

**From:** [Knowles, Elizabeth](#)  
**To:** [A585 Windy Harbour to Skippool](#)  
**Subject:** NSIP ref TR010035 - Natural England's Update at Deadline 4  
**Date:** 09 July 2019 11:20:44  
**Attachments:** [Natural England D4 update.pdf](#)

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**NSIP Reference Code: TR010035**

**User Code: 20021773**

Please find attached an update from Natural England submitted for Deadline 4.

Elizabeth Knowles  
Lead Advisor, Planning Casework  
Coast and Marine Team  
Cheshire, Grtr Manchester, Merseyside & Lancashire Area Team  
Natural England  
2<sup>nd</sup> Floor, Arndale House  
Manchester, M4 3AQ  
Tel: 0208 225 7506

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

**In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.**

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Date: 09 July 2019  
Our ref: 285213  
Your ref: TR010035

The Planning Inspectorate  
Major Applications & Plans  
3D  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

**BY EMAIL ONLY**



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

T 0300 060 3900

Dear Sir or Madam

**NSIP Reference Code:**  
**TR010035 User Code: 20021773**

**Deadline 4**

**Update on issuing letters of no impediment for bats and great crested newts.**  
**Update on comments on Applicant's first revised draft Development Consent Order (DCO).**

Thank you for your consultation via the Rule 8 letter, on the above, dated and received by Natural England on 16 April 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**1. Update on issuing letters of no impediment for bats and great crested newts.**

1.1. We have now issued letters of no impediment for bats (issued on 03 June 2019) and great crested newts (issued on 11 June 2019). Copies of both letters are attached at Annex A and Annex B.

**2. Update on comments on Applicant's first revised draft Development Consent Order.**

2.1. At the time of writing, we are still in ongoing discussions with Highways England regarding the Requirements contained within the Draft DCO.

2.2. We hope to resolve these soon to allow Highways England to issue their revised Draft DCO by Deadline 5.

**Natural England**  
**09 July 2019**

For further information please contact:

Elizabeth Knowles  
Land Use Lead Adviser  
0208 225 7506  
[elizabeth.knowles@naturalengland.org.uk](mailto:elizabeth.knowles@naturalengland.org.uk)

**Annex A**  
**Letter of no impediment for bats.**

Date: 03 June 2019  
Our ref: 2019-38868-EPS-NSIP1  
Your ref: NSIP TR010035



David Hopkin Project Manager - Highways England  
Cc – Neil Madden – Associate Technical Director – Ecology - Arcadis

Wildlife Licensing  
Horizon House  
Deanery Road  
Bristol  
BS1 5AH

**BY EMAIL ONLY**

Dear David Hopkin

**DRAFT MITIGATION LICENCE APPLICATION STATUS:** SUBSEQUENT DRAFT APPLICATION  
**LEGISLATION:** THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)  
**NSIP:** TR010035 – A585 WINDY HARBOUR TO SKIPPOOL JUNCTION IMPROVEMENT SCHEME  
**SPECIES:** BATS

Thank you for your subsequent draft bat mitigation licence in association with the above NSIP and additional information received following meeting on 16 May 2019. 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 and Additional Requirement**

Following our assessment of the resubmitted draft application documents, additional information and meeting of 16 May 2019, 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 on the provision of a suitably worded requirement in the DCO that further survey work in the form of an endoscope survey (as a minimum – dependent upon the findings of the endoscopic survey) be undertaken immediately prior to the demolition of B5 – Skippool Bridge.

Natural England proposes the following requirement be added to the DCO;

*"An additional Requirement should be added to require an endoscope survey of Skippool Bridge (B5) prior to demolition (when bats are likely to be active). This survey would comprise (as a minimum), an endoscope survey of all the features having some potential to be used by bats, more likely in an opportunistic manner. If the results of the survey show bats are present and a protected species licence is required, further survey work would be required and subsequently sufficient mitigation and compensation measures will need to be provided".*

## 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 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 on 0208 225 7506 or [elizabeth.knowles@naturalengland.org.uk](mailto:elizabeth.knowles@naturalengland.org.uk).

