

Date: 22 May 2025
Our ref: 512985
Your ref: TR010066



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BY EMAIL ONLY

Dear Inspector

NSIP Reference Name / Code: A46 Coventry Junctions (Walsgrave) / TR010066

Natural England's Written Representations in respect of A46 Coventry Junctions (Walsgrave)

Examining Authority's submission deadline (D1) with a date of 27 May 2025

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.

For any further advice on this consultation please contact the case officer Gillian Driver and copy to consultations@naturalengland.org.uk.

Yours sincerely

A black rectangular box redacting the signature of Gillian Driver.

Ms Gillian Driver
Senior Officer
Sustainable Development
West Midlands Area Team

Natural England's Written Representations

PART I: Summary and conclusions of Natural England's advice.
PART II: Natural England's detailed advice (starting on page 5)
PART III: Natural England's detailed comments on the Development Consent Order (DCO) (starting on page 13).

Part I: Summary and conclusions of Natural England's advice

Summary of Natural England's advice

Overall, Natural England are satisfied that the proposals address the majority of potential impacts to the natural environment. The only areas of concern where we consider further assessment and/or information is required to enable to examining authority to make an informed decision are: Nationally Designated Sites and Soils & Protected species.

The key concerns we have regarding Nationally designated sites are:

- Impacts of noise and lighting on Combe Pool SSSI and mitigation to prevent impacts (NE4).
- Impacts from air quality (NOx, NH3, N dep) on Combe Pool SSSI and Herald Way Marsh SSSI (NE6).
- Impacts on water quality and water quantity on Combe Pool SSSI and Herald Way Marsh SSSI (NE7).

The key concerns we have regarding Protected species are:

- Potential requirement for a bat licence (NE8).

We are satisfied that the proposals will not have a likely significant effect on Internationally designated sites.

Part I of these Written Representations provides a summary (above) and overall conclusions of Natural England's advice. This advice identifies whether any progress in resolving issues has been made since submission of our Relevant Representations (RR – 010). Our comments are set out against the following sub-headings which represent our key areas of remit as follows:

- International designated sites
- Nationally designated sites
- Protected species
- Biodiversity net gain
- Soils and best and most versatile agricultural land
- Ancient woodland and ancient/veteran trees

Our comments are flagged as red, amber or green:

- **RED** are those where there are fundamental concerns which it may not be possible to overcome in their current form

- **AMBER** are those where further information is required to determine the effects of the project and allow the Examining Authority to properly undertake its task and or advise that further information is required on mitigation/compensation proposals in order to provide a sufficient degree of confidence as to their efficacy.
- **GREEN** are those which have been successfully resolved (subject always to the appropriate requirements being adequately secured)

Natural England have not identified any red concerns based on the documents reviewed to date.

Since submission of our Relevant Representations, Natural England has had a meeting (via Teams, 04/04/25) with the Applicant to discuss noise impacts on Combe Pool SSSI and the air quality assessment. Further clarification regarding concerns around noise were sent to the Applicant (via email, 01/05/25). The key issues we raised in our Relevant Representations and via email (14/02/25) on air quality were discussed and it is our understanding that the Applicant will be providing further information and clarification.

The latest version of the Statement of Common Ground (SoCG) received by Natural England on the 20 May 2025 is currently being reviewed and developed between National Highways and Natural England. An initial SoCG was discussed at a Teams meeting on the 15 May 2025.

Internationally designated sites

Natural England's position regarding internationally designated sites **has not changed** since submission of our Relevant Representations (RR – 010). The comments made at the Relevant Representations stage regarding nationally designated sites (NE1) still stand and the status remains 'green'.

Further information is provided in Part II of these Written Representations (see Table 1).

Nationally designated sites

Natural England's position regarding nationally designated sites **has not changed** since submission of our Relevant Representations (RR – 010).

Further information is provided in Part II of these Written Representations (see Table 1).

Protected species

Natural England's position regarding European protected species **has changed** since submission of our Relevant Representations (RR – 010).

Our updated advice regarding impacts on protected species on the basis of further information submitted is set out below. Further detail on our reasoning for this is given against each impact pathway within Part II.

We are currently engaging with the Applicant in regard to surveys and the requirement for a licence for bats. At this stage Natural England has not received submission of draft bat protected species licence for review. Ultimately the decision as to whether a licence is required for the proposed works, and the related need to apply for one, is wholly for the applicant to determine, not Natural England.

Biodiversity Net Gain Provision

Natural England's position regarding provision of biodiversity net gain **has not changed** since submission of our Relevant Representations (RR – 010). Our position regarding biodiversity net gain provision is as set out in our Relevant Representations (RR – 010).

Further information is provided in Part II of these Written Representations (see Table 1).

