and 9-23	Design, Mitigation and Enhancement Measures	Table 9-23. Reference is made to the installation of the cofferdam within the river to facilitate the construction the southern pier for the new bridge (EM014). Natural England understand that this is a temporary measure to allow for the construction of the southern pier, which is out with but immediately adjacent to the river. The table does not indicate that the cofferdam is temporary in nature and is due to be removed once the work on the pier is completed. Can you confirm that this understanding is correct and that the in-river works will be temporary in nature?	The proposed construction methodology for the southern pier no longer requires the installation of a cofferdam extending up to 5 m into the River Coquet. The embedded mitigation entails the installation of sheet piles following pre-augering into the bedrock. These sheet piles, located outside of the assumed bank full channel, would then serve two functions: firstly, as a cofferdam to create a dry working area for construction [river training measures]; and, secondly, would form part of the permanent framework for the new pile cap. Once constructed, the sheet piles would be burnt off to the pile cap level. The above is extracted from paragraph 5.1.7 of Appendix 10.4 Geomorphology Assessment River Coquet Part A [APP-257]. The extract has been incorporated into EM014, Table 9-34 of Chapter 9: Biodiversity – Part A [APP-048].	Agreed
2.				Table 9-22. Chapter 9: Biodiversity [APP-048] and Appendix 9.3: Aquatic Ecology Survey Report Part A [APP-229] of the ES indicate that bullhead have been recorded on the River Lyne. This species has not been recorded on any of the other tributaries and particularly in the Coquet catchment, although there is one as yet unconfirmed report of this species from the main river at Guyzance. Although this species is native to the UK, there are very limited number	Reference to bullhead has been added to measure DM010 of Table 9-23 Chapter 9: Biodiversity Part A [APP-048] with regards to biosecurity.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				of rivers in Northumberland where it is present and it is important to ensure that the proper biosecurity measures (Check, Clean, Dry) are put in place to eliminate the risk of the species being accidentally introduced to other water courses where in river works are proposed for this scheme.		
3.				Table 9-23. EM041 indicates that new channels will be planted with aquatic vegetation. Where this is deemed to be necessary the aquatic vegetation needs to be consistent with what is found in the existing watercourse/catchment and the sourcing of plants needs to be from suppliers that are free from aquatic Invasive Non-Native Species (INNS). Advice should potentially be sought from the Environment Agency with regard to any relevant protocols for the sourcing of aquatic plants	The text of the EM041 has been extended to capture the comment: <i>“The channels would also be planted with aquatic vegetation consistent with the existing floral community of the watercourse/catchment. The sourcing of any plants would be confirmed at detailed design but would be from suppliers that are free from aquatic invasive non-native species. Advice would be sought from the Environment Agency, if required, about relevant protocols for the sourcing of aquatic plants.”</i>	Agreed
4.		9.10.1 to 9.10.47 Including Table 9-24	Assessment of Likely Significant effects	Paragraph 9.10.14. Whilst it is true that nitrogen is not the limiting nutrient in most river systems (where phosphorus is the limiting nutrient) any increases in nitrogen will ultimately end up in the estuary and marine environment (where there are a number of designated sites) where nitrogen is the limiting nutrient. Clarification is requested on the following: a) Whilst the direct nitrogen deposition on to the River Coquet is likely to be insignificant, the impact of the nitrogen levels from the carriage way runoff from the section of the proposal that drains into the Coquet catchment also needs to be considered. Particularly as all the drainage network is likely to be within the zone of heaviest aerial deposition, all the nitrogen will ultimately end up in the river except for any that is stripped out by vegetation growing in the balancing ponds (pond design that include appropriate vegetation could help significantly here not only to strip out nutrients but also to help trap sediment from the carriageway surface).	a) Chapter 10: Road Drainage and the Water Environment Part A [APP-050] addresses effects as a result of drainage and run-off, proposing suitable mitigation to reduce the potential impacts and concluding effects of Neutral significance (not significant). Text has been added to Chapter 9: Biodiversity [APP-048] to reference this assessment and its conclusions. b) With regards to downstream impacts of increased nitrogen levels on the marine environment, this is captured separately within the HRA Report for the Scheme [APP-342].	a) Agreed b) Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>This potential issue may have been addressed in the Road Drainage and Water Environment chapter of the ES. If so, it should be cross referenced.</p> <p>b) The downstream impact of increased nitrogen levels on the marine environment from the carriageway runoff is not considered in this chapter of the ES but it may have been covered in Chapter 10 Road Drainage and Water Environment. This potential issue is something we discussed with regard to the HRA screening and it may be appropriate to reiterate that this risk will be minimised by appropriate pollution prevention and control measures deployed during the construction phase and by the network of stilling/balancing ponds during the operational phase bearing in mind the comment about the pond design given above.</p>		
5.				<p>One general point, there are several references to the proposed scheme resulting in a decrease in levels of deposition at a number of locations. It may be worth exploring/explaining how this occurs as it is counter intuitive to most people's understanding increases in traffic. Natural England understand that mitigation built into the design can help to alter where and how much deposition occurs, but it may be worth clarifying the mechanisms by which the proposed scheme may actually reduce deposition in certain locations.</p>	<p>The following has been added to Chapter 9 for Eco9 (the first instance where a reduction in total N deposition is presented): <i>"The decrease in total nitrogen deposition is due to the ability of the Scheme (A1) to draw traffic from other roads within the local network. Therefore, this causes a reduced traffic flow on some roads radiating from the A1, thereby a reduction in associated nitrogen deposition."</i></p>	Agreed
6.		9.10.48 to 9.10.51 Including Table 9-25	Assessment of Likely Significant Effects – Updated DMRB Guidance	<p>Natural England and Highways England do not agree on the approach to air quality assessment detailed in the updated DMRB, and so will continue discussions to reach agreement on the air quality impacts on the River Coquet and Coquet Valley Woodlands SSSI</p>	<p>The assessment of air quality carried out for the Scheme was carried out in accordance with Interim Advice Note (IAN) 174/13: Updated advice for evaluating significant local air quality effects for users of DMRB Volume 11, Section 3, Part 1 Air Quality (HA 207/07), with a sensitivity test completed in accordance with LA 105 Air Quality (as explained in paragraphs 9.4.28 to 9.4.32 of Chapter 9: Biodiversity Part A [APP-048], which are the appropriate methodologies for the assessment of air quality impacts of road schemes. Discussions between</p>	Under Discussion

