

Comments on the Applicant's D5 Submissions

This document sets out the comments on the Applicant's Deadline 5 (D5) submissions by Cambridgeshire County Council (**CCC**). The tables below set out the document in question that the Council is commenting on, together with the relevant paragraph or reference number.

Except where expressly stated otherwise below, the Council reiterates and relies on its comments submitted to the ExA at previous deadlines.

Matters relating to ecology have been written in consultation with East Cambridgeshire District Council who support the comments.

6.2 Appendix 8M Habitats Regulations Assessment: Report to Inform an Appropriate Assessment - Rev: 02 [REP5-045]

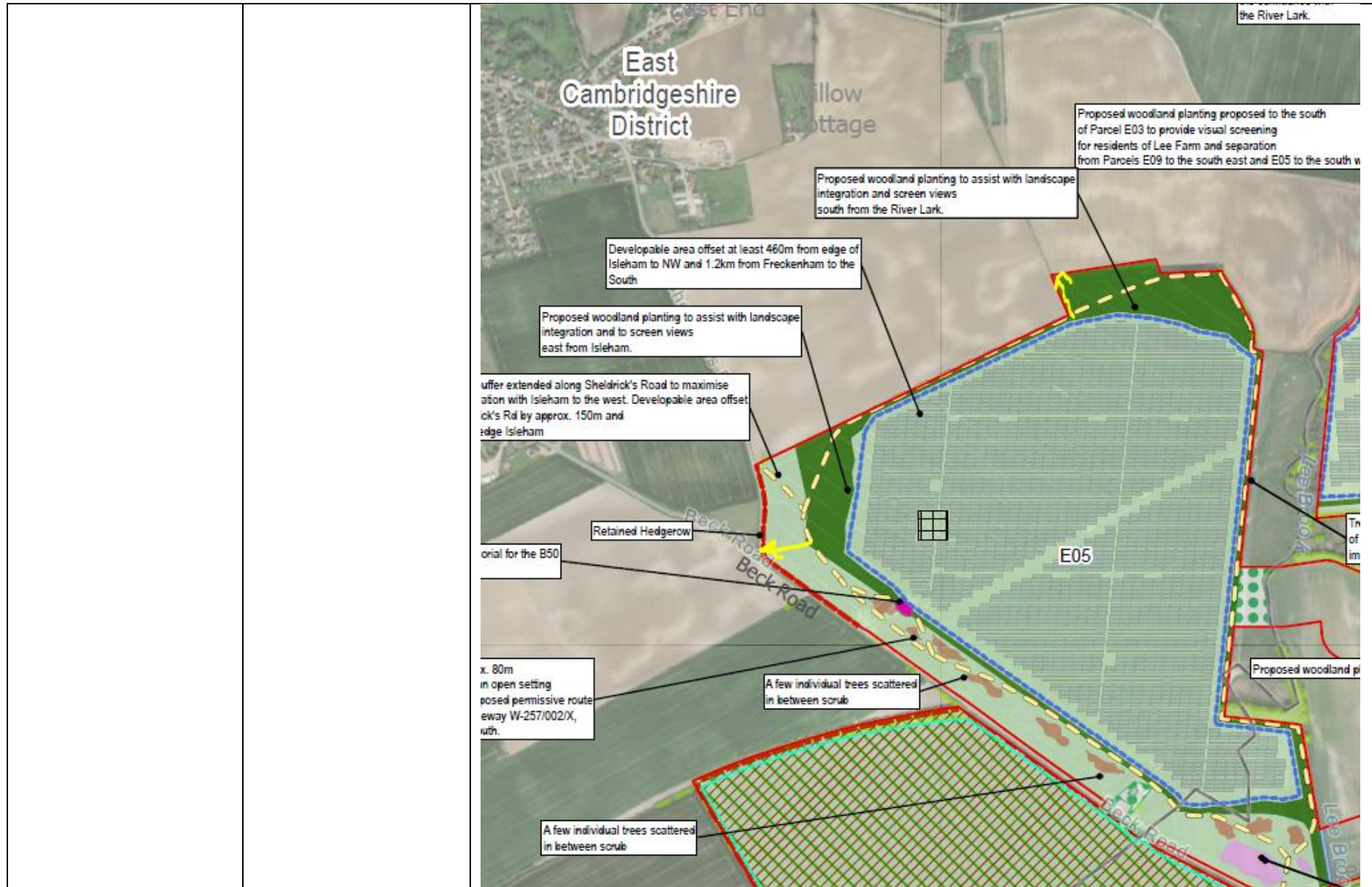
Topic	Paragraph Number	Council's Comment
Impact Pathway: Physical displacement from functionally linked land – Displacement of Stone Curlew through loss of nesting and foraging within the Order land during construction.	5.4.7 – 5.4.15 (Mitigation)	<p>The HRA assessment assumes that nesting / foraging habitat can be delivered to mitigate impacts to Stone Curlews.</p> <p>The Council is concerned that 10 nesting plots and 16 hectares of optimal grassland per breeding pair cannot be delivered, as set out in the Council's response to the Offsetting Habitat Provision for Stone-Curlew Specification [REP5-047]. (See Page 23 of this document).</p>
Impact Pathway: Physical displacement from functionally linked land – Continued displacement of Stone Curlew through loss of nesting and foraging within the Order land during operation	5.4.34 – 5.4.44 (Mitigation)	<p>As above, the HRA assessment assumes that nesting / foraging habitat can be delivered to mitigate impacts to Stone Curlews.</p> <p>The Council is concerned that 10 nesting plots and 16 hectares of optimal grassland per breeding pair cannot be delivered, as set out in the Council's response to the Offsetting Habitat Provision for Stone-Curlew Specification [REP5-047]. (See Page 23 of this document).</p>