Nationally designated landscapes

Natural England's position regarding nationally designated landscapes **has not changed** since submission of our Relevant Representations (RR – 010). Our position regarding nationally designated landscapes is as set out in our Relevant Representations (RR – 010).

Further information is provided in Part II of these Written Representations (see Table 1).

Soils and best and most versatile agricultural land

Natural England's position regarding soils and the best and most versatile agricultural land **has changed** since submission of our Relevant Representations (RR – 010).

Further clarification has been provided by the Applicant on issue NE13 that has resolved our concerns, and the status has changed from 'amber' to 'green'.

Further information is provided in Part II of these Written Representations (see Table 1).

Ancient woodland and ancient/veteran trees

Natural England's position regarding ancient woodland and ancient/veteran trees **has not changed** since submission of our Relevant Representations (RR – 010). Our position regarding ancient woodland and ancient/veteran trees is as set out in our Relevant Representations (RR – 010).

Further information is provided in Part II of these Written Representations (see Table 1).

Natural England's overall conclusions

Natural England are seeking clarification and further information on potential impacts and the mitigation measures proposed. If sufficient information/clarification is provided we believe this is likely to overcome our concerns. We shall continue to work with National Highways to resolve these issues.

Natural England's Written Representations

Part II: Natural England's detailed advice

Part II of these Representations updates and where necessary augments Part I of the Relevant Representations. It expands upon the detail of all the significant issues ('red' and 'amber' issues) which, in our view remain outstanding and includes our advice on pathways to their resolution where possible. Part II also shows 'green' issues which have been agreed since our Relevant Representations (RR – 010) (subject always to the appropriate requirements being secured adequately).

Natural England will continue engaging with the applicant to seek to resolve these concerns throughout the examination. Natural England advises that the matters indicated as 'red' and 'amber' will require consideration by the Examining Authority during the examination.

Natural England's Written Representations, Part II, Table 1

Table 1: Natural England's detailed advice						
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber /Green	Any updates since Relevant Reps?
NE1	International designated sites <ul style="list-style-type: none"> • Ensor's Pool SAC • River Mease SAC 	Consideration of potential impacts (C), (O)	<p>Natural England's position remains unchanged since our Relevant Representations:</p> <p>Appendix 8.12 Habitats Regulation Assessment Report has ruled out likely significant impacts on Ensor's Pool SAC and River Mease SAC due to distance (10.1km and 29.5km) and no hydrologically or hydrogeologically linkage and that neither site is notified for bats. Natural England agrees with this conclusion and is satisfied that the project is unlikely to have a significant impact on Ensor's Pool SAC and the River Mease SAC.</p>	No further information required.	Green	No

Table 1: Natural England's detailed advice						
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber /Green	Any updates since Relevant Reps?
NE2	National designated sites (biodiversity & geodiversity)	Combe Pool SSSI -Habitat loss (C)	<p>There will be some habitat loss within Combe Pool SSSI to enable replacement fencing along the SSSI and highway boundary fence line (pruning and felling of understorey shrubs) and potential loss from construction of the environmental bund.</p> <p>Natural England is mostly satisfied with the measures proposed to mitigate and the proposal for creation of 0.34ha of woodland to the north of the affected area.</p> <p>Since our Relevant Representations further information has been provided on the woodland creation proposals. We are mostly satisfied with these, though we advise that Holly and Blackthorn are included in the species mix.</p>	Secure mitigation and working practices to protect the SSSI from light and noise pollution impacts through Plans within the DCO (LEMP).	Green	<p>Yes, see text.</p> <p>Status changed from amber to green.</p>
NE3	National designated sites (biodiversity & geodiversity)	Combe Pool SSSI -Invasive Species (C)	<p>Natural England's position remains unchanged since our Relevant Representations:</p> <p>We are satisfied with the proposals for rhododendron and Himalayan balsam.</p>	Secure the following in the DCO: Invasive Non-native Species Management Plan.	Green	No
NE4	National designated sites (biodiversity)	Noise, light, vibration impacts on Combe Pool SSSI	In our Relevant Relevant Representation, we raised concerns regarding potential impacts on the SSSI from noise both during construction and operation, and mitigation options. Natural England have discussed these concerns with the Applicant (via	Further information required. Secure mitigation and working practices to protect the SSSI from light and noise pollution	Amber	Yes, see text.