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
					Natural England and the Applicant to reach agreement on the assessment of air quality impacts on the River Coquet and Coquet Valley Woodlands SSSI are ongoing.	
7.	Appendix 9.10 Badger Survey Report Part A [APP-236]	Full Document		<p>The report indicates that there is an active sett approximately 360m west of the River Coquet bridge (Table 4, sett no.12). This active sett was noted in this area during surveys undertaken in 2004 when the duelling of the A1 from Morpeth to Felton was last proposed. Additionally, Natural England note badger activity at this sett complex in the summer of 2018. This sett is out with the 100m buffer distance from the works area for the new bridge over the Coquet and thus unlikely to be damaged or disturbed by the works. However, Natural England recommend this area is included in the pre-commencement walkover to ensure that no new setts have been excavated closer to the bridge. Additionally, extra vigilance will be required around any excavations associated with the new bridge piers as there is a risk that both otter and badger will be active in this area.</p>	<p>The recommendation is captured within the pre-commencement walkover measures detailed within Table 9-22, DM003. Whilst not extending to a distance of 100 m, the measure confirms a pre-commencement walkover of the works area (which would extend further than the construction area where excavation may occur) to confirm there are no changes to baseline conditions. The follow up action would be as follows: “Should badger activity be confirmed within the Order Limits or within a zone of influence determined by the ECoW, a Natural England licence would be applied for/ mitigation developed, as required, in advance of the commencement of Part A.”</p> <p>In response to the comment regarding vigilance in association with otter and badger around the River Coquet bridge, pre-commencement walkover surveys for both species are proposed to ensure changes in baseline conditions are identified and appropriate measures can be put in place to avoid/reduce impacts. These are secured within the Outline Construction Environmental Management Plan [APP-346]; A-B17 (otter) and S-B6 (badger).</p>	Agreed
	Appendix 9.21 Ancient Woodland Strategy Part A [APP-247]		Full document	<p>Natural England confirmed within an email on 10/03/2021 that “the Ancient Woodland Strategy is considered to be acceptable to Natural England. The strategy has been drawn up following detailed discussion and collaboration with Natural England. Finer details of the strategy will be developed at the detailed design stage and agreed with Natural England.”</p> <p>The items detailed below provide an account of matters raised by Natural England prior to their agreement with the document and how these have been addressed.</p>	No comment	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
8.			Section 2.2.11.	Japanese knotweed is present in Felton Village in the carpark of the public house on the south bank of the river.	This information has been added to the document, captured in Paragraph 2.2.10.	Agreed
9.			Section 3.2.7.	The haul road mentioned in this section is referred to as the 'temporary' haul road in Section 3.2.15. From previous discussions Natural England understood that, whilst a decision had yet to be finalised, it was likely that there was a preference for this to be retained as a permanent access to allow inspection and maintenance of the southern section of the bridges. Has a decision been made regarding the possible retention of the road as a permanent structure?	Reference to "temporary" in relation to the haul road has been removed. It is understood that the haul road would likely be permanent, due to the nature of its installation, although permanent future use of the road is yet to be confirmed. As such, the assessment assumes the haul road to be permanent.	Agreed
10.				As discussed previously, the design of the haul road will need to take into consideration the risk of erosion caused by any drainage or run-off associated with such a steep track. Additionally, assurance will need to be sought from Highways England that the track will be used for the only by their employees/contractors and will not be accessible to the general public.	Comments relating to the design of the haul road (at detailed design) regarding consideration of the risk of erosion are acknowledged. Discussions have been held with Highways England (Area 14) regarding the use of this route as a maintenance track following construction, but Area 14 has indicated that they will not be using it. The haul route will not be accessible to the general public.	Agreed
11.			Section 3.2.8.	Protective fencing referenced needs to be resilient to flooding as the lower sections of the fence are likely to be subject to periodic flood events.	The following has been added to Paragraph 3.2.8 to address this comment; <i>"Any protective fencing would also be designed to be resilient to flooding as the lower sections of the fence may be subject to periodic flood events."</i>	Agreed
12.			Section 3.2.11.	The risk of the spread of INNS to/within the designated site and the wider countryside cannot be overemphasized, particularly when the project involves the large scale use of earth moving machinery moving between various water courses across different river catchments. Therefore, it is vital that the Biosecurity Method Statement is robust and strictly adhered to by all the contractors working on the project.	Both the Ancient Woodland Strategy and Chapter 9 of the ES detail the requirement for a Biosecurity Method Statement, which would be developed at detailed design. This is also captured within the Outline CEMP for the Scheme [APP-346].	Agreed
13.			Section 3.2.18.	The open habitat within the Woodland Creation Area is likely regenerate as woodland over time	The high-level management measures detailed in Section 5.2 outline that an annual hay cut of the grassland would be	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				and the management of the neutral grassland will need to accommodate this gradual succession to native woodland.	undertaken. Cessation of this would be triggered by natural die-off of the grassland as a woodland canopy develops.	
14.			Section 4.3.12 and Section 4.5.5.	It may be appropriate to consider using natural regeneration as a tool for the creation of the woodland on a portion of the site, most likely adjacent to the existing woodland edge to the north of the Woodland Creation Area. Trees that generate naturally from adjoining woodlands tend to be more vigorous and would be genetically suited to the local area. This is something that Natural England would like to explore further at the detailed design stage.	A paragraph in relation to this comment has been added to the strategy (Paragraph 4.3.13), confirming that Natural England have expressed an interest in exploring this further at detailed design stage.	Agreed
15.			Section 4.5.12.	Natural England notes that long term management for a minimum of 50 years is proposed. After this period has elapsed, it is assumed that the management of the woodland will be continued as necessary within the normal woodland management operations that Highways England undertakes in woodlands within its land holding. It is also assumed that the Woodland Creation Area will be retained as a woodland in perpetuity. Can you confirm that these assumptions are correct?	Highways England confirm that the Woodland Creation Area will be retained as a woodland in perpetuity. This has been secured within an update to the Ancient Woodland Strategy Part A issued at Deadline 4. Land associated with the creation of new woodland will be permanently acquired by the Applicant (see Land Plans [APP-006]).	Agreed
16.			Section 5.2.1.	Boundary fencing will probably need to be retained for a period longer than the 5 years mentioned in this section, particularly if natural regeneration is to be used as a tool for the establishment of woodland in parts of the Woodland Creation Area.	A comment has been added within the high-level management overview against the removal of the boundary fence to identify that the timing of this action (currently year 5) may be delayed should natural regeneration be used as a tool.	Agreed
17.			Section 5.3.1.	Reference is made to the use of tree guards in contradiction to proposed fencing option set out in Section 4.2.11, which is the preferred option already agreed in earlier consultations. Tree tubes/guards are also referenced in Section 5.3.3.	This was an error following updates of the document. Reference to tree tubes/guards has been removed.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
18.			Section 5.3.6 and 5.4.1.	Herbicide should be used sparingly and only when it is deemed to be absolutely necessary. A protocol for the use of herbicides should be developed and set out in the Ancient Woodland Management and Monitoring Plan (AWMMP).	Text has been added to Paragraph 5.3.4 to confirm use of herbicides sparingly and in accordance with a protocol developed and set out in the AWMMP.	Agreed
19.	Appendix 9.22 Bat Method Statement Part A [APP-248]	Method Statement		Natural England requested clarification on 26/03/2020 of the location of the 6.1km offline development (i.e. start and end points) and the number of buildings in the vicinity of the offline works. Natural England confirmed that they were trying to ascertain what the roost potential of the buildings in the vicinity of the new section was or if there were any buildings that are known to host a roost.	Highways England provided an annotated plan identifying the location of the on and offline sections of Part A. Highways England also confirmed that building B4A was the only building known to support a roost that would be lost to the Scheme. Highways England confirmed that there are other buildings and trees along the Scheme that support roosting which may be subject to disturbance, although this has been addressed in the ES (Chapter 9: Biodiversity Part A [APP-048]) and mitigation has been proposed.	Agreed
20.				The following caveats are detailed within the LoNI issued by Natural England on 20/05/2020. <ul style="list-style-type: none"> 1) The ecologist must have been named on a bat mitigation licence in the last 3 years. Additionally, they must hold a Level 2 Class Survey Licence (at least two years required). Alternatively, if the applicant ecologist cannot provide the aforementioned evidence, they may provide two references. 2) A further (top up) survey of building 4A must be undertaken in the season prior to application. Additionally, a walkover survey must be undertaken no more than 12 weeks prior to the submission of the formal application. 3) Figure E3 (compensation measures) must show proposed bat box locations. 4) Figure C5b (survey locations) must show surveyor positions for all dusk and dawn surveys on building 4A. 	Highways England confirmed that the items raised by Natural England would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>5) Figure 2A must be provided, clearly showing where all capture and exclusion activities will take place.</p> <p>6) Landowner permission for the installation of bat boxes on adjunct trees must be evidenced within the formal licence application.</p>		
21.	Appendix 9.24 Great Crested Newt Method Statement – River Coquet Part A [APP-250]	Method Statement		Natural England requested via an email dated 06/04/2020 a statement of confirmation from Highways England that the following information would be included/amended within the formal licence. Natural England confirmed that it was not necessary for Highways England to resubmit the draft method statement. The below items represent the caveats detailed within the LoNI issued by Natural England on 19/05/2020.	N/A	N/A
22.			Application form	<p>Section 2 and Section 10:</p> <p>Please confirm that a suitably experienced named ecologist will be proposed at formal submission (refer to the web link at the top of Section 10 in the application form, for guidance regarding ecologist experience and references).</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
23.				<p>Section 16:</p> <p>Confirm that the Declarations in this section will be signed and dated.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
24.			Method statement and figures	<p>Section C1 – Pre-existing survey information:</p> <p>Confirm that at formal submission this section of the Method Statement will refer to the results of a data search or other pre-existing records known for the River Coquet site, rather than referring to the Burgham Park site.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
25				<p>Figure C3.4 – Photographs:</p> <p>Confirm that photographs showing the habitats on-site will be provided at formal submission.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
26.				<p>Section D1 – Habitat impact tables:</p> <ol style="list-style-type: none"> 1) Temporary habitat loss is currently calculated as being the area between the Scheme Footprint and the Order Limits – this is acknowledged as an overestimate. Please confirm that the areas of temporary habitat loss will be calculated accurately in the formal application and will not include any retained (unaffected) habitats. 2) The A1 is considered to represent a significant barrier to GCN dispersal (except for a potential movement pathway beneath a bridge over the River Coquet located to the south of Pond A19). Given the distance of this bridge from Pond A19 (c.200m), the presence of good-quality terrestrial habitat around the pond, the absence of ponds to the east of the A1 and the size of the GCN population, it is considered highly unlikely that GCNs will be utilising habitats to the east of the A1. It's not therefore considered necessary to include habitat losses in this area within the calculations (nor would it be appropriate to compensate for the impacts of the development in this area). Please therefore confirm that the impact totals will be revised prior to formal submission to exclude any habitat losses to the east of the A1. 	<p>Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.</p>	Agreed
27.				<p>Section D4 – Post-development interference impacts:</p> <p>The management and maintenance of compensatory habitats should not result in the killing / injuring of GCNs. Confirm this impact will be removed from this section of the Method Statement at formal submission.</p>	<p>Highways England confirmed this item would be addressed within the formal licence application.</p>	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
28.				<p>Figure D – Impacts: Confirm that the following comments will be addressed in the formal application:</p> <ol style="list-style-type: none"> 1) Areas to be permanently lost and temporarily damaged will be more clearly differentiated – currently the black and dark blue hatched overlay makes it difficult to distinguish between these two impact types. 2) Impacts to the: (1) east of the A1 and (2) south of the River Coquet will be removed from the map as these features are considered to be significant barriers to dispersal. 	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed
29.				<p>Section E3 – Habitat creation, restoration and/or enhancement: Compensatory habitat located to the east of the A1 should be excluded from the habitat creation calculations as the A1 is considered to be a significant barrier to dispersal. An ecological justification for the net loss of habitat based solely upon compensatory habitat to the west of the road will still be possible given that habitat loss to the east of the A1 can be dismissed and long-term permanent habitat loss to the west of the road is not substantial. Please therefore confirm that the compensation totals (provided in Table E3 and Table E3.2*) will be amended prior to formal submission to exclude this area from the compensation area calculations. *The terrestrial habitat measures detailed in Tables E3 and E3.2 must be consistent.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
30.				<p>Section E3.2 – Terrestrial habitat measures: 1) Confirm that the difference between the woodland planting creation (1.2ha) and reinstatement / enhancement (0.5ha) will be clarified in the formal application.</p>	Highways England confirmed that items 1 to 4 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>2) Confirm that the relaxed grassland mowing regime will be to a height of no less than 150mm.</p> <p>3) Confirm that two hibernacula (rather than one hibernacula and one refugia) will be created – hibernacula offer better long-term habitat provision for GCNs.</p> <p>4) Confirm that details of the GCN habitat to be reinstated will be included in Table E3 and Table E3.2 of the formal application (reinstated habitats should also be shown clearly on the relevant maps).</p>		
31.				<p>Figure E3.1 – Habitat measures: Confirm that the following comments will be addressed in the formal application:</p> <p>1) Revision will be undertaken to reflect the updated proposals. To include the creation of two hibernacula and the removal of the compensatory habitat to the east of the A1.</p> <p>2) All of the habitat measures detailed in Sections E1, E3.1 and E3.2 of the Method Statement will be detailed on the map. Currently this figure does not show the reinstatement / enhancement (depending on what is proposed) of the woodland habitat.</p> <p>3) The 'Woodland Creation Area (Ancient Woodland Strategy)' will be removed from the figure. This area is separated from the impacted GCN population by a significant barrier to dispersal (the River Coquet) and cannot therefore be categorised as compensation.</p>	<p>Highways England confirmed that items 1 to 3 would be addressed within the formal licence application.</p> <p>Regarding item 3, the Woodland Creation Area and habitats to the south of the River Coquet have not been included within the habitat measures detailed in Sections E1, E3.1 and E3.2 or calculations of the Method Statement.</p>	Agreed
32.				<p>Section E4 – Capture, exclusion and translocation:</p> <p>1) Given the distance from Pond A19 and the presence of a significant barrier to</p>	<p>Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.</p>	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>dispersal (the A1), Natural England would be satisfied for no capture or exclusion to take place on the eastern side of the A1 - this can be confirmed in the formal application.</p> <p>2) Natural England is concerned, given the size of the area to be trapped, that the capture proposals will not effectively clear GCNs from the area to the west of the A1 in the absence of drift fencing to compartmentalise the impacted area. Please therefore confirm, in the formal application, that drift fencing will be employed to help clear GCNs from the site.</p>		
33.				<p>Figure E4a – Capture and exclusion: Confirm that the following comments will be addressed in the formal application: The figure will be amended to show the location of drift fencing (as requested above) and any site access points and measures (e.g. newt grids) to prevent newts re-entering the development site at these points.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
34.				<p>Section E5.1 – Habitat management and maintenance: No details of the habitat management and maintenance measures to be undertaken have been provided. Please confirm that appropriate management and maintenance measures will be provided with the formal application (and shown on Figure E5.1) and will include both aquatic and terrestrial habitat management and maintenance.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
35.				<p>Figure E5.1 – Post-development management and maintenance: Confirm that the following comments will be addressed in the formal application:</p>	Highways England confirmed that items 1 to 3 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<ol style="list-style-type: none"> 1) Revision will be undertaken to reflect the updated proposals. To include the creation of two hibernacula and the removal of the compensatory habitat to the east of the A1. 2) All of the proposed compensatory habitat will be shown on this figure. Currently this figure does now show the reinstated / enhanced (depending on what is proposed) woodland habitat. 3) The 'Woodland Creation Area (Ancient Woodland Strategy)' will be removed from the figure. This area is separated from the impacted GCN population by a significant barrier to dispersal (the River Coquet) and cannot therefore be categorised as compensation. 	Regarding item 3, the Woodland Creation Area and habitats to the south of the River Coquet have not been included within the habitat calculations of the Method Statement.	
36.				<p>Section E5.2 – Post-development population monitoring:</p> <p>Confirm that the population monitoring proposed in the formal application will be in accordance with the recommendations in the GCNMG (dependent upon results from the updated surveys).</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
37.				<p>Section E5.3 – Site safeguard:</p> <p>Confirm that a site safeguard mechanism will be provided at formal submission.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
38.				<p>Figure F1 – Final layout:</p> <p>Confirm that the following comments will be addressed in the formal application:</p> <ol style="list-style-type: none"> 1) Revision will be undertaken to reflect the updated proposals. To include the creation of two hibernacula and the removal of the compensatory habitat to the east of the A1. 2) All of the proposed compensatory habitat will be shown on this figure. Currently this 	Highways England confirmed that items 1 to 4 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>figure does now show the reinstated / enhanced (depending on what is proposed) woodland habitat.</p> <p>3) The 'Woodland Creation Area (Ancient Woodland Strategy)' will be removed from the figure.</p> <p>4) Pond A19 will be correctly labelled (currently shown as Pond A12).</p>		
39.				<p>Section I – Declarations: Confirm that the declarations will be completed at formal submission, and that landowner consent(s) will be confirmed.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
40.				<p>Sections E6a & E6b - Work schedule: Confirm that the following amendments will be made to this document in the formal application:</p> <ol style="list-style-type: none"> 1) Site checks and maintenance during construction: State in the comments box that monthly site checks will be undertaken by the ecologist during the active season (as a minimum). 2) Drift fence removal: The date for this activity will be included. 3) Newt fence removal: These activities will be timed to take place outside of the newt hibernation period (i.e. excluding November – February). 4) Habitat reinstatement: An end date will be provided for this activity. 5) Post construction mitigation / compensation on dev't site: Start and end dates for post-development management and maintenance (as detailed in Section E5.1 of the Method Statement) will be covered within Section E6b of the work schedule (not in this row which relates to mitigation / compensation works only). 	Highways England confirmed that items 1 to 6 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				6) Start and end dates for all habitat creation and enhancement works will be included in the Work schedule.		
41.			General	<p>Additional comments:</p> <ol style="list-style-type: none"> 1) All of the required information should be included within the Method Statement and associated figures – the assessor should not be directed to the Environmental Statement for further information. 2) The suitability of the proposals in this application have been assessed based on the current survey data (a small population). Revision to the application may be required depending on the results from the updated surveys. 3) Updated surveys should be conducted on all ponds within 500m of GCN ponds found to support GCNs in 2016 (unless separated by significant barriers to dispersal or totally unsuitable for GCNs). 4) Any survey constraints must be acknowledged in the formal application and a sound ecological explanation provided to justify why the constrained results are considered to accurately reflect the size and distribution of the population present. 	Highways England acknowledged these notes and confirmed that the comments would be used to inform the formal licence application.	Agreed
42.	Appendix 9.25 Great Crested Newt Method Statement – Burgham Park Part A [APP-251]	Method Statement		Natural England requested via an email dated 06/04/2020 a statement of confirmation from Highways England that the following information would be included/amended within the formal licence. Natural England confirmed that it was not necessary for Highways England to resubmit the draft method statement. The below items represent the caveats detailed within the LoNI issued by Natural England on 19/05/2020.	N/A	N/A