6.2 Appendix 10I Landscape and Ecology Management Plan (Tracked) - Rev: 02 - Late Submission Accepted at the Discretion of the Examining Authority [REP5-012]

Topic	Paragraph Number	Council's Comment
Biodiversity - General		<p>The Councils raised concerns within the Local Impact Report (para 8.52) [REP1-024] about the heavy reliance in the ES on the Framework CEMP, OEMP and OLEMP because these documents are lacking clarity, detail and in some cases are inconsistent.</p> <p>The Council supports the submission made by West Suffolk Council at Deadline 6, that there are many omissions and inconsistencies within the OLEMP.</p>
Farmland Birds - General		<p>As set out in the Council's LIR (para 8.105-8.109) [REP1-024], the Council is concerned the scheme provides inadequate compensation for farmland birds, which include species of principal importance for conservation of biodiversity in England (priority species).</p> <p>The OLEMP does not provide any information to demonstrate how habitats will be created, enhanced and managed to compensate for adverse effects on:</p> <ul style="list-style-type: none"> • Breeding bird assemblage (county importance), including priority species, such as Yellowhammer, Linnet, Reed Bunting and Skylark (up to 98 breeding pairs recorded on the site); and • Breeding Quail and Little Ringed Plover (county importance / priority species). <p>The Council is especially concerned that the current management prescriptions for grassland areas will not be appropriate to support ground nesting species, particularly due to constraints with management for other target species / habitats and protection of archaeological interest. For example, there will be no suitable breeding habitat for skylark within solar panels parcels or ECO1, ECO2 and ECO3. The remaining areas of the site are unlikely to support 98 pairs (current recorded on the site). Therefore, off-site compensation is likely to be required.</p> <p>The Council refers to paragraph 5.3.17 of National Policy Statement EN-1, which states that <i>"The IPC should ensure that these [priority] species and habitats are protected from the adverse effects of development by using requirements or planning obligations. The IPC should refuse consent where harm to the habitats or species and their habitats would result,..."</i></p>

Arable Flora / Arable Field Margins (Priority Habitat) – General		<p>As set out in the Council’s LIR (para 8.92-8.95) [REP1-024], there is concern the scheme provides inadequate compensation for arable field margins, which are a habitat of principal importance for conservation of biodiversity in England (priority habitat). This priority habitat will be adversely affected by the development, including the loss of fields supporting arable plants of local, district and county importance.</p> <p>The OLEMP does not provide any information to demonstrate how habitats will be created, enhanced and managed to compensate for adverse effects on arable flora (arable field margins – priority habitat). It is unlikely that these areas will provide adequate mitigation for loss of arable flora and therefore, off-site compensation will be required.</p> <p>The Council refers to paragraph 5.3.17 of National Policy Statement EN-1, which states that <i>“The IPC should ensure that these [priority] species and habitats are protected from the adverse effects of development by using requirements or planning obligations. The IPC should refuse consent where harm to the habitats or species and their habitats would result, ...”</i></p>
Biodiversity Net Gain – Management Prescriptions and Target Conditions		<p>The Biodiversity Net Gain assessment [REP5-048] states that <i>“the management regime required for the created and enhanced habitats to reach their target condition in the specified timeframe is provided in Outline Landscape and Ecology Management Plan”</i> (paragraph 4.4.2)</p> <p>This has not been achieved within the OLEMP, with omissions of management prescriptions for the majority of habitat, and not target conditions provided. These habitats include (but are not limited to): lowland calcareous grassland, lowland dry acid grassland, other neutral grassland, rush pasture, watercourses (e.g. ditches / river) and hedgerows / trees.</p> <p>The OLEMP must be updated to demonstrate how the predicted BNG scores will be delivered.</p>
PROW	2.2.1	The Policy section of the OLEMP is missing the Cambridgeshire Rights of Way Improvement Plan, which is a statutory document adopted by CCC as policy. This should be added.
PROW / Landscape	4.1.9	The Council welcomes the proposed avoidance measure now included, which should help to reduce adverse impact on NMUs using PROW in the surrounding landscape, subject to actual design and approval.
Protected Species Licences / Badger Setts Closure	4.2.6 & 4.2.33	Remove reference to badger setts.

