EKFB – Save Leather Lane meeting

to Discuss Leather Lane

Gt Missenden Memorial Hall
18th May 2022

Participants –

EKFB

SG	Siavash Ghorbany	Engineer
NMcM	Neil McMillan	Engineer
SM	Simon Matthews	Interface and Stakeholder Director

Ssave Leather Lane Oaks (SLLO)

AB	Alan Brackley	Consultant Engineer
DW	Dominic Woodfield	Ecologist (Bioscan)
CA	Carol-Anne O'Callaghan	CSLLO
LS	Lindsey Spinks	CSLLO/Lawyers for Nature
JC	Jim Conboy	Chiltern Society

Bucks Council (BC)

GK	Gavin Kingsnorth	Planning Officer
PM	Peter Martin	Bucks, HS2 lead
JMcB	Jane MacBean	Chesham & Villages Councillor
RB	Rod Black	Transport for Bucks

Parish Councillors

CS	Colin Sully	The Lee PC
MJ	Mike Johnson	Gt Miss PC

Campaign presentations

Ecology

LAS we have our Ecologist here because the basis for our campaign and need to re-route the Leather Lane over road is routed in Ecology.

CA Purpose of meeting is to assist Bucks. Presence of ecologist essential to understanding drivers for requiring design changes.

DW Importance of LL for bats not recognised in Environmental Statement. Must consider less damaging alternatives to the bill design which results in substantial loss of important flight corridor

EKFB points with bullet point responses to ecology information provided by campaign – these responses suffer from misconceptions; in fact, the surveys indicate that Barbastelle roost/roosts are likely to be nearby; Leather Lane corridor may be critical to survival of these roosts (only known ones in S Bucks, so regionally important). So must reduce impact in

accordance with Mitigation Hierarchy and statutory duty under the NERC Act S40 in order to protect biodiversity.

North side alternative (Option 7) must be considered and adopted if it presents a reasonable and practical alternative that is less damaging. Statutory duty on Bucks Council under NERC Act Section 40, to pick least damaging option; this also applies to HS2 as (in part) a public body.

The Campaign therefore believes that option 7 warrants serious consideration by Bucks Council.

Bucks & EKFB should seek engagement with the campaign, and provide mitigation in accordance with the duty.

LAS asks EKFB who prepared the points on our Ecology reports – SM admits that it was him

SM – EKFB to submit written report later, as no Ecologist available

North Side Bridge (Option 7)

AB

Design parameters were agreed with **SG.** It was noted that there was a high degree of conformity between Alan Brackley's design and the design parameters set by HS2.

EKFB's design (Option 6) was designed to DMRB[1] @ 60mph which means inserting a standard national road in a rural lane - it should be designed to existing character of Lane, with 25-30mph speed limit max. Likely to be driving without due care and attention if not.
This is common sense but requires a departure from default adoption standards. Bucks are amenable to this where it is justified. Bucks can relax 60mph standard to enable tree preservation
North side obviously preferable, it requires gradient of 1 in 6, 1 in 6.5.
Existing Lane (& others in the area) are steeper, so this gradient is not unusual on minor roads in Chilterns. Dunsmore is 1in 4 – this is not out of character with area.

Our Design is not as skewed as EKFB – once you start skewing → increase costs

SG states that there needs to be access for 16.5 tonne artic (**NMcM** – required to deliver/maintain transformer) – this was discussed. Issue applies to both sides – not specific to North.

AB pointed out that the restrictions of the lane outside of the LOD created a problem for vehicles this size in any event. SM stated that they recognised this issue.

[1] Design Manual for Roads and Bridges

AB – noted that there are design solutions for accommodating rare transit of larger vehicles. Cited example of upland wind farms in the Highlands and AILs, access for e.g. 60m blades which can be achieved(**NMcM** - HS2 spec) how often does ATM[2] need changing ?