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
43.			Application form	Section 2 and Section 10: Please confirm that a suitably experienced named ecologist will be proposed at formal submission (refer to the web link at the top of Section 10 in the application form, for guidance regarding ecologist experience and references).	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
44.				Section 16: Confirm that the Declarations in this section will be signed and dated.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
45.			Method statement and figures	Figure C3.2a – Survey map: Confirm that the following comments will be addressed in the formal application: 1) The location of all ponds (including pond A13) will be shown on the figure. 2) A clear distinction will be made between surveyed and un-surveyed ponds.	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed
46.				Figure C3.4 – Photographs: Confirm that photographs showing the habitats on-site will be provided with the formal application.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
47.				Section C4.3 – Aquatic amphibian survey tables: Confirm that Pond A13 will be surveyed during the updated surveys (if it's found to be holding water).	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
48.				Section D1 – Habitat impact tables: 1) Given that the A1 is considered to be a significant barrier to dispersal, it is not clear why the arable land to the north-east of the existing A1 has been categorised as GCN habitat to be damaged (as shown in Figure D). Confirm that the Impact tables and Figure D will be updated in the formal	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application. Regarding item 1, the categorisation of arable land to the northeast of the existing A1 is an error on Figure D. The impacts tables of the method statement do not include habitat associated with the area shown to the northeast of the A1 in Figure D.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>application to exclude this area from the calculations.</p> <p>2) Temporary habitat loss is currently calculated as being the area between the Scheme Footprint and the Order Limits – this is acknowledged as an overestimate. Please confirm that the areas of temporary habitat loss will be calculated accurately in the formal application and will not include any retained (unaffected) habitats.</p>		
49.				<p>Section D4 – Post-development interference impacts:</p> <p>Consideration should be given as to whether the new A1 alignment poses increased traffic related risks to GCNs as a consequence of being closer to the breeding ponds. Please confirm that this potential impact will be taken into account and addressed (if necessary) in the formal application.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
50.				<p>Figure D – Impacts:</p> <p>Confirm that the following comments will be addressed in the formal application:</p> <p>1) Areas to be permanently lost and temporarily damaged will be more clearly differentiated – currently the black and dark blue hatched overlay makes it difficult to distinguish between these two impact types.</p> <p>2) Habitats to the north-east of the existing A1 will not be shown as being impacted in the formal application - the A1 is considered to be a significant barrier to dispersal (see the 1st bullet point under Section D1 above).</p>	<p>Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.</p> <p>Regarding item 2, as per above in relation to item 1 of Section D1, the presentation of habitats to the northeast of the existing A1 is an error on Figure D.</p>	Agreed
51.				Section E1 – The mitigation solution:	Highways England confirmed this item would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>It would be preferable to locate both of the proposed new ponds within 250m of the existing breeding ponds in areas that are not fragmented by road systems. Please therefore confirm that the second pond (currently to be located 370m to the south of pond A12) and the associated hibernacula, will be created in the mitigation area to the north of Ponds A11 and A12. This approach would negate the requirement for a tunnel* and provide the impacted population with more accessible breeding, resting and overwintering habitat.</p> <p>*Natural England is cautious about the use of tunnels as their effectiveness is largely unproven. They should therefore be considered only as a last resort when all other options have been exhausted.</p>		
52.				<p>Section E3 – Habitat creation, restoration and/or enhancement:</p> <p>Compensatory habitat located to the south of East Road should be excluded from the habitat creation calculations given that this road is considered to be a partial dispersal barrier. An ecological justification for the net loss of habitat based solely upon compensatory habitat to the north of the road will still be possible given the creation of a significant amount of high quality terrestrial and breeding habitat within the core and intermediate areas around the existing breeding ponds. Please therefore confirm that the compensation totals (provided in Table E3 and Table E3.2*) will be amended prior to formal submission to exclude this area from the compensation area calculations (Section E1 will also require revision to reflect these changes).</p> <p>*The terrestrial habitat measures detailed in Tables E3 and E3.2 must be consistent.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
53.				<p>Section E3.2 – Terrestrial habitat measures:</p> <p>1) To help compensate for the net loss of habitat, large hibernacula with minimum</p>	Highways England confirmed that items 1 to 3 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>dimensions of 5m long x 2m wide x 1m high, will be created in association with each of the new ponds – these will provide much better resting/overwintering opportunities than currently proposed. The provision of large hibernacula will negate the requirement to create refugia which provide only a relatively short term benefit to the impacted population.</p> <p>2) Confirm that the relaxed grassland mowing regime will be to a height of no less than 150mm.</p> <p>3) Confirm that details of the GCN habitat to be reinstated will be included in Table E3 and Table E3.2 of the formal application (reinstated habitats should also be shown clearly on the relevant maps).</p>		
54.				<p>Figure E3.1 – Habitat measures: Confirm that the following comments will be addressed in the formal application:</p> <p>1) All of the habitat measures detailed in Sections E3.1 and E3.2 of the Method statement will be detailed on the map. Currently the figure does not show the species-rich grassland creation or the location of the grassland to be managed for GCN.</p> <p>2) Revision will be undertaken to reflect the updated proposals. To include the new location of the second pond, the creation of large hibernacula and the removal of the compensatory habitat to the south of East Road etc.</p>	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed
55.				<p>Section E3.3 – Integration with roads and other hard landscapes:</p> <p>1) Confirm that any reference to an underpass beneath East Road will be removed. This is not required as all of</p>	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>the habitat measures will be created to the north of this barrier (see Section E3 above).</p> <p>2) Confirm that an explanation will be provided (if necessary) to detail how you propose to mitigate for the increased risk of harm posed to GCNs by the close proximity to the new road layout (see Section D4 above).</p>		
56.				<p>Figure E3.3 – Connectivity map: Confirm that the following amendments will be made to this map in the formal application:</p> <ol style="list-style-type: none"> 1) Reference to the amphibian underpass and compensatory habitat to the south of East road will be removed (see Sections E3 and E3.3 above). 2) Measures proposed to mitigate for the increased risk of harm posed to GCNs by the close proximity to the new road layout will be shown on the map (e.g. newt-friendly traffic and drainage measures – if necessary). 3) The terrestrial and aquatic habitat measures shown on this figure will be consistent with the updated Figure E3.1. 	Highways England confirmed that items 1 to 3 would be addressed within the formal licence application.	Agreed
57.				<p>Section E4 – Capture, exclusion and translocation:</p> <ol style="list-style-type: none"> 1) Unless pitfall trapping is undertaken late in the season (Sept/Oct) to capture both adult and juvenile emigration from the pond, bottle trapping of Pond A12 (in accordance with recommendations in Section 8.4.2 of the Great Crested Newt Mitigation Guidelines - GCNMG) will be expected to ensure that GCNs have been cleared from the ring fenced area – it is not acceptable to allow GCNs to remain within this area throughout construction. Please confirm either pitfall 	Highways England confirmed that items 1 to 4 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>trapping in Sept/Oct* (in combination with ring fencing) or bottle trapping (in accordance with recommendations in the GCNMG) will be included in the formal application.</p> <p>*Trapping elsewhere can take place at any time during the active season to allow construction outside of the ring fenced-pond to take place without delay.</p> <p>2) According to Figure D, the area of woodland to the south of East Road is to be damaged during construction however no exclusion fencing or pitfall trapping is proposed in this area. Please confirm one of the following options in the formal submission: (1) this area of woodland / GCNs will not be impacted by the works or (2) exclusion fencing / pitfall trapping will be undertaken in this area. Revision to the relevant figures (D and / or E4a) may be required.</p> <p>3) Natural England is concerned, given the size of the area to be trapped, that the capture proposals will not effectively clear GCNs from the impacted area in the absence of compartmentalisation using drift fencing. Please therefore confirm, in the formal application, that drift fencing will be employed to help clear GCNs from the site.</p> <p>4) Given the suboptimal quality of the arable fields to the south of the site, their distance from the breeding ponds and the presence of a dispersal barrier (East Road), Natural England would be satisfied for hand / destructive searches only to be undertaken in these areas – this can be confirmed in the formal application. If necessary, the better-quality woodland area may need trapping out (see the 2nd bullet point immediately above).</p>		

