

Date: 21 August 2024
Our ref: UDS-A012603
Your ref: Gatwick Airport Northern Runway (GCN)



Sent by e-mail only

Wildlife Licensing
Natural England
Horizon House
Deanery Road
Bristol
BS1 5AH
Email:



Dear Nick Betson,

DRAFT MITIGATION LICENCE APPLICATION STATUS: Subsequent Draft Application

LEGISLATION: The Conservation of Habitats and Species Regulations 2017 (as amended).

NSIP: Gatwick Airport Northern Runway.

SPECIES: Great Crested Newt (*Triturus cristatus*).

Thank you for your subsequent draft Great Crested Newt (GCN) mitigation licence application in association with the above NSIP site, received in this office on the 15th August 2024. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'letter of no impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

Assessment

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

However, please note the following issues have been identified within the current draft of the method statement that will need to be addressed before the licence application is formally submitted. Please do ensure that the Method Statement is revised to include these changes prior to formal submission. For clarity these include:

- **Named Ecologist** – An ecologist who has been named on a GCN mitigation licence within the last 3 years should be proposed for the licence. Alternatively, a new ecologist or an ecologist with less recent experience can be proposed, but at least two sufficiently detailed references should be submitted with the application.
- **Survey** – Updated surveys should be completed ahead of the formal licence submission and the method statement updated. The mitigation and compensation proposals may need to be adjusted based on the survey results.

- Impacts – Figure D should be modified so that all the habitats that will be temporarily or permanently impacted are clearly shown.
- Mitigation – The number of days in which bottle trapping will occur should be reduced due to welfare concerns. Figure E4a should be modified so that the locations of pitfall traps are included, and the different types of fencing are distinguishable from each other.
- Compensation – The location and design of the wet ditch that will be provided as compensation for the loss of pond MHA will need to be finalised and the relevant figures (E2, E3.1, E5.2, F1 and potentially E5.1) updated to include the ditch.
- Post-development management and maintenance – Figure E5.1 should be modified so that details of how the aquatic and terrestrial habitats will be managed and maintained are shown on the figure.
- Work Schedule – The timings will need to be adjusted so that they are accurate and realistic at the time of submission. Details of the wet ditch creation, newt fence removal, and habitat reinstatement will need to be included.

Next Steps

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted.

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

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

http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/Images/wml-g36_tcm6-28566.pdf

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

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

Yours sincerely,
Annette Coster

Higher Officer – Chargeable Advice and Strategic Casework Team
Natural England Wildlife Licensing Service

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

Important note: when submitting your formal application please mark all correspondence 'FOR THE ATTENTION OF (*insert name/s here*).

Submitting Documents.

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

Changes to Documents –Reasoned Statement/Method Statement.

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

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

Method Statement

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