NMcM – Opt 6 is designed to HS2 spec
RB DMRB not applicable in this case
SG - vertical departure (from Standard) has been requested;
using shallow profile, intermediate beams, 2.2m deep (for bridge deck)
CA - our design meets spec - no disagreement
CS - Opt 7 meets spec?
AB Yes, albeit some departures required; Clearance 6.35m over railway

Option 7 design – AB

Gradient, curves, no worse than existing lane
DW asks what the curve radii are?
CA - Our bridge is straighter - so cheaper
NMcM – piers? close to track; **AB** what loading? HA or HB (which would be OTT)
CA - what is the clearance? 6.469m (EK) has some play
SG - clearance is compatible (**PM** Is it Adequate? - **SG** YES)
SM – Is Retaining Wall required (at lower tie in)? Yes if 1:8, but not if gradient is 1:6 (**AB**)
DW expressed concern that there was focus on creating a compensatory Holloway rather than retaining the existing Holloway. This is not the correct approach – the priority is to preserve the existing Holloway, not create a new one – AVOIDANCE where possible, not mitigation. Bats may not use the new Holloway for at least a decade.
SG - Drop culvert outlet moved, so more lane preserved
SM - existing Holloway will work in time, so should create a new one?
Will take 25 years to be (environmentally) effective (**CA**, **JMcB**)
Ecology is the first concern, -. Holloway secondary (**CA**, **LS, DW)**

Holloway is destroyed by the line & is fragmented. What Mitigation is proposed? (**CS**)
Mitigation - protection of trees is not good at present.

CA This does not inspire confidence in efficacy. DW noted that it is preferable to avoid risk of transgressions (of the type reported by CA) by routing the works to be well clear of trees, rather than relying on mitigation.
LS - Bowood Lane is not a good example of protection or the efficacy of mitigation and compensation. No one has taken responsibility for the watering and maintenance and the Grey Squirrels ring the bark which prevents them from growing which means replanting fails. We learnt this from a local gamekeeper who came to our community meeting at the end of January.
CA – We need a true East - West mitigation corridor, some sort of crossing needed immediately - only S.Bucks Barbastelle colony at risk
SM This is not substantiated – EKFB propose doing own surveys
DW explained how the only logical conclusion for the numbers of barbastelle registrations at LL was a nearby colony (likely within a few km), and that any such colony would be the only one known in S Bucks and therefore of regional importance.

[2] Auto Transformer – power supply for overhead line

He challenged the legitimacy of EKFB's ecologists myopic review of a partial glimpse of the dataset and then trying to diminish the significance of the barbastelle registrations within it. On any analysis, there must be a barbastelle roost/colony nearby and it is the only one known in S Bucks. That is the starting point for defining the mitigation burden in accordance with the statutory duty and the commitments under the HS2 Act.

EKFB were reminded that HS2 produced bad baseline surveys and so the ES was flawed. The position had changed and that is why a design compatible with the Mitigation Hierarchy was needed.

HS2/EKFB should conserve, not minimise, so leapfrogging avoidance and defaulting to mitigation and compensation was not acceptable. Consequently, there was an obligation to first achieve absolute minimum tree loss from the crucial flight line, regardless of what was proposed in mitigation and compensation.
SM stated that EKFB would respond to the results of their own surveys programmed for the coming weeks.
MJ New surveys will record 'shifted' baseline, as damage already done, no further mitigation has been done, so reduced bat numbers
HS2/EKFB have an obligation to correct damage due to bad ES[3] survey (**DW**)
DW stated that because of the damage already done, the full dataset held by CA is likely to be as or more useful than new EKFB surveys. EKFB could even save themselves money on new surveys by analysing the CA dataset.
CA 7 bat species recorded. Only one survey with lows numbers. 1500 bats one night, near copse. Couldn't afford to analyse all surveys.
SM EKFB will share the scope of surveys discussed with Mike Sharp (Ecologist) at Bucks
It was also agreed that CA will share the full raw Anabat dataset with EKFB and they would analyse it to inform theirs and Bucks' considerations. This has not been analysed to date as it is expensive and the campaign cannot afford it. Likely to contain useful information on use of LL, including by barbastelle.

SM Key challenge re alignment on East Side – space proofing for AMPTS – can move 100m north which would impact on visual screening → need to review
PM asks if practically possible – **SM says yes**
MJ – must weigh relative impacts – additional landscape impact v ecology
DW – then change landscape design to disguise it
PM – Opt 7 saves how many trees?
87 left after Track gap –which needs mitigation (**MJ**) Like a Green Bridge? (**DW**)
SM - use verge on bridge; impact on Holloway ?
DW – Priority is to save the bat corridor
McM - where will bats go?
DW Bats follow flightlines – they will need new ones.
NMcM - our bridge is nearer existing Flight line?
CA – detail of landscape to be provided. Of course the same landscape treatments as they propose could be applied to Option 7.
CS - The hedgeline at top of Leather Lane, might require felling?