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
58.				<p>Figure E4a – Capture and exclusion: Confirm that the following comments will be addressed in the formal application:</p> <ol style="list-style-type: none"> 1) The figure will be amended to show the location of drift fencing (as requested above), the fencing / trapping of the woodland area to the south of East Road (if this area is to be impacted by the works) and any site access points and measures (e.g. newt grids) to prevent newts re-entering the development site at these points. 2) Areas to be cleared by hand / destructive searches only will be shown clearly on the map. 	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed
59.				<p>Section E5.1 – Habitat management and maintenance: No details of the habitat management and maintenance measures to be undertaken have been provided. Please confirm that appropriate management and maintenance measures will be provided with the formal application (and shown on Figure E5.1) and will include both aquatic and terrestrial habitat management and maintenance.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
60.				<p>Figure E5.1 – Post development management and maintenance: Confirm that the following comments will be addressed in the formal application:</p> <ol style="list-style-type: none"> 1) All of the proposed compensatory habitat will be shown on the figure. The map does not currently show the species-rich grassland or the location of the grassland to be managed for GCNs. 2) Revision will be undertaken to reflect the updated proposals. To include the new location of the second pond, the creation of large hibernacula, removal of the 	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				amphibian underpass / compensatory habitat to the south of East Road etc.		
61.				<p>Section E5.2 – Post-development population monitoring:</p> <ol style="list-style-type: none"> 1) Confirm that the newly created ponds will be monitored (in addition to ponds A11 and A12). 2) Confirm that the population monitoring proposed in the formal application will be in accordance with the recommendations in the GCNMG (dependent upon results from the updated surveys). 	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed
62.				<p>Figure E5.2 – Post-development population monitoring:</p> <p>Confirm that this map will be updated to include both the existing and newly created ponds.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
63.				<p>Section E5.3 – Site safeguard:</p> <ol style="list-style-type: none"> 1) Confirm that a site safeguard mechanism will be detailed in the formal application. 2) Confirm that the mitigation / compensation land will be free from future development. 	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed
64.				<p>Figure F1 – Final layout:</p> <p>Confirm that the following comments will be addressed in the formal application:</p> <ol style="list-style-type: none"> 1) All proposed compensatory habitat will be shown on the figure. Currently this map does not show the species-rich grassland or the location of the grassland to be managed for GCN. 2) Revision will be undertaken to reflect the updated proposals. To include the new location of the second pond, the creation of large hibernacula, removal of the 	Highways England confirmed that items 1 and 2 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				amphibian underpass / compensatory habitat to the south of East Road etc.		
65.				Section I – Declarations: Confirm that the Declarations will be completed at formal submission, and that landowner consent(s) will be confirmed.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
66.				Sections E6a & E6b - Work schedule: Confirm the following amendments will be made to this document in the formal application: <ol style="list-style-type: none"> 1) Construction of underpass: This activity will be removed from the Work schedule. 2) Destructive searches: This activity will be timed to take place following all other capture efforts (including pitfall trapping and hand searches). 3) Site checks and maintenance during construction: Monthly site checks will be undertaken by the ecologist during the active season (as a minimum). 4) Drift fence removal: The date for this activity will be included. 5) Newt fence removal and ring fence removal: These activities will be timed to take place outside of the newt hibernation period (i.e. excluding November – February). 6) Habitat reinstatement: An end date will be provided for this activity. 7) Post construction mitigation / compensation on dev't site: Start and end dates for post-development management and maintenance (as detailed in Section E5.1 of the Method Statement) will be covered within Section E6b of the work schedule (not in this row which relates to mitigation / compensation works only). 	Highways England confirmed that items 1 to 8 would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				8) Start and end dates for all habitat creation and enhancement works will be included in the Work schedule.		
67.			General	<p>Additional comments:</p> <ol style="list-style-type: none"> 1) All of the required information should be included within the Method Statement and associated figures – the assessor should not be directed to the Environmental Statement for further information. 2) Please note that the suitability of the proposals in this application have been assessed based on the current survey data (a medium population). Revision to the application may be required depending on the results from the updated surveys. 3) Updated surveys should be conducted on all ponds within 500m of GCN ponds found to support GCNs in 2016 (unless separated by significant barriers to dispersal or totally unsuitable for GCNs). 	Highways England acknowledged these notes and confirmed that the comments would be used to inform the formal licence application.	Agreed
68.	Appendix 9.27 Biodiversity DMRB Sensitivity Test Part A [APP- 253]			Natural England does not agree with the approach to the air quality assessment detailed in the updated DMRB and therefore the assessment in Appendix 9.27.	Highways England and Natural England do not agree on the approach to air quality assessment detailed in the updated DMRB	Under discussion