Yours sincerely

Miss Elizabeth Knowles  
Lead Adviser  
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team

## **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 CLAIRE STOREY'.**

### **Submitting Documents.**

Documents must be sent to the Customer Services Wildlife Licensing

Wildlife Licensing  
Natural England  
Horizon House  
Deanery Road  
Bristol, BS1 5AH.  
[EPS.Mitigation@natural.english.org.uk](mailto:EPS.Mitigation@natural.english.org.uk)

### **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.

## **Annex B**

**Letter of no impediment for great crested newts.**

Date: 11 June 2019  
Our ref: 2019-38869-EPS-NSIP1  
Your ref: NSIP TR010035



David Hopkin Project Manager - Highways England  
Cc – Neil Madden – Associate Technical Director – Ecology - Arcadis

Wildlife Licensing  
Horizon House  
Deanery Road  
Bristol  
BS1 5AH

**BY EMAIL ONLY**

Dear David Hopkin

**DRAFT MITIGATION LICENCE APPLICATION STATUS:** SUBSEQUENT DRAFT APPLICATION  
**LEGISLATION:** THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)  
**NSIP:** TR010035 – A585 WINDY HARBOUR TO SKIPPOOL JUNCTION IMPROVEMENT SCHEME  
**SPECIES:** Great Crested Newt (GCN)

Thank you for your subsequent draft GCN mitigation licence in association with the above NSIP, additional information received following meeting on 16 May 2019, updated figures and tables dated 25 May 2019 and 29 May 2019 and agreement to the email dated 10 June 2019 (Annex 1). 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, additional information, meeting of 16 May 2019 and subsequent amendments to the figures and tables (24 and 29 May 2019) and agreement email of 10 June 2019 (Annex 1 of this letter), 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 Development Consent Order (DCO) be granted.

**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 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 and in Annex 2 below:

[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 on 0208 225 7506 or [elizabeth.knowles@naturalengland.org.uk](mailto:elizabeth.knowles@naturalengland.org.uk).

Yours sincerely

Miss Elizabeth Knowles  
Lead Adviser  
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team

## Annex 1 – Email of 10 June 2019 confirming agreement of changes required in the formal licence application

**From:** Madden, Neil  
**To:** [Storey, Claire](#); [David Hopkin](#)  
**Cc:** [Knowles, Elizabeth](#); [Burrows, Kate](#)  
**Subject:** RE: 585 Windy Harbour to Skippool - GCN - amendments to be agreed for the formal licence application  
**Date:** 10 June 2019 10:22:03

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Hi Claire,

Thank you for the below email – please take this email as my formal agreement that the below points will be implemented and captured in the formal licence application.

Can we please just confirm that, other than the below points, you are satisfied that we have addressed points previously highlighted through meetings and further information requests?

Best regards,  
Neil

**Dr Neil Madden** BSc(Hons) CEcol MCIEEM | Associate Technical Director – Ecology |  
[neil.madden@arcadis.com](mailto:neil.madden@arcadis.com)  
**Arcadis** | 5th Floor, 401 Faraday Street, Birchwood, Warrington | WA3 6GA | England  
[www.arcadis.com](http://www.arcadis.com)



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**From:** Storey, Claire <[Claire.Storey@naturalengland.org.uk](mailto:Claire.Storey@naturalengland.org.uk)>  
**Sent:** 10 June 2019 10:04  
**To:** Madden, Neil <[Neil.Madden@arcadis.com](mailto:Neil.Madden@arcadis.com)>; David Hopkin <[david.hopkin@highwaysengland.co.uk](mailto:david.hopkin@highwaysengland.co.uk)>  
**Cc:** Knowles, Elizabeth <[Elizabeth.Knowles@naturalengland.org.uk](mailto:Elizabeth.Knowles@naturalengland.org.uk)>; Burrows, Kate <[Kate.Burrows@arcadis.com](mailto:Kate.Burrows@arcadis.com)>  
**Subject:** RE: 585 Windy Harbour to Skippool - GCN - amendments to be agreed for the formal licence application

Dear Neil/ David

Prior to issuing you a Letter of No Impediments, I need to have your formal agreement that the following points and those previously addressed through meetings and further information requests, will be implemented and captured in the formal licence application. Once I have your agreement I will then process the LONI.

### Pond information (C4.3)

- Please ensure that all pond sheets are included in the formal licence application. Pond 31 survey sheet is still missing.

### Figure D

- Please ensure that Figure D is based on the existing layout rather than the

## **Annex 2 - Guidance for providing further information or formally submitting the licence application.**

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### **Submitting Documents.**

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Wildlife Licensing  
Natural England  
Horizon House  
Deanery Road  
Bristol, BS1 5AH.  
[EPS.Mitigation@naturalengland.org.uk](mailto:EPS.Mitigation@naturalengland.org.uk)

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### **Method Statement**

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