		As set out in the Council's response to Written Summary of Applicant's Oral Submissions at the Issue Specific Hearing – Environmental Matters on 7 December 2022 (para 3.3.16) [REP5-091], reference should be made to the potential requirement for bat licence for tree works. The Council seek this be added to the OLEMP.
Lighting	4.2.43	Lighting should be sensitively designed for wildlife and accord with the Bat Conservation Trust (BCT) / institute of Lighting Professionals (ILP) guidelines. Dark corridors along tree lines, hedgerows, watercourses etc. must be retained during construction and operational phases
PROW / Landscape	5.2.1f	<p>The Council is disappointed that the Applicant considers it is not possible to provide dedicated public paths during the life of the scheme, due to the nature of its land-holding. The Council nevertheless welcomes the proposed additional permissive paths across the Application site as an interim solution.</p> <p>The proposed additional permissive route around E05 is welcomed, subject to detail. However, the Council still considers that the Applicant can do more to mitigate impact on the NMUs by committing to the landscaping proposals as set out by the Councils and included in Suffolk County Council's submission at D5 [REP5-084] response to ExA question 2.0.9, involving reduction of the area of solar panels along the western side of E05 to enhance the plane crash site experience as a historic community feature, enabling unimpeded views to Isleham and back from the village to the crash site.</p> <p>The Council welcomes the spur proposed on the revised Environment Masterplan [REP5-061] to Sheldrick Road and down to the Freckenham bridleway, but requests an additional spur to Beck Road, and one to the northern edge of the site to enable connection with an onward NMU link to East Fen Drove to be created by the Council – using the s106 monies to be agreed with the Applicant. These spurs are shown with yellow arrows on the extract from the EM below. These links would then create meaningful additions to public access in the area.</p>



		<p>The Council seeks further engagement from the Applicant to resolve this matter.</p> <p>The Council also considers that the Applicant has not done enough to provide additional NMU access across the rest of the Application site and the opportunities presented by the cable corridors, such as routes suggested by the Fordham (Cambridge) Walking Group (made reference to in [AS-315]). The Council would welcome engagement on this matter jointly with Suffolk County Council to resolve their objections.</p>
PROW / Landscape	5.2.3j	The additional hedgerow proposed alongside E12 to screen PROW users is welcome, subject to selection of appropriate species (5.3.2a is noted).
PROW / Landscape	5.3.2b	The Council welcomes the addition of the commitment to replace vegetation removed to facilitate construction of cable routes and access tracks.
PROW / Landscape	5.4	The General principles for long-term management of hedgerows do not appear to include the Council's request to include assessment of existing PROW screening vegetation belts during the life of the development to identify gaps that may develop, and replacement planting. The Woodland section only appears to cover proposed new planting. The Council requests that this omission is addressed and maintains its objection in this respect.
PROW / Landscape	5.4.4-5.4.13	<p>The Council welcomes the amended design principles and outline specification for hedgerows to accommodate PROWs/permissive paths and their ongoing maintenance, and the re-establishment of existing hedgerows.</p> <p>The design principles should follow the Cambridgeshire County Council's Planners & Developers' Design Guide (Appendix 1), which includes a standard for new planting 2m offset to avoid encroachment.</p>
Grassland Creation	5.7.12	<p>Approaches to grassland creation also need to take into account the underlying archaeological interest.</p> <p>It is unclear why using a crop to reduce soil nutrients has not been considered.</p>
Stone Curlew	Section 5.8	<p>The proposed grassland creation and establishment, along with proposed fencing within the LEMP is inconsistent with the Offsetting Habitat Provision for Stone-Curlew Specification [REP5-046]. The document must be updated to ensure consistency.</p> <p>There has been no consideration of the protection of archaeological interest of the site, as set out in both Cambridgeshire County Council and West Suffolk District Council's response to WQ2.2.6 [REP5-079] and [REP5-085], respectively. This includes:</p>