Table 3-3 - Issues related to Part B Only

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
1.	Draft bat licence: Northern Woodland near Charlton Hall Road			The following caveats are detailed within the LoNI issued by Natural England on 14/10/2020.	Highways England confirmed that the items raised by Natural England would be addressed within the formal licence application.	Agreed
2.			Application Form	<p>Section 1: Please provide the name and contact details for the applicant.</p> <p>Section 2: Please provide the name and contact details for the named ecologist and the alternative ecologist.</p> <p>Section 4(g): Please complete the tick box.</p> <p>Please complete sections 10, 11, 12, 14 and 16.</p>	Highways England confirmed the items raised would be addressed within the formal licence application.	Agreed
3.			Method Statement	<p>Section C5b:</p> <ol style="list-style-type: none"> 1) Please provide details of the weather conditions at the time of the update surveys within the table C5b 2) Please include updated survey information for surveys carried out, where possible, during the activity period immediately prior to the submission of the licence application 3) Please provide the date of walkover survey, and details of any changes found. The walkover survey should be carried out within 3 months prior to the application submission 	Highways England confirmed the three items would be addressed within the formal licence application.	Agreed
4.				<p>Section C6:</p> <ol style="list-style-type: none"> 1) Please provide details of the species of pipistrelle present within bat boxes Green 108 and Green 101 for example by DNA testing or physical identification 	Highways England confirmed the two items would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				2) Please clarify or remove, if not relevant, the wording from the 'note/observations' box: "Bat box either a 2F or 2FN unable to confirm during last visit due to climb and inspect not taking place."		
5.				Figure C6 – Survey Results: Please submit a revised figure C6 for the survey results and include correct referencing of the bat boxes as described in the Method Statement in table C6, and for the trees as they are labelled on Figure D, so that the locations and identity of each of the bat boxes which contain active roosts and the location and identity of each relevant tree can be seen on figure C6.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
6.				Section C7: Please provide clarification regarding which Natterer's bat maternity roosts are the same colony - for example table C6 says bat boxes Green 104 and Red 60 have the same colony but table C7 says bat boxes Green 82 and Red 60 have the same colony.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
7.				Figure D – Impacts Plan: Please include the locations of the individual roosts on the Figure D as will be shown on the revised figure C6.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
8.				Section E2.2: Please confirm the number of Natterer's bats which are expected to be captured at the time the works will be done. Section E2.2 states up to 35 Natterer's bats expected to be captured and SECTION 9 (a) of the application form states 10 Natterer's bats expected to be captured.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
9.				Figure E3 – Specification for mitigation/compensation:	Highways England confirmed this item would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>Please resubmit the Figure E3 showing further detail of the proposed bat boxes. This should include a description of the numbers of each type of bat box including the new boxes and the translocated boxes and whether the boxes will be erected on tree or poles, and the approximate locations of these poles or trees.</p>		
10,				<p>Section E4.1: Please include confirmation that the land where the new bat boxes and the translocated bat boxes are to be installed will be protected and the bat boxes can remain in place for a minimum of 10 years following the completion of the road scheme.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
11.				<p>Figure E4 – Monitoring: Please resubmit the Figure E4 showing more detail of the proposed bat boxes. This should include a description of the numbers of each type of bat box including the new boxes and the translocated boxes and whether the boxes will be erected on tree or poles, and the approximate locations of these poles or trees.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
12.				<p>Section F1.1: Please include confirmation that the relevant landowner consents required for the compensation roosts have been granted.</p>	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
13.				<p>Figure E5a and b – Timetable of Works:</p> <ol style="list-style-type: none"> 1) Please provide a date of submission on this document 2) Please revise the timings for the relocation of the bat boxes. The maternity season including: May, June, July and August, should be fully avoided for any works likely to impact bat maternity roosts. The Timetable should be resubmitted with the timings of 	Highways England confirmed the six items would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				<p>relocation of the bat boxes to be shown outside the sensitive maternity season.</p> <p>3) Please include timings for the capture of any bats during the works as capturing of bats during the works cannot be ruled out.</p> <p>4) Please include timings for soft demolition which will cover the relocation of the bat boxes.</p> <p>5) Please include timings for mechanical demolition.</p> <p>6) Please remove the references to the habitat reinstatement and the hedgerow and woodland planting from the Post Construction mitigation/compensation section of the work schedule as, although this enhancement is welcomed by Natural England, and may form part of the planning conditions, this is not required as part of the licence and should not be included in the Figure E5a and b.</p>		
14.	Draft bat licence: Charlton Mires, Charlton Mires Estate, A1 near B6347			The following caveats are detailed within the LoNI issued by Natural England on 14/10/2020.	Highways England confirmed that the items raised by Natural England would be addressed within the formal licence application.	Agreed
15.			Application Form	<p>Section 1: Please provide the name and contact details for the applicant.</p> <p>Section 2: Please provide the name and contact details for the named ecologist and the alternative ecologist.</p> <p>Section 9: Please correct section 9 for the correct pipistrelle species.</p> <p>Please complete sections 10, 11, 12, 14 and 16.</p>	Highways England confirmed the items raised would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
16.			Method Statement	Section C4: Please provide a description of the buildings on site explaining why some buildings have been considered to be unsuitable for bat roosts and stating why these 4 structures are the subject of this licence application, and please ensure that the 4 structures are referenced consistently as on Figure C6.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
17.				Section C5b: 1) Please provide the names of surveyors including the Class Licence Registration number if applicable, for any future surveys carried out to support the licence application. 2) Please include updated survey information for surveys carried out, where possible, during the activity period immediately prior to the submission of the licence application. 3) Please provide the date of the walk over survey, and details of any changes found. The walk over survey should be carried out within 3 months prior to the application submission.	Highways England confirmed the three items would be addressed within the formal licence application.	Agreed
18.				Figure C6: Please provide the numbers and locations of surveyors on the Figure C6, and please provide a photograph of the Building B6M showing the location of the roost as shown for the other buildings.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
19.				Figure D: Please include the locations of the individual roosts on the Figure D as they will be shown on the revised Figure C6	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
20.				Figure E3: Please resubmit the Figure E3 showing further detail of the proposed bat boxes. This should	Highways England confirmed this item would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				include a description of each type of bat box and the numbers of each type of bat box and whether the boxes will be erected on tree or poles, and the approximate locations of these poles or trees.		
21.				Section E4.1: Please include confirmation that the land where the new bat boxes are to be installed will be protected and the bat boxes can remain in place for a minimum of 5 years following the completion of the road scheme.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
22.				Section E4.2b: For the type of roosts involved in this licence application, only a single presence / absence survey at an appropriate time of year is required to be undertaken within the 5-year licence period. This should not take place in the first year following completion of the development. Please revise the amount of monitoring described in this section and make relevant changes to the Figure E5a and b.	Highways England confirmed this item would be addressed within the formal licence application.	Agreed
23.				Figure E5a and b – Timetable of Works: 1) Please provide a date of submission on this document 2) Please include reference to and timings for, a check/survey immediately before soft demolition is scheduled to begin. 3) Please remove the references to the habitat reinstatement and the hedgerow and woodland planting from the Post Construction mitigation/compensation section of the work schedule as, although this enhancement is welcomed by Natural England, and may form part of the planning conditions, this is not required as part of the licence and should not be included in the Figure E5a and b.	Highways England confirmed the four items would be addressed within the formal licence application.	Agreed

Item	ES Chapter/ Document	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
				4) Please make the relevant changes to the number of years of monitoring (1 year is required) as requested above.		

WITHOUT PREJUDICE

Appendix A

INTERIM SOCG

A1 in Northumberland: Morpeth to Felton

Statement of Common Ground between Highways England and Natural England

Planning Act 2008
Infrastructure Planning (Examination Procedures)
Rules 2010 as amended

Document Reference: TR010041/APP/7.4c
PINS Reference: TR010041

CONFIDENTIAL

Date: March 2020

Version 0.4

Document Control

Document Title	A1 in Northumberland: Morpeth to Felton. Statement of Common Ground between Highways England and Natural England
Author	Jack Fenwick
Owner	Highways England
Distribution	MP Project Teams
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Version	Date	Description	Author
0.1	25/07/2019	First Draft	Jack Fenwick
0.2	11/09/2019	Second Draft	Jack Fenwick
0.3	09/01/2020	Third Draft	Jack Fenwick
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Reviewer List

Name	Role
Darlene Proctor	

Approvals

Name	Signature	Title	Date of Issue	Version
Mark Stoneman		Project Manager	04/03/2020	0.4

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STATEMENT OF COMMON GROUND

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

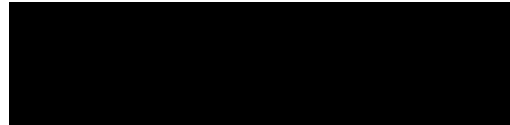
Signed

A large black rectangular redaction box covering the signature of the Project Manager.A small black rectangular redaction box covering the name of the Project Manager.

Project Manager
on behalf of Highways England

Date: 04 March 2020

Signe

A large black rectangular redaction box covering the signature of the Team Leader.A small black rectangular redaction box covering the name of the Team Leader.

Team Leader – Sustainable Development and Marine
on behalf of Natural England

Date: 19 March 2020

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1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed The A1 in Northumberland: Morpeth to Felton ("Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("DCO") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2. The SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.3. The 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. Guidance on the purpose and possible content of SoCGs is given in paragraphs 58 - 65 of the Department for Communities and Local Government's "Planning Act 2008: Guidance for the examination of applications for development consent" (March 2015). Paragraph 58 confirms the basic function of SoCGs as follows:
- "A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*
- 1.1.5. SoCGs therefore are a useful and established means of ensuring that the evidence at the post-application examination focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.

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.
- 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. Natural England is the government's adviser for the natural environment in England, helping to protect England's nature and landscapes for people to enjoy and for the services they provide. Within England, they are responsible for:
- promoting nature conservation and protecting biodiversity
 - conserving and enhancing the landscape
 - promoting access to the countryside and open spaces and encouraging open-air recreation
 - contributing in other ways to social and economic well-being through management of the natural environment, e.g. changes to wildlife licensing to improve flexibility for developers

1.3 TERMINOLOGY

- 1.3.1. In the table(s) in the issues chapter of this SoCG, “Not Agreed” indicates a final position and “Under Discussion” where these points will be the subject of on-going discussion wherever possible to resolve or refine the extent of disagreement between the parties. “Agreed” indicates where an 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 Natural England 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 Natural England.