Table 1: Natural England's detailed advice						
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber /Green	Any updates since Relevant Reps?
	& geodiversity)	(C), (O)	<p>Teams, 04/04/25) and provided further advice (via email, 01/05/25) on assessment of impacts and measures to mitigate this impact. We are waiting for further information and clarification from the Applicant regarding measures that will be secured to mitigate noise and vibration during construction and operation.</p> <p>Natural England's position remains unchanged since our Relevant Representations in regard to lighting:</p> <p>Lighting was identified as a potential impact on the SSSI in the ES Chapter 8- Biodiversity. We note Commitment G3 in the REAC, Appendix A of the First Iteration Environmental Management Plan but this makes no reference to the SSSI. Vegetation clearance between the road and the SSSI is likely to increase potential impacts on the SSSI, it is unclear if this has been considered. Further clarification should be provided on measures to prevent lighting impacts on the SSSI.</p>	impacts through Plans within the DCO (LEMP/CEMP).		
NE5	National designated sites (biodiversity)	Potential air quality impacts (dust) on Combe Pool SSSI (C), (O)	Natural England's position remains unchanged since our Relevant Representations:	Secure the following in the DCO: Construction Air Quality and Dust Management Plan.	Green	No

Table 1: Natural England's detailed advice						
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber /Green	Any updates since Relevant Reps?
	& geodiversity)		We are satisfied that dust is unlikely to have a significant impact subject to best practice mitigation measures being employed.			
NE6	National designated sites (biodiversity & geodiversity)	Potential air quality impacts (NO _x , NH ₃ , N dep) on Combe Pool SSSI and Herald Way Marsh SSSI (O)	In our Relevant Representations (RR – 010), Natural England advised that additional clarification was required regarding potential impacts of air quality on Combe Pool SSSI and Heard Way Marsh SSSI. Natural England have since discussed this matter with the Applicant (via Teams, 04/04/25) and understand that additional clarification from the Applicant, will be provided via an Air Quality Appendix which will address this matter.	Further information required.	Amber	Yes, see text.
NE7	National designated sites (biodiversity & geodiversity)	Potential impacts in water quality and water quantity on Combe Pool SSSI and Herald Way Marsh SSSI (C), (O)	Natural England's position remains unchanged since our Relevant Representations: Pathways have been identified between the site and the SSSIs. We are unclear about the specific measures that will be used to prevent impacts on the water quality and quantity of the SSSIs. This includes measures in relation to the environmental flood bund works on the SSSI. Furthermore, we have not seen or found any reference to a construction environmental management plan. Further clarification and information should be provided.	Further information required. Secure mitigation and working practices to protect the SSSI from water quality/quantity impacts though Plans within the DCO (LEMP/CEMP).	Amber	No.

Table 1: Natural England's detailed advice						
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber /Green	Any updates since Relevant Reps?
NE8	Protected species	Protected species licenses (C)	<p>In our Relevant Representations, we noted that there is a requirement for a protected species licence to be obtained from Natural England for badgers (ES 8.10.23). Natural England has provided a Letter of no Impediment for badgers and a copy of this can be found in Appendix 8.14. A badger license will be required if the DCO is granted.</p> <p>Since our Relevant representations response, the Applicant has approached NE with a query regarding bat tree surveys and the potential for a bat licence. NE and the Applicant are engaging over this matter, with NE providing input on the bat licence requirements and approach which would be required in order to provide a Letter of No Impediment for the scheme with respect to bat licensing.</p> <p>Further information relating to wildlife licensing and NSIPs is provided within the Planning Inspectorate's Nationally Significant Infrastructure Projects (NSIP): Advice on working with public bodies in the infrastructure planning process, Annex C: Natural England and the Planning Inspectorate. Specifically, Appendix I: NSIPs and Protected European Species Licensing Issues. See also Natural England's Standing Advice.</p>		Amber	<p>Yes, see text.</p> <p>Status changed from green to amber.</p>

Table 1: Natural England's detailed advice						
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber /Green	Any updates since Relevant Reps?
NE10	Biodiversity net gain	Biodiversity net gain (O)	<p>Natural England's position remains unchanged since our Relevant Representations:</p> <p>Biodiversity Net Gain (BNG) is not mandatory for NSIPs until November 2025, therefore, the following comments are advisory.</p> <p>Appendix 8.1 Biodiversity Net Gain Report. Natural England welcomes the inclusion of the Biodiversity Net Gain report. We note the increases outlined for area based and linear hedgerow habitats of +11.87% and +15.38% and the decreases of broadleaved woodland and linear hedgerow associated with bank or ditch of -21.30 and - 3.31 units (5.1.2).</p>	We would suggest a commitment via requirement to deliver a minimum of 10% BNG and that the gains outlined are secured along with a Habitat Management and Monitoring Plan via a requirement in the DCO.	N/A	No.
NE11	National designated landscapes	Location of site in relation to nationally designated landscapes (C), (O)	<p>Natural England's position remains unchanged since our Relevant Representations:</p> <p>The site is not located within, or within the setting of, any nationally designated landscapes. As a result, Natural England has no specific comments to make on the landscape implications of this development. The examining authority should have regard for the landscape character of the area; we welcome the reference to Natural England's National Character Areas within ES Chapter 7: Landscape and Visual Effects.</p>	No further information required.	Green	No