[3] (HS2) Environmental Statement

CA responds - Our current design saves those trees and hedgerows because road is curved but if detailed design or Highways requires that our road design to be flatter, then one tree at least and part of the hedgerow would possibly need to be removed.
CS Asks about **b**ats - which are roosting near the lane, and which use the corridor
DW – Survey suggests nearby Pipistrelle roosts. ES probably missed them; may still be there. Barbastelle more woodland orientated – likely roost in connected woodland

Opt 6A status - SM

SG - Have altered ATM Bell-mouth, narrower, departure accepted by HS2; still close to trees T4, T8 -
CA - T4 roots have already been disturbed – we have filmed
SG – **Western tie in:**
55 trees present. Design did remove 31, now 12, only 2 or 3 oaks.
(Would that be another 100 m gap ? **MJ**)
SG No, 55-60m gap .
CA And 5 more for culvert ? (No, design now changed - **SG**)
AB - could tighten bend, narrow gap, save (4?) more
SG – Have increased gradient to 15.7%, moved tie in back (uphill ?)
SM, **SG** - could reduce tree count to 8 with sharper bend, revise earthworks
Design (already) agreed with Bucks in principle
CA questions the above statement - SG confirms with Officers only - **MJ**, **CS**)
LS – 87 out of 99 trees are left now – asks to confirm if it would be 75 remaining with existing design , 79 if revised? **SG** confirms
CA – what about T4 & T8? one has a PBR and it needs conservation
PM – Bucks Council should formally request protection
CA - All should have been protected, is in HS2 EMR[4] - footfall should be reduced, but there is a container positioned under trees, others used as car park (20 vehicles), none protected, aggregate has been piled on roots and lorry impacts (on branches) observed.
>>> **SM** will contact Project Manager. **CA** - work should have been stopped
Direct Inlet Culvert – where are concrete walls from ?? - (**JMcB**)
SG – was surprised - not sympathetic to location .
Surprise doesn't go down well (**PM**)
DW asked - How did this happen?

SM - revised 6a is current best EKFB option
DW - acknowledges efforts made by EKFB in reducing impact
Still believes option 7 is more viable - Compunction on BC to therefore choose Option 7
Putting big gap in flightline is a significant impact and may alter way they use landscape
NMcM – Option 7 – gap in the trees is only difference.
DW - pips not so bothered by gaps, others are. It will affect viability of any nearby roost. Added impacts from construction etc. may cause site to be abandoned. There must be local roosts
JEC EKFB should pay to analyse rest of **CA's** data ? Agreed !! **>>>> SM**
DW - **CA** data is more useful, as before impacts. Data collected after felling doesn't compensate for ES shortcoming.

[4] Environmental Minimum Requirements

CA will continue to collect data for comparison. Two Anabat detectors used - at track & elsewhere
RB – Bucks will help to accommodate the design in order to accommodate bats and Ecology.
CS - Opt 7 is outside limits of deviation for the work?
SM – LoD outside planning permission – if they move work they will need to make a planning app
CA Reiterates re Option 7 - that the gradient at Western tie-in, the distance from track to bottom of bridge is comparable to EKFB design. Also, we will NOT require a retaining wall with that gradient

What will happen once Leather Lane closed

CA - Maintain existing lane as Bat conservation area for local community, helps with corridor – put bollards in to stop vehicles
MJ - Bowood, problems with fly tipping
SM - landscape team will look at it
LS – would be a payback to the community, EKFB need more meaningful engagement.

Key Points:

- Both designs are outside of LoD so same issue applies to both designs;
- MPATS accessibility applies to both designs;
- Option 7 appears to be cheaper and would save more trees and protect remaining bat corridor.

Next Steps:

1. SM to contact Project Manager re tree roots
2. CA to share data with Simon
3. SM – need to show appropriate mitigation
4. JMcB – start a conversation re. mitigation for track trace – SM agrees
5. RB to look at highway implications
6. CA – re track – get HS2 to agree to mitigation
7. Start dialogue re. Bat conservation area