		<ul style="list-style-type: none"> • Impact of temporary anti-predator and stock fencing; and • Usage of standard minimum tillage cultivation appropriate for archaeological sites for grassland establishment (e.g. direct drill of ECO1) <p>There should be a permanent anti-predator fence around ECO1 to stop access onto the site by general public. Any temporary fencing to manage the grazing at the site will need to be agreed with archaeologist.</p> <p>Given the archaeological and ecological interests and constraints within ECO1-ECO3, the Councils consider it most appropriate for the Offsetting Habitat Provision for Stone-Curlew Specification [REP5-046] to be appended to the OLEMP, along with the OHEMP in Annex F.</p>
PROW / Landscape	5.9.8a, b	It is incorrect to characterise Restoration of existing PROW affected by construction and screening of PROW affected by glint and glare as a benefit. These are basic mitigation of adverse impact requirements. The wording should be adjusted to be accurate.
	5.9.8d,e,f	As set out above under 5.2.1f, the additional permission access is welcomed but insufficient. Greater connectivity as recommended by the Council would better achieve the suggested benefits listed here.
PROW / Landscape	5.9.9	The Council welcomes the addition of a circular permissive path around E05 with the spur to Sheldrick Road and to what we imagine is intended, to the Freckenham bridleway. It is difficult to be certain as PROW are not shown on the Plan. This omission should be addressed, in order to make it clear to the public and stakeholders what the intentions are. The Council welcomes the additional space around the crash site and provision of a memorial in principle. However, the public are unlikely to be able to see the site from the viewing point. Little effort appears to have been made to provide a sympathetic, meaningful and integrated view and access to the site. The Council refers to its response at 5.2.1f above regarding this matter and the proposed permissive access around E05.
PROW / Landscape	5.9.10 5.9.11	<p>The Council is content with the proposed surface type for the permissive paths, but requests that the design principles follow the Cambridgeshire County Council's Planners & Developers' Design Guide (Appendix 1), which includes standard for planting of a 2m offset to avoid encroachment.</p> <p>The text needs to be amended to '<i>The self-binding gravel path around E05</i>' to align with the amended proposal for a circular path.</p>

PROW / Landscape	5.9.14	The Council welcomes the recognition that a good PROW network is key to effective ecological mitigation. However, as set out at 5.2.1f and 5.9.9, the Council considers that the Applicant has not provided sufficient public access to constitute effective mitigation.
Post-Construction Monitoring	6.1.4 – 6.1.6	<p>As set out in paragraphs 8.131-8.134 of the Council's LIR [REP1-024], the monitoring of habitats and species must be expanded to cover the entire operational period of the scheme.</p> <p>The monitoring should reflect that set out in the Framework OEMP, including annual monitoring of Stone Curlews for the lifetime of the Scheme [REP5-010]. Monitoring should also include aquatic macroinvertebrates, as promised by the Applicant within the Draft Statement of Common Ground with Suffolk Wildlife Site, as highlighted in the Council's response (Table 2, row 1, page 7) [REP5-091].</p> <p>Post-construction habitat monitoring should also include BNG Audit process, so that deliver of the BNG credits identified in the BNG report [REP5-048] can be monitored throughout the lifetime of the development.</p>
Figure 9 Illustrative Cross Section 2 – Beck Road	Page 108	The illustrated cross-section does not accurately reflect the habitats or location of permissive path shown upon sheet 2 of the revised Environmental Masterplan (Zoomed In) – 1 [REP5-061].
PROW / Landscape	Annex B	The sectional drawings incorrectly show verges that are part of the highway. This is misleading. The Councils have repeatedly requested that the Applicant obtains highway boundary data and adds the boundaries to their plans, in order to better inform assessment of the Application. The sections should be amended to define the highway boundary. This means that the measurements shown need to be amended accordingly.
Outline Historic Environmental Management Plan (OHEMP)	Annex F	The OHEMP only covered APA areas and therefore both ECO2 and ECO3 are omitted. Management of ECO2, and most likely ECO3, for Stone Curlews are constrained by the archaeological interest at the site. The archaeological constraints / requirements must be clearly set out in the OLEMP, either within the OHEMP or a separate annex.
OHEMP	Annex F	The OHEMP provides no details of the archaeological constraints for APA ECO1. Further details about what fencing and grassland establishment/ management is allowed within the APA, so that it can be determine whether or not the proposed management of the site for Stone Curlews (as set out in the OLEMP & Offsetting Habitat Specification) can be delivered.
OHEMP	Annex F, 3.3.2	The protective fencing for ECO1 should take into account that anti-predator fencing / stock proof fencing is also proposed around ECO1.

