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**From:** [REDACTED]@naturalengland.org.uk>

**Sent:** 13 October 2022 14:40

**To:** A47-A11 Thickthorn <A47A11Thickthorn@planninginspectorate.gov.uk>

**Subject:** Our ref: 408844 - Your ref: TR010037 - THKN-SP011 A47-A11 Thickthorn Junction - Comments from Natural England

Our ref: 408844

Your ref: TR010037 - THKN-SP011

Dear Sir/ Madam

Thank you for your letter dated 5 October 2022 and received by Natural England on the same date. Please accept my apologies for missing the deadline of 12 October.

Natural England is satisfied with the response provided by the Applicant in their response to the SoS questions (ref:9.38) with regard to otters but wishes to clarify the point made in their response to question 2:

It is the responsibility of the scheme and their ecologist to make the case as to whether or not actions will impact otters to the extent that wildlife legislation would be breached in absence of a licence.

In cases where this is likely, an applicant should apply for the relevant licence, in this case an EPS licence and provide to Natural England in good time.

Where a scheme and their ecologist are satisfied that actions will not impact otters to the extent that wildlife legislation would be breached, Natural England does not typically comment on method statements which rely on reasonable avoidance measures or sensitive working practices, as these are the applicant's own legal risk to justify, and are not licensable.

In this case, Natural England Wildlife Licensing Service have not been approached by the Ecological Consultant under the Discretionary Advice Service to look at providing advice or a Letter Of No Impediment for their working methods regarding otters. We therefore presume that the applicant is satisfied that actions will not impact otters to the extent that a licence would be required.

Yours sincerely

Louise Oliver

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**I am currently working M-F, 9 am – 2 pm**

**Please send any consultations to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)**

During the current coronavirus situation, Natural England staff are working remotely and from some offices to provide our services and support our customers and stakeholders. Although some offices and our Mail Hub are now open, please continue to send any documents by email or contact us by phone to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

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- the [Discretionary Advice Service \(DAS\)](#), which can provide advice on planning/licensing proposals;
- the [Pre-submission Screening Service \(PSS\)](#) for European Protected Species mitigation licence applications.

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