1.4 SCHEME DESCRIPTION

- 1.4.1. The Scheme is located within the County of Northumberland and forms part of the Applicant's strategic road network. The Scheme is located between Warreners House Interchange at Morpeth and the dual carriageway at Felton and is approximately 12.6 km in length. The local authority for the area of the Scheme is Northumberland County Council (NCC).
- 1.4.2. The Order Limits, which comprises 165.1 ha of permanent land and a further 76 of temporary land required to build, operate and maintain the Scheme is shown on the Scheme Location Plan (**Application Document Reference: TR010041/APP/2.1**).
- 1.4.3. A more detailed description of the Scheme, including a description of the proposed design and features, total size, environmental context and construction can be found in the **Chapter 2: The Scheme** of Volume 1 (**Application Document Reference: TR010041/APP/6.1**) of the ES.

2 RECORD OF ENGAGEMENT

2.1.1. A summary of the meetings and correspondence that have taken place between Highways England and Natural England in relation to the Application is outlined in Table 2-1.

Table 2 **Error! No text of specified style in document..1 - Record of Engagement**

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
01/11/2017	Meeting (Appendix A)	<p>Key Topic Design of the proposed River Coquet Bridge (second crossing).</p> <p>Key Outcome Natural England commented that no structures should be in the river itself and those that are provided should be as far back from the river as possible. Consideration should also be given to the provision of compensatory habitat to address vegetation loss, monitoring/aftercare, air quality impacts and additional run off from the new carriageway.</p>
20/03/2018	Meeting (Appendix B)	<p>Key Topic Lack of access to buildings that may be impacted by the scheme to assess their suitability for and presence of roosting bats.</p> <p>Key Outcome Data collected during other nearby bat surveys to be used to inform impact assessment. Precautionary and, if necessary, worst-case scenario approaches to be considered and appropriate mitigation developed to assess the impact of these.</p>
		<p>Key Topic Deviation in methodology from guidance for the DEFRA transects and DEFRA Local Scale (crossing point) surveys.</p> <p>Key Outcome Natural England to comment on surveys and deviations from methodology following meeting (see 24/08/2018 - Email).</p>
		<p>Key Topic Bird survey not undertaken within River Coquet and Coquet Valley Woodlands SSSI, with transects undertaken along the woodland edge.</p> <p>Key Outcome Absence of direct survey effort within the SSSI not a significant issue, given that the impacts of the proposed development are relatively small. Breeding birds on the SSSI citation are not the primary reason for qualification and the area to be impacted by the proposed new bridge over the River Coquet is not considered to hold value for nesting kingfisher.</p>

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
		<p>Key Topic Age of the bird data (2016) to inform the impact assessment of the scheme.</p> <p>Key Outcome Natural England to provide comment following meeting (see 07/08/2018 - Email).</p> <p>Key Topic Deviation of survey area for barn owl (500m from scheme) in comparison to guidance (1.5 from scheme).</p> <p>Key Outcome Further justification required (see 24/09/2018 - Email).</p>
07/08/2018	Email (Appendix C)	<p>Key Topic Age of breeding bird data.</p> <p>Key Outcome The survey undertaken in 2016 is considered current thus suitable to inform the impact assessment assuming there has not been any significant changes in the way the land has been used within the intervening time period.</p> <p>Key Topic Bird survey not undertaken within River Coquet and Coquet Valley Woodlands SSSI, with transects undertaken along the woodland edge.</p> <p>Key Outcome The survey was considered to be of good quality and it was noted that it would be used to inform appropriate mitigation, as necessary.</p> <p>Key Topic Ancient woodland salvage plan, following issue of skeleton document.</p> <p>Key Outcome Detailed comments/suggestions on the proposed strategy and information to be included to address the impacts to ancient woodland. Email available.</p>
24/08/2018	Email (Appendix D)	<p>Key Topic Deviation from guidelines in relation to bat DEFRA surveys and bat survey work.</p> <p>Key Outcome Natural England believe the bat survey data is sufficient to effectively understand the impacts of the project and design mitigation within the ES.</p>
24/09/2018	Email (Appendix E)	<p>Key Topic Deviation of survey area for barn owl (500m from scheme) in comparison to guidance (1.5 from scheme).</p> <p>Key Outcome</p>

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
		<p>Following review of justification for the reduction in the survey area, Natural England is satisfied that the survey should be sufficient to inform the impact assessment.</p> <p>Key Topic Location of ancient woodland compensation area (southwest of the River Coquet bridge). Shown in Appendix F (which was appended to the email issued to Natural England in Appendix E).</p> <p>Key Outcome Confirmation that location acceptable.</p>
04/10/2018	Email (Appendix G)	<p>Key Topic Impact assessment with regards to bats and building B101A, due to refusal of access.</p> <p>Key Outcome Natural England agree with the approach taken to assume presence of roosting activity and the mitigation proposed to address potential impacts (presented in Appendix H). Approach demonstrates that there is no satisfactory alternative and that the works will not adversely affect the favourable conservation status the bats assumed to be present.</p>
23/11/2018	Email (Appendix I)	<p>Key Topic Habitat Regulations Assessment (Screening Report) – approach taken and conclusions of no likely significant effects, following issue of draft document.</p> <p>Key Outcome Requested additional information regarding impacts of aerial emissions. Suggested appropriate to highlight the inclusion of pollution prevention and control measures to avoid the risk of polluted surface water runoff during construction and network of detention basins during operation. Overall, concur with the conclusions of the report that the proposal is not likely to have a significant impact on the coastal and marine Natura 2000 (European) sites.</p>
01/03/2019	Meeting (Appendix J)	<p>Key Topic Ecological mitigation for the scheme.</p> <p>Key Outcome The draft ecological mitigation seems to be proportionate and Natural England will provide additional comment, where appropriate, following receipt of the ES.</p> <p>Key Topic Ancient woodland compensation planting area to address impacts to 0.68ha of ancient woodland.</p> <p>Key Outcome</p>

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
		<p>Natural England confirms that it is satisfied with the area (8.16ha) and location of the proposed compensation woodland planting.</p> <p>Key Topic Approach to Ancient Woodland Strategy, as per following high level tasks:</p> <ol style="list-style-type: none"> 1. Receptor site¹ - Test soil conditions/nutrient levels 2. Receptor site - Manipulate soils 3. Receptor site - Re-test to confirm achieved 4. Donor site² – translocate ground flora to wider SSSI/ancient woodland. Salvage saplings (by hand) if achievable. 5. Donor site – fell woodland (retain material for use on receptor site) 6. Donor site – soil strip 7. Receptor site – spread stripped soils 8. Receptor site – sow hay meadow seed mix and plant nursery transplants (60-90cm) and salvaged saplings (if achieved) 9. Wider woodland – collect and transplant saplings by hand into the receptor site) 10. Manage and maintain receptor site <ol style="list-style-type: none"> a. During which, ground flora seed obtained and grown on, ready to be transplanted at suitable time (trigger – when canopy of woodland has developed and hay meadow grassland has started to die back/recede). <p>Key Outcome The steps in the high-level task list are appropriate. Translocation of ground flora to the wider SSSI and collection of tree saplings from wider SSSI would require SSSI Assent. Additional comments and advice on individual elements of the strategy. Email available.</p>
09/05/2019	Email (Appendix K)	<p>Key Topic Habitat Regulations Assessment (Screening Report) – approach taken and conclusions of no likely significant effects, following issue of updated document.</p> <p>Key Outcome Acknowledged that comments made on 23/11/2018 with regards to the earlier draft have been addressed. Confirmation of agreement with the conclusions of the report that the proposal is not likely to have a significant impact on the coastal and marine Natura 2000 (European) sites.</p>
08/08/2019	Email (Appendix L)	<p>Key Topic Approach to assessment with regards to brown hare.</p> <p>Key Outcome</p>

¹ Compensatory woodland planting area

² Area within red line boundary

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
		<p>Acknowledged that targeted surveys have not been undertaken for brown hare. Natural England confirmed that the proposed mitigation to encourage dispersal from within the Order Limits and the overall design of the scheme should be sufficient to ensure that the local brown hare population is not significantly impacted by the proposal.</p> <p>Key Topic Approach to air quality assessment and impact conclusions regarding the River Coquet and Coquet Valley Woodlands SSSI.</p> <p>Key Outcome Approach to assessment changed following this consultation. Outcome no longer relevant. This matter is discussed further below in relation to the email dated 18/10/2019 (Appendix O).</p>
08/08/2019	Email (Appendix M)	<p>Key Topic Comment on draft ES submission.</p> <p>Key Outcome Natural England confirmed that “<i>all the relevant surveys and the mitigation outlined for the species and habitats that are likely to be impacted by proposed scheme are in line with current guidance and best practice.</i>” It was also commented that “<i>the various comments and advice given by Natural England in the many detailed discussions and consultations regarding the proposals over the last 18 months have been taken on board. In particular, the considerable amount of time spent consulting on the specifics of the woodland compensation area have resulted in a detailed Ancient Woodland Strategy which will hopefully prove to be reasonable compensation for the unfortunate, but unavoidable, loss of an area of Ancient and Semi-Natural woodland within the River Coquet and Coquet Valley Woodlands SSSI.</i>”</p> <p>With regards to the Ancient Woodland Strategy, Natural England stated they “<i>would like to acknowledge the resource and effort that Highways England and their consultants have put into to developing the Ancient Woodland Strategy and looks forward to helping further refine the design of the Woodland Creation Area at the detailed design stage.</i>”</p> <p>Several items were raised, which were considered and used to update Chapter 9:</p> <ul style="list-style-type: none"> - Inclusion of bullhead with regards to biosecurity. - Use of aquatic vegetation consistent with what is existing within watercourses within proposed planting. - Inclusion of a badger sett approximately 360m west of the River Coquet bridge within the proposed pre-commencement walkover survey. - Minor amendments to the Ancient Woodland Strategy. <p>These items are discussed further in Section 3 of this document.</p>