OHEMP	Annex F, Figure 4	<p>It is unclear what Figure 4 is showing, given that it is not referenced within the text of the document.</p> <p>Figure 4 shows three Stone Curlew plots positioned within areas that haven't been trial trenched or are not acceptable based on archaeological grounds, as set out in both Cambridgeshire County Council and West Suffolk District Council's response to WQ2.2.6 [REP5-079] and [REP5-085], respectively.</p>
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6.2 Appendix 13C Framework Construction Traffic Management Plan and Travel Plan (Tracked) - Rev: 04 [REP5-015] and all Appendices (A to G) [REP5-016 to REP5-042]

Topic	Paragraph Number	Council's Comment
Appendix C	General Comments	<p>The visibility splays that are shown on the Plan relate purely to traffic signal controlled area and do not show the visibility requirement for uncontrolled use; it is not therefore possible to confirm that the appropriate visibility for each access can be accommodated within the DCO or Highway boundary.</p> <p>This is of particular concern for sites where there is to be regular ongoing use, such as Sunnica West Site A Access A, where no visibility splays have been detailed by the Applicant on the latest Plan. From a simple assessment of visibility at this site based upon Ordnance survey, the requirement of 2.4m by 215m for a national speed limit road would require significant removal of foliage on both sides of the road. This has not been detailed and safe access to that site has not therefore been established for uncontrolled use.</p> <p>While it is now clear throughout the documents that any maintained work, would, through discussion with the Highway Authority, be undertaken with the same traffic management as required during construction, it remains unclear whether the accesses will continue to be used throughout the operational phase for inspection or movement across site. If any site is to be accessed in any way during the operational phase, the Applicant should quantify such movements and provide details of the visibility currently available, in order to enable the safety implication of such use to be considered.</p> <p>The access arrangement as shown can all be accommodated within the DCO boundary; it however remains unclear whether that the access arrangements shown are appropriate to</p>

		<p>the future use. Without further information regarding the use of site that will be accessed at any time without control by signals, it will not be possible to consider the risk such use might represent and whether further widening or relocation may be required, potentially displacing works beyond the DCO boundary.</p> <p>No details of the vehicle speeds used on the vehicle tracking entering and leaving the site have been provided and should be clarified. Inappropriate track speeds may underrepresent the access width/radii required, which if constructed, could result in inappropriate deceleration in the highway, risking shunt type accidents. Any adjustment to tracking may therefore affect the access width/radii required, similarly affecting the DCO boundary as above.</p> <p>It is noted that there is a requirement to retain accesses during the operational phase for maintenance, while also proposing to reinstate the accesses on the cable route after the construction phase, and it is unclear how these two positions align. It is indicated that, through discussion with the Highway Authority, that traffic management as provided during the construction phase can be reinstated to accommodate maintenance works. However, it is unclear whether inspection of the sites/cable routes is included in what is described as maintenance, or whether it is anticipated by the Applicant that minor traffic movements for such purposes would not be materially insignificant. The Highway Authority has previously highlighted concerns regarding any intensification of use of accesses considered unsuitable with respect to visibility and/or access geometry for their current use, and this concern has been reflected in the comments provided below. These may, however, be mitigated by the Applicant providing clarification on the use of these accesses.</p> <p>The majority of the site and cable route accesses utilise existing field or farm access, and it is unclear to what extent those accesses will share use with agricultural, commercial or domestic traffic during construction and operational phases of use and what measures will be in place to prevent conflict between opposing flows that are not already controlled by traffic signals. If adequate control measures cannot be put in place, this should be reflected in the geometry of the proposed site accesses.</p>
Appendix C – Site Specific Comments		

<p>Plan ACM-60589004-AMR-DR-0018</p>	<p>Sunnica West Site A Access A. La Hogue Road, Chippenham.</p>	<p>The proposal is to utilise an existing narrow agricultural access currently constructed in an unbound aggregate crossing the verge. Access improvements are proposed, based upon vehicle swept paths, but no specific radii or surface construction within the highway is detailed.</p> <p>The proposals appear to accommodate two way movements of cars from either direction, and between individual cars, and HGVs traveling to/from the southeast on La Hogue Road. While two HGVs may not pass within the junction, it is indicated elsewhere that such a conflict will be managed during construction, it is unclear whether this would be similarly managed during the operational phase should any maintenance require delivery of significant materials and/or plant safe use of this access has not therefore been established in this regard.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. From a simple assessment of visibility based upon Ordnance Survey, the requirement of 2.4m by 215m for a national speed limit road, would require significant removal of foliage on both sides of the junction. This has not been detailed on the Plan and safe use of this access has not therefore been established.</p>
<p>Plan ACM-60589004-AMR-DR-0021/-0022</p>	<p>Sunnica West Site A Access B. Chippenham Road, Snailwell.</p>	<p>The proposal is to utilise an existing narrow agricultural access currently constructed in an unbound aggregate crossing the verge. Access improvements are proposed, based upon vehicle swept paths, but no specific radii or surface construction within the highway is detailed. The radii appear to be broadly acceptable for use by small vehicles, and HGV use under traffic managements, when the full width of Chippenham Road can be occupied when turning. This would not however appear suitable to uncontrolled HGV use without further improvement.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while indication is given that HGV movements will be managed to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>While visibility across the proposed traffic management is indicated, no visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be</p>

