

Date: 14 January 2019  
Our ref: 2019-38730-EPS-NSIP1  
Your ref: -



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

## BY EMAIL ONLY

Dear Peter Hoy,

**Draft Mitigation Licence Application Status:** First draft application

**Legislation:** The Conservation of Habitats and Species Regulations 2017 (as amended)

**Development proposal and location:** NSIP - Junction 15, M1 Northampton, Northamptonshire

Thank you for your draft great crested newt mitigation licence application in association with the above NSIP site, received in this office on the 8<sup>th</sup> August 2018 and subsequently assessed in December 2018. 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

Please note that no reasoned statement has been provided with regard to the impacts to great crested newts and as such, Natural England have been unable to comment on the No Satisfactory Alternative or Imperative Reasons of Overriding Public Interest tests. This letter only refers to the information provided in relation to the Favourable Conservation Status test.

Following our assessment of the 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.

The following issues have been identified within the current draft of the method statement and the issue of this letter of no impediment is on the understanding that these will need to be addressed before the licence application is formally submitted:

- Survey requirements
- Connectivity requirements for Pond 1
- Receptor site and habitat retention requirements in association with Pond 1
- Management and maintenance requirements
- Improved figures and work schedule

Amy Radford (Natural England Wildlife Management Lead Adviser), discussed matters of key concern with Sam Newbold (Ecologist, FPCR) via e-mail correspondence on the 29/11/2018, 3/12/2018 and subsequently on 13/12/2018 and 17/12/2018 where it was confirmed that the necessary amendments would be made. It should be noted that if updated survey indicates significant changes in terms of the presence of great crested newt populations, a revision to the current proposals is likely to be required.

A detailed breakdown of the issues to be addressed based upon the current proposal and existing survey data has been provided in a supplementary document (*GCN-FCS\_Pre-sub\_Northampton Gateway – Licensing Consultation on the Favourable Conservation Status (FCS) Test dated 10/01/2019*). This has been provided to Sam Newbold and Peter Hoy (FPCR) in January 2019. This should be referred to and the details incorporated into the formal licence submission. Please do ensure that the Method Statement is revised to include these changes prior to formal submission.

## **Next Steps**

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

If other 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](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,

Amy Radford

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