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the issues tables)
14/10/2019	Email (Appendix N)	<p>Key Topic Advice from the Natural England Wildlife Licensing Team confirming the information required with respect to the protected species licences in order to provide Letters of No Impediment (LoNI).</p> <p>Key Outcome Natural England request a full draft licence application with as much information as the applicant can provide at the time. This will include a draft Application Form, Method Statement and Reasoned Statement. Also, where possible and appropriate; a master plan, work schedule and appropriate, labelled supporting figures should be provided.</p> <p>Natural England recognise that the full project design may not be known at this time. However, the more information Natural England can assess at this stage, the greater confidence Natural England’s advisers can have in their consideration of whether the proposals are likely to meet licensing requirements.</p> <p>This email was further supported by an email on 18/10/2019 (Appendix P) regarding specific advice for the bat draft licence applications. Natural England requested that the following is included: - Reference to all buildings within the Order Limits and if they have been ruled out of the licence application in relation to bat suitability. Please say why and what type of survey this is based on. - Provide an explanation of the buffer zone and say why it is needed or rule it out if necessary.</p> <p>Natural England confirmed that this was preliminary advice and that further comments may be raised following assessment of the draft licence application.</p>
18/10/2019	Email (Appendix O)	<p>Key Topic Reply to address responses to the comments provided by Natural England following review of Chapter 9 and appendices (see email dated 08/08/2019, Appendix M).</p> <p>Key Outcome Natural England provide thanks for the clarifications given regarding the comments on the draft ES. Natural England confirm that the only outstanding query regarding the clarifications provided relates to Section 4.5.12 of the Ancient Woodland Strategy (Appendix 9.21) and the question of the long-term management of the Woodland Creation Area.</p>

2.1.2. It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Natural England in relation to the issues addressed in this SoCG.

3 ISSUES RELATED TO CHAPTER 9 BIODIVERSITY

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
Chapter 9: Biodiversity of the ES	9.1.1 to 9.1.2	Introduction	No Comment	No Comment	Agreed
	9.2.1 Including Table 9-1	Competent Expert Evidence	No Comment	No Comment	Agreed
	9.3.1 to 9.3.24 Including Tables 9-2 and 9-3	Legislative and Policy Framework	No Comment	No Comment	Agreed
	9.4.1 to 9.4.44 Including Tables 9-4, 9-5 and 9-6	Assessment Methodology	No Comment	No Comment	Agreed
	9.5.1 to 9.5.5	Assessment Assumptions and Limitations	No Comment	No Comment	Agreed
	9.6.1 to 9.6.4	Study Area	No Comment	No Comment	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
	9.7.1 to 9.7.111 Including Tables 9-7 to 9-18	Baseline Conditions	Section 9.7.20. As per the consultation email dated 08/08/2019 (Appendix L), Natural England acknowledge that targeted surveys have not been undertaken for brown hare. Natural England confirm that brown hares are considered widespread across all suitable habitats in Northumberland and common in certain areas of the county. Natural England confirm that the approach is considered appropriate based on the proposed mitigation during construction and operation.	No Comment	Agreed
			Table 9-10: Summary of Ecological Survey Methods and Dates of Surveys. Natural England confirm that all relevant surveys are in line with current guidance and best practice. Any deviation, such as the survey distance for barn owl and methodology, is accepted and agreed as appropriate in this instance.	No Comment	Agreed
	9.7.112 to 9.7.114	Future Baseline	No Comment	No Comment	Agreed
	9.8.1 to 9.8.10 Including Tables 9-19, 9-20 and 9-21	Potential Impacts	No Comment	No Comment	Agreed
	9.9.1 to 9.9.6 Including Table 9-22	Design, Mitigation and Enhancement Measures	Table 9-22. Reference is made to the installation of the cofferdam within the river to facilitate the construction the southern pier for the new bridge (EM014). Natural England understand that this is a temporary measure	The proposed construction methodology for the southern pier no longer requires the installation of a cofferdam extending up to 5 m into the River Coquet. The embedded	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
			to allow for the construction of the southern pier, which is out with but immediately adjacent to the river. The table does not indicate that the cofferdam is temporary in nature and is due to be removed once the work on the pier is completed. Can you confirm that this understanding is correct and that the in river works will be temporary in nature?	<p>mitigation entails the installation of sheet piles following pre-augering into the bedrock. These sheet piles, located outside of the assumed bankfull channel, would then serve two functions: firstly, as a cofferdam to create a dry working area for construction [river training measures]; and, secondly, would form part of the permanent framework for the new pile cap. Once constructed, the sheet piles would be burnt off to the pile cap level.</p> <p>The above is extracted from the geomorphological assessment of the River Coquet, which is an appendix to Chapter 10: Road Drainage and Water Environment. The extract has been added into Chapter 9, with reference to the appendix.</p>	
			<p>Table 9-22. Chapter 9 and the Aquatic Ecology Report (Appendix 9.3 of Volume 3 (Application Document Reference: TR010041/APP/6.3) of the ES) indicate that bullhead have been recorded on the River Lyne. This species has not been recorded on any of the other tributaries and particularly in the Coquet catchment, although there is one as yet unconfirmed report of this species from the main river at Guyzance. Although this species is native to the UK, there are very limited number of rivers in Northumberland where it is present and it is important to</p>	Reference to bullhead has been added to measure DM010 of Table 9-22 with regards to biosecurity.	Agreed.

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
			ensure that the proper biosecurity measures (Check, Clean, Dry) are put in place to eliminate the risk of the species being accidentally introduced to other water courses where in river works are proposed for this scheme.		
			Table 9-22. EM041 indicates that new channels will be planted with aquatic vegetation. Where this is deemed to be necessary the aquatic vegetation needs to be consistent with what is found in the existing watercourse/catchment and the sourcing of plants needs to be from suppliers that are free from aquatic Invasive Non-Native Species (INNS). Advice should potentially be sought from the Environment Agency with regard to any relevant protocols for the sourcing of aquatic plants.	The text of the EM041 has been extended to capture the comment: <i>“The channels would also be planted with aquatic vegetation consistent with the existing floral community of the watercourse/catchment. The sourcing of any plants would be confirmed at detailed design but would be from suppliers that are free from aquatic invasive non-native species. Advice would be sought from the Environment Agency, if required, about relevant protocols for the sourcing of aquatic plants.”</i>	Agreed
	9.9.7	Mitigation – Ancient Woodland	No Comment	No Comment	Agreed
	9.9.8 and Table 9-23	Design and Mitigation Measures and their Delivery Mechanisms	No Comment	No Comment	Agreed
	9.10.1 to 9.10.46	Assessment of Likely	Section 9.10.14. Whilst it is true that nitrogen is not the limiting nutrient in most river	a) Chapter 10 addresses effects as a result of drainage and run-off,	a) Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
	Including Table 9-24	Significant Effects	<p>systems (where phosphorus is the limiting nutrient) any increases in nitrogen will ultimately end up in the estuary and marine environment (where there are a number of designated sites) where nitrogen is the limiting nutrient. Clarification is requested on the following:</p> <p>a) Whilst the direct nitrogen deposition on to the River Coquet is likely to be insignificant, the impact of the nitrogen levels from the carriage way runoff from the section of the proposal that drains into the Coquet catchment also needs to be considered. Particularly as all the drainage network is likely to be within the zone of heaviest aerial deposition, all the nitrogen will ultimately end up in the river except for any that is stripped out by vegetation growing in the balancing ponds (pond design that include appropriate vegetation could help significantly here not only to strip out nutrients but also to help trap sediment from the carriageway surface). This potential issue may have been addressed in the Road Drainage and Water Environment chapter of the ES. If so, it should be cross referenced.</p> <p>b) The downstream impact of increased nitrogen levels on the marine environment from the carriageway runoff is not considered in this chapter of the ES but it may have been covered in Chapter 10 Road Drainage and Water</p>	<p>proposing suitable mitigation to reduce the potential impacts and concluding effects of Neutral significance (not significant). Text has been added to Chapter 9 to reference this assessment and its conclusions.</p> <p>b) With regards to downstream impacts of increased nitrogen levels on the marine environment, this is captured separately within the HRA for the Scheme.</p>	b) Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
			Environment. This potential issue is something we discussed with regard to the HRA screening and it may be appropriate to reiterate that this risk will be minimised by appropriate pollution prevention and control measures deployed during the construction phase and by the network of stilling/balancing ponds during the operational phase bearing in mind the comment about the pond design given above.		
			Natural England note that the revised assessment for Eco 1 concludes that while the critical load threshold for NOx is exceeded within 15m to the east of the existing bridge, it falls below the threshold at the Order Limits. The area affected by NOx levels exceeding the critical load lies within the SSSI woodland that will be compensated for by the provision of the Woodland Creation Area. Based on the information provided in the air quality assessment text for the three areas of the ARN (Eco 1, Eco 9 and Eco 12) located within 200m of the SSSI, the overall conclusion that the scheme will result in effects of overall neutral significance on the SSSI as a result of changes to air quality is supported by the evidence provided.	No Comment	Agreed
			One general point, there are several references to the proposed scheme resulting in a decrease in levels of deposition at a number of locations. It may be worth	The following has been added to Chapter 9 for Eco9 (the first instance where a reduction in total N deposition is presented): " <i>The decrease in total</i>	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
			exploring/explaining how this occurs as it is counter intuitive to most people's understanding increases in traffic. Natural England understand that mitigation built into the design can help to alter where and how much deposition occurs but it may be worth clarifying the mechanisms by which the proposed scheme may actually reduce deposition in certain locations.	<i>nitrogen deposition is due to the ability of the Scheme (A1) to draw traffic from other roads within the local network. Therefore, this causes a reduced traffic flow on some roads radiating from the A1, thereby a reduction in associated nitrogen deposition."</i>	
	9.11	Biodiversity No Net Loss	No Comment	No Comment	Agreed
	9.12	Monitoring	No Comment	No Comment	Agreed
Appendix 9.1 Extended Phase 1 Habitat Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.2 National Vegetation Classification Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.3 Aquatic Ecology Survey Report	Full document		No Comment	No Comment	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
Appendix 9.4 Great Crested Newt Environmental DNA and Habitat Suitability Index Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.5 2017 Great Crested Newt Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.6 2018 Great Crested Newt Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.7 Bat Roost Potential Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.8 2017 Bat Activity Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.9 2018 Bat	Full document		No Comment	No Comment	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
Activity Survey Report					
Appendix 9.10 Badger Survey Report	Full document		<p>The report indicates that there is an active sett approximately 360m west of the River Coquet bridge (Table 4, sett no.12). This active sett was noted in this area during surveys undertaken in 2004 when the duelling of the A1 from Morpeth to Felton was last proposed. Additionally, Natural England note badger activity at this sett complex in the summer of 2018. This sett is out with the 100m buffer distance from the works area for the new bridge over the Coquet and thus unlikely to be damaged or disturbed by the works. However, Natural England recommend this area is included in the pre-commencement walkover to ensure that no new setts have been excavated closer to the bridge. Additionally, extra vigilance will be required around any excavations associated with the new bridge piers as there is a risk that both otter and badger will be active in this area.</p>	<p>The recommendation is captured within the pre-commencement walkover measures detailed within Table 9-22, DM003. Whilst not extending to a distance of 100 m, the measure confirms a pre-commencement walkover of the works area (which would extend further than the construction area where excavation may occur) to confirm there are no changes to baseline conditions. The follow up action would be as follows: "Should badger activity be confirmed within the area of works or within a zone of influence determined by the ECoW, a Natural England licence would be applied for/mitigation developed, as required, in advance of Scheme commencement."</p> <p>In response to the comment regarding vigilance in association with otter and badger around the River Coquet bridge, pre-commencement walkover surveys for both species are proposed to ensure changes in baseline conditions are identified and appropriate measures can be put in place to avoid/reduce impacts.</p>	Agreed.