		<p>achieved within the DCO or Highway boundary. It has not therefore been demonstrated that the access may be safely used by any class of vehicle, in the absence of traffic management.</p>
<p>Plan ACM-60589004-AMR-DR--0023/-0024</p>	<p>Sunnica West Site A Access C. Dane Hill Road, Kennet.</p>	<p>The proposal is to utilise an existing field access that does not benefit from any made surface within the site or crossing the verge. While some improvement works are implied on Plan 24, this is not clear. No specific radii or surface construction within the highway is detailed, and it is therefore unclear whether vehicles entering the site can do so without disproportionate and unexpected deceleration in the highway in the event that the access is used without traffic management.</p> <p>The inductive widening on Plan 24 appears close to the ditch line and supportive works in the ditch are likely to be required, for which separate Ordinary Watercourse Consent may be required.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass. While such movement will be managed by signals during the operational phase, safe use of the access in the absence of traffic management has not been established.</p> <p>While visibility across the proposed traffic management is indicated, it would appear to be obstructed on its eastern side by the presence of a fence. No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary, and it has not therefore been established that the access may be safely used by any class of vehicle.</p>
<p>Plan ACM-60589004-AMR-DR-0025/-0026</p>	<p>Sunnica West Site B Access D. Fordham Road, Snailwell.</p>	<p>It is noted in 1.3.1 of 6.2 Appendix 13C Framework Construction Traffic Management Plan and Travel Plan - Rev: 04 that Sunnica West Site B is no longer to be constructed. Plans detailing use by HGVs have however been provided.</p> <p>The proposal is to utilise an unmade field that does not benefit from any made surface crossing the verge.</p> <p>No details of improvement to access radii or surface materials crossing the site or entering the site have been detailed and it is unclear whether vehicles entering the site can do so</p>

		<p>without disproportionate and unexpected deceleration in the highway in the event that the access is used without the benefit of traffic management.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass. It is also noted that the swept path occupies the area in front of an adjacent field access, further increasing the risk of conflict. While such movement will be managed by signals during the construction phase, it is unclear how the access will be used during the operational phase or how such conflict will then be managed, in the absence of traffic management. It is therefore unclear whether safe access is provided.</p> <p>While visibility across the proposed traffic management is indicated, no visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access can be achieved during the operational phase in the absence of traffic management.</p>
<p>Plan ACM-60589004-AMR-DR-0013</p>	<p>Sunnica East Site A Access F. Beck Road (C144), Isleham.</p>	<p>The Site is to utilise an unmade access and hard standing that does not benefit from any made surface crossing the verge, with no works to improve this condition proposed.</p> <p>No details of improvement to access radii or surface materials crossing the site or entering the site have been detailed and it is unclear whether vehicles entering the site can do so without disproportionate and unexpected deceleration in the highway enter. This is not considered to be a suitable form of access without appropriate improvement, including access radii suitable to the class of vehicle and speed of traffic exiting and entering onto Beck Road.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while indication is given that HGV movements will be managed to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access can be provided.</p>

Plan ACM-60589004-AMR-DR-0027	Cable Route Access A. Weirs Drove, Burwell.	<p>The proposal is to utilise the existing access to the Burwell substation, with no further improvements proposed.</p> <p>While the plans provided do not clearly establish two way movement of HGVs, it is recognised that such conflict is to be managed. The Applicant should, however, demonstrate the passage of a HGV and smaller vehicle (such as a minibus) as can reasonably be anticipated to use this access.</p> <p>Weirs Drove is narrow with no footways, and non-motorised users are frequently present. This should be reflected in the CTMP.</p>
Plan ACM-60589004-AMR-DR-0028	Cable Route access B. Newnham Drove, Burwell.	<p>The proposal is to utilise an existing narrow agricultural access, currently constructed in an unbound aggregate crossing the verge. Access improvements are proposed, based upon vehicle swept paths, but no specific radii or surface construction within the highway is detailed. The minor radius is noted on the northern side of the junction, which is accepted in principle due to the very limited movement anticipated in that direction.</p> <p>The inductive widening of the access on Plan 28 appears to cross the ditch line and supportive works are likely to be required, and for which separate ordinary watercourse consent may be required.</p> <p>The widening on Newnham Drove, apparent on Plan 28, to the southeast of the access junction is less apparent on site and should be confirmed with dimensions on plan.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass. While indication is given that HGV movements will be managed to avoid opposing flows, Newnham Drove and parts of Weirs Drove are sufficiently narrow that traffic management is likely to be required over a larger area, as part of the CTMP. While safe access should therefore be achieved during the operational phase, safe use of the access in the absence of traffic management has not been established.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore</p>