Table 1: Natural England's detailed advice						
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber /Green	Any updates since Relevant Reps?
NE12	Soils and best and most versatile agricultural land	Permanent loss of BMV land <20ha (C), (O)	<p>Natural England's position remains unchanged since our Relevant Representations:</p> <p>It is stated in Table 9-13 of ES Chapter 9: Geology and Soils that permanent loss of best and most versatile (BMV) agricultural land totals up to 11.1 ha (7.8 ha of Grade 1 and 3.3ha of Grade 3a agricultural land). The total permanent loss of BMV is below 20ha and falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements.</p> <p>If there is a change to the amount of BMV agricultural land to be lost, it is requested that Natural England be re-consulted.</p>	No further information required.	Green	No
NE13	Soils and best and most versatile agricultural land	Temporary loss and reinstatement of BMV land <20ha (C), (O)	In our Relevant Representations, we raised concerns regarding lack of information on monitoring and reporting, where soils are to be re-instated and returned to agriculture. The Applicant has provided further clarification (via email, 16/05/25) that the Soil Handling Management Plan will include this information.	Secure the following in the DCO: Soil Handling Management Plan.	Green	Yes, see text. Status changed from amber to green.
NE14	Soils and best and most versatile	Soil storage and handling (C), (O)	<p>Natural England's position remains unchanged since our Relevant Representations:</p> <p>Appendix 9.2 Soil Resource Plan and Agricultural Land Classification. We are mostly satisfied and we</p>	Secure the following in the DCO: Materials Management Plan and Soil Handling Management Plan.	Green	No.

Table 1: Natural England's detailed advice						
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber /Green	Any updates since Relevant Reps?
	agricultural land		welcome the proposal for the Soil Handling Management Plan. We have provided advice to National Highway's consultants and expect to see this reflected in the Soil Handling Management Plan.			
NE15	Ancient woodland and ancient/veteran trees	Potential air quality impacts on ancient woodland and veteran trees (O)	<p>Natural England's position remains unchanged since our Relevant Representations:</p> <p>As noted in ES Chapter 8: Biodiversity, there are several ancient woodlands (Binley Common Farm Wood, Willenhall Wood LNR, LWS and Piles Coppice LWS) located within 200m of the affected road network (Table 5-27). There are also several veteran trees located within 200m of the affected road network. Given their proximity, these receptors may experience changes to air quality due to the project.</p> <p>Where Ancient Woodland and Ancient/Veteran Trees do not form part of a SSSI, Natural England will only provide bespoke advice in exceptional circumstances. As a result, our advice in this instance is limited to the Natural England and Forestry Commission 'Standing Advice' for ancient woodland, ancient trees and veteran trees.</p>	No further information required.	Green	No.

Natural England's Written Representations

PART IV: Natural England's detailed comments on the Development Consent Order (DCO) and associated documents

Part IV of these Representations provides Natural England's detailed comments on the Development Consent Order and detailed comments on issues not addressed in the DCO (omission comments).

Page	DCO/DML or Omission ref	Natural England's comments	Risk (Red/Amber/Green)
47	Requirement 4 Second Iteration EMP	<p>We welcome the commitment within the Second Iteration Environmental Management Plan to include the following plans listed below. We have provided comments and additional advice to the applicant on matters regarding impacts to the Combe Pool SSSI via water quality/quantity, light and noise impact pathways, and Herald Way Marsh SSSI via water quality/quantity impact pathways. We advise that this should be secured in appropriate Plans (LEMP/CEMP) which are contained within the DCO in order to ensure that potential impacts the the SSSIs are clearly cited and mitigation secured. In addition planting requirements with respect to Combe Pool SSSI (NE2) should be clearly secured through the LEMP.</p> <p>(b) Construction Air Quality and Dust Management Plan, (d) Construction Noise and Vibration Management Plan; (f) Invasive Non-native Species Management Plan; (g) Landscape and Ecology Management Plan; (h) Materials Management Plan; (j) Site Waste Management Plan; (k) Soil Handling Management Plan; (l) Water Monitoring and Management Plan</p>	Green
48	Requirement 8 Protected species	<p>We welcome the inclusion of this requirement. We also welcome the wording specifying that work must cease if any protected species are found beyond those identified in the environmental statement or nesting birds, and work must not re-commence until any necessary licences are obtained.</p>	Green

Page	DCO/DML or Omission ref	Natural England's comments	Risk (Red/Amber/Green)
49	Requirement 9 Surface water drainage	We welcome the inclusion of this requirement.	Green