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
Appendix 9.11 Badger Bait Marking Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.12 Barn Owl Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.13 Breeding Bird Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.14 Wintering Bird Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.15 Reptile Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.16 Red Squirrel Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.17 Water Vole and Otter Survey Report	Full document		No Comment	No Comment	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
Appendix 9.18 2018 Otter Monitoring Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.19 Terrestrial Invertebrate Survey Report	Full document		No Comment	No Comment	Agreed
Appendix 9.20 Biodiversity No Net Loss Report	Full document		No Comment	No Comment	Agreed
Appendix 9.21 Ancient Woodland Strategy	Full document		Natural England would like to acknowledge the resource and effort that Highways England and their consultants have put into to developing the Ancient Woodland Strategy and looks forward to helping further refine the design of the Woodland Creation Area at the detailed design stage.	No Comment	N/A
			Section 2.2.11. Japanese knotweed is present in Felton Village in the carpark of the public house on the south bank of the river.	This information has been added to the document, captured in Section 2.2.10.	Agreed
			Section 3.2.7. The haul road mentioned in this section is referred to as the 'temporary' haul road in Section 3.2.15. From previous discussions Natural England understood that, whilst a decision had yet to be finalised, it was	Reference to "temporary" in relation to the haul road has been removed. It is understood that the haul road would likely be permanent, due to the nature of its installation, although permanent	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
			likely that there was a preference for this to be retained as a permanent access to allow inspection and maintenance of the southern section of the bridges. Has a decision been made regarding the possible retention of the road as a permanent structure?	future use of the road is yet to be confirmed.	
			As discussed previously, the design of the haul road will need to take into consideration the risk of erosion caused by any drainage or run-off associated with such a steep track. Additionally, assurance will need to be sought from Highways England that the track will be used for the only by their employees/contractors and will not be accessible to the general public.	Comments relating to the design of the haul road (at detailed design) regarding consideration of the risk of erosion are acknowledged. Discussions have been held with Highways England (Area 14) regarding the use of this route as a maintenance track following construction, but Area 14 has indicated that they will not be using it. The haul route will not be accessible to the general public.	Agreed
			Section 3.2.8. Protective fencing referenced needs to be resilient to flooding as the lower sections of the fence are likely to be subject to periodic flood events.	The following has been added to Section 3.2.8 to address this comment; “ <i>Any protective fencing would also be designed to be resilient to flooding as the lower sections of the fence may be subject to periodic flood events.</i> ”	Agreed
			Section 3.2.11. The risk of the spread of INNS to/within the designated site and the wider countryside cannot be overemphasized, particularly when the project involves the large scale use of earth moving machinery moving between various water courses across	Both the Ancient Woodland Strategy and Chapter 9 of the ES detail the requirement for a Biosecurity Method Statement, which would be developed at detailed design. This is also	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
			different river catchments. Therefore, it is vital that the Biosecurity Method Statement is robust and strictly adhered to by all the contractors working on the project.	captured within the Outline CEMP for the Scheme.	
			Section 3.2.18. The open habitat within the Woodland Creation Area is likely regenerate as woodland over time and the management of the neutral grassland will need to accommodate this gradual succession to native woodland.	The high-level management measures detailed in Section 5.2 outline that an annual hay cut of the grassland would be undertaken. Cessation of this would be triggered by natural die-off of the grassland as a woodland canopy develops.	Agreed
			Section 3.2.19 – 3.2.24. Natural England welcomes the additional enhancements listed in this section.	No Comment.	N/A
			Section 4.3.12 and Section 4.5.5. It may be appropriate to consider using natural regeneration as a tool for the creation of the woodland on a portion of the site, most likely adjacent to the existing woodland edge to the north of the Woodland Creation Area. Trees that generate naturally from adjoining woodlands tend to be more vigorous and would be genetically suited to the local area. This is something that Natural England would like to explore further at the detailed design stage.	A paragraph in relation to this comment has been added to the strategy (Section 4.3.13), confirming that Natural England have expressed an interest in exploring this further at detailed design stage.	Agreed
			Section 4.5.12. Natural England notes that long term management for a minimum of 50 years is proposed. After this period has elapsed, it is assumed that the management	Highways England confirm that the Woodland Creation Area will be retained as a woodland in perpetuity.	Agreed

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			of the woodland will be continued as necessary within the normal woodland management operations that Highways England undertakes in woodlands within its land holding. It is also assumed that the Woodland Creation Area will be retained as a woodland in perpetuity. Can you confirm that these assumptions are correct?		
			Section 5.2.1. Boundary fencing will probably need to be retained for a period longer than the 5 years mentioned in this section, particularly if natural regeneration is to be used as a tool for the establishment of woodland in parts of the Woodland Creation Area.	A comment has been added within the high-level management overview against the removal of the boundary fence to identify that the timing of this action (currently year 5) may be delayed should natural regeneration be used as a tool.	Agreed
			Section 5.3.1. Reference is made to the use of tree guards in contradiction to proposed fencing option set out in Section 4.2.11, which is the preferred option already agreed in earlier consultations. Tree tubes/guards are also referenced in Section 5.3.3.	This was an error following updates of the document. Reference to tree tubes/guards has been removed.	Agreed
			Section 5.3.6 and 5.4.1. Herbicide should be used sparingly and only when it is deemed to be absolutely necessary. A protocol for the use of herbicides should be developed and set out in the Ancient Woodland Management and Monitoring Plan (AWMMP).	Text has been added to Section 5.3.4 to confirm use of herbicides sparingly and in accordance with a protocol developed and set out in the AWMMP.	Agreed

Document Reference	Paragraph Reference	Sub-section	Natural England Comment	Highways England Response	Status
Appendix 9.22 Bat Method Statement	Full document		As per Appendix N , Natural England require a full draft licence application for review in order to provide comment and a LoNI.	Documentation to be updated. Agreement with the information to be secured through the LoNI.	Agreed
Appendix 9.23 Badger Method Statement	Full document		As per Appendix N , Natural England require a full draft licence application for review in order to provide comment and a LoNI.	Documentation to be updated. Agreement with the information to be secured through the LoNI.	Agreed
Appendix 9.24 Great Crested Newt Method Statement – River Coquet	Full document		As per Appendix N , Natural England require a full draft licence application for review in order to provide comment and a LoNI.	Documentation to be updated. Agreement with the information to be secured through the LoNI.	Agreed
Appendix 9.25 Great Crested Newt Method Statement – Burgham Park	Full document		As per Appendix N , Natural England require a full draft licence application for review in order to provide comment and a LoNI.	Documentation to be updated. Agreement with the information to be secured through the LoNI.	Agreed

APPENDICES

Appendix A – Meeting Minutes 17/10/2017

Appendix B – Meeting Minutes 20/03/2018

Appendix C – Email 7/08/2018

Appendix D – Email 24/08/2018

Appendix E – Email 24/09/2018

Appendix F – Proposed Ancient Woodland Compensation Area

Appendix G – Email 04/10/2018

Appendix H – Proposed Approach to Assumption of Bat Roost Presence in Building B101A

Appendix I – Email 23/11/2018

Appendix J – Meeting Minutes 01/03/2019

Appendix K – Email 09/05/2019

Appendix L – Email 08/08/2019

Appendix M – Email 08/08/2019

Appendix N – Email 14/10/2019

Appendix O – Email 18/10/2019

Appendix P – Email 18/10/2019

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