		possible to confirm that safe access can be achieved during the operational phase in the absence of traffic management.
Plan ACM-60589004-AMR-DR-0029	Cable Route Access C. Anchor Lane, Burwell	<p>The proposal is to utilise Byway 35/7 and a very narrow section of existing road at Anchor Lane. It is noted that a smaller design vehicle is to be used and that its swept path appears to be achievable within the existing public highway.</p> <p>While safe access should be able to be established with appropriate traffic management to be agreed for use during the construction phase, Anchor Lane would be unsuitable for any intensification of use during the operational phase, due to its current use, narrow width and limited visibility at the junction of North Street.</p>
Plan ACM-60589004-AMR-DR-0029	Cable Route Access D Little Fen Drove (Factory Road), Burwell.	<p>The proposal is to utilise an existing field access that does not benefit from any made surface within the site or crossing the verge. Access width and kerb radius in the direction of predominant flow is detailed, with only a small radius on the western side accepted due to the minimal flow anticipated in this direction.</p> <p>The inductive widening on Plan 29 crosses the ditch line and supportive works/piping of the ditch are likely to be required, for which separate Ordinary Watercourse Consent may be required.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while indication is given that HGV movements will be managed to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access in that regard can be provided.</p>
Plan ACM-60589004-AMR-DR-0030	Cable Route Access E Little Fen Drove (Factory Road), Burwell	<p>The proposal is to utilise an existing field access that does not benefit from any made surface within the site or crossing the verge. Access width and kerb radius in the direction of predominant flow and small radius are indicated on the western side, with no indication of the form of construction in the public highway. Should Access D and E be used for any ahead movements during the construction, operation or decommissioning of the site, then</p>

		<p>the northern radius of Access E must be adjusted to accommodate the swept path of the class of vehicle likely to undertake this manoeuvre.</p> <p>The inductive widening on Plan 29 crosses the ditch line and supportive works/piping of the ditch are likely to be required, for which separate Ordinary Watercourse Consent may be required.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while indication is given that HGV movements will be managed to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access in that regard can be provided.</p>
<p>Plan ACM-60589004-AMR-DR-0031</p>	<p>Cable Route Access F First Drove, Burwell.</p>	<p>The proposal is to utilise an existing field access onto a public right of way, with access along a narrow section of public highway road, which joins Broads Road with restricted visibility to the north-east.</p> <p>While it is noted on Plan 31 that movement of vehicles along First Drove are to be managed (presumably during the construction phase), this Drove would be considered unsuitable for any intensification of use during the operational phase.</p> <p>Some indications of improvement are shown with a minor radius to the north-west, but no indication of form of construction. The extent of the public highway on the right of way is not indicated, and it is unclear whether these improvements will fall within the highway. The proposed works shown on Plan 31 will be located close to an existing watercourse and supportive works may require separate consent.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while vehicle movements will be managed during the operational phase to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p>

		<p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of vehicles on First Drove can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access can be provided.</p>
<p>Plan ACM-60589004-AMR-DR-0032</p>	<p>Cable Route Access G. Broads Road, Burwell.</p>	<p>The proposal is to provide a new access from agricultural land across verge and what appears to be a shallow ditch or swale. The Applicant must ensure that any flow of water in this depression is not obstructed by their works and may require separate authorising from the local flood authority.</p> <p>Details of improvements are shown with 18m radius in the predominate direction of travel and only minor radius to the northeast, which is acceptable given the limited flow likely in that direction, all of which can be achieved within the DCO boundary. No details of the form of construction are shown.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while indication is given that HGV movements will be managed to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. The DCO boundary to the southwest is limited, with no highway extent shown and it is not therefore possible to confirm that safe access can be achieved.</p>
<p>Plan ACM-60589004-AMR-DR-0033/-0034</p>	<p>Cable Route Access H. Ness Road, Burwell (B1102).</p>	<p>The proposal is to utilise an existing private agricultural access that will be shared with what appears to be a working farm and separate agricultural machinery business. From the swept path provided, the access does not appear capable of accommodating the two way passage of vehicles, which is likely to include agricultural vehicles and plant with movements outside of the Applicant's control. Since the access does not appear to be entirely suitable for its current use, it would not be appropriate to intensify its use without appropriate improvements. It is noted that no such improvements are proposed.</p> <p>While traffic management is detailed on Plan 34, this does not appear to extend beyond this access and would therefore appear to relate to junction I alone. From the swept path</p>

		<p>shown on Plan 33, the vehicle entering the site would appear to have to do so from the opposing lane. This, and the inability to accommodate two way movement in the access, makes this access unsuitable in its current form for any intensification of use without appropriate traffic management in place.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access in this regard can be provided.</p>
Plan ACM-60589004-AMR-DR-0033/-0034	Cable Route Access I. Ness Road, Burwell (B1102).	<p>The proposal is to utilise an unmade agricultural field access. Improvement details are provided, showing a 14m radius on the direction of predominant flow and 6m radius on the minor, with no form of construction indicated. This proposed access appears to accommodate the swept path shown, which is achievable within the DCO boundary.</p> <p>The swept path detail, however, does not demonstrate the ability for two vehicles to pass. While it is indicated that this will be managed by traffic signals during the construction phase, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access can be achieved in the absence of traffic management.</p>
Plan ACM-60589004-AMR-DR-0035/-0036	Cable Route Access J. A142 Fordham Bypass, Fordham.	<p>The proposal is to utilise an existing agricultural field access, designed to provide crossing of the A142. Details of improvements are shown, with no clear indication of radii or form of construction, and it is not therefore possible to fully consider whether this is suitable for exit/entry on to an A road.</p> <p>The swept path detail on Plan 35 appears to show that swept path can be achieved within the widened road, although it is unclear whether the speed of the swept path would be appropriate to the speed of the road, or whether this would require disproportionate breaking on the A14. No centre lines are shown on the turning movements plan, and it is unclear whether the left turn out crosses into the opposing lane – both of these points should be clarified.</p>

		<p>The detail does not demonstrate the ability for two vehicles to pass. While indication is given that HGV movements will be managed to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. While it is anticipated that this will be achievable given the access current use, this should still be demonstrated to confirm that safe access can be achieved.</p> <p>Details of the proposed traffic regulatory signing should be provided at detailed design stage, and consideration given to amendment of advanced directional signs as may be appropriate to improve safety. Given the nature of this road and proximity to the roundabout, It is suggested that this access be subject to Stage 2 Road Safety Audit and resolution of any problems identified to the satisfaction of the Highway Authority prior to any construction.</p>
<p>Plan ACM-60589004-AMR-DR-0035/-0036</p>	<p>Cable Route Access K. C145 - Newmarket Road, Fordham.</p>	<p>The proposal is to utilise an unmade access served by an existing dropped kerb crossing a footway. Details of improvements have been made, with a 14m radius in the direction of primary flow, but with no radius on the northern side. Unless the Applicant can prove that entry from the north will not occur, then this will not be acceptable. No details of the form of construction have been provided, and no details of changes to be made to the footway. Adequate provision must be made to facilitate the crossing of nonmotorized users while this access is in use.</p> <p>The swept path detail does not demonstrate the ability for two vehicles to pass. While it is indicated that this will be managed by traffic signals during the construction phase, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access can be achieved in the absence of traffic management during the operational phase.</p>

Plan ACM-60589004-AMR-DR-0037	Cable Route Access L. A142 - Newmarket Road, Fordham.	<p>Point 1.3.1 of 6.2 Appendix 13C Framework Construction Traffic Management Plan and Travel Plan - Rev: 04 indicates the removal of Grid Connection Site Access L (CR-L) from the Scheme, with access to the Cable Route corridor being taken solely from Grid Connection Site Access K (CR-K), We note details related to this access remain in the CTMP.</p> <p>Access L was to utilise an existing access onto the A142, that appears to have been designed to the appropriate standards to accommodate the movement of HGVs. While visibility splays have not been detailed on the plan and should be provided for confirmation, it is anticipated that appropriate distances can be achieved.</p>
Plan ACM-60589004-AMR-DR-0038	Cable Route Access M. Chippenham Road / Snailwell Road, Chippenham	<p>The proposal is to utilise an existing unmade field access with improvements including 10m radius to the east and 6m radius to the west, although no form of construction is detailed.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while vehicle movements will be managed during the operational phase to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. Chippenham Road is planted with low trees to the west and with a dense hedge to the east, creating a significant risks obstruction of visibility. It is not therefore possible to confirm that safe access can be achieved.</p>
Plan ACM-60589004-AMR-DR-0038	Cable Route Access N. Snailwell Road, Chippenham.	<p>The proposal is to utilise an existing unmade field access, with improvements including 14m radius to the east but no radius to the west. This would not be considered acceptable unless it can be proven that traffic will not enter the access from the east during any phase of its use. It is also noted that any radius on the eastern side would conflict with an adjacent access and any proposal would therefore need to accommodate this.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while vehicle movements will be managed during the operational phase to avoid opposing flows, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p>

		<p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. Chippenham Road is planted with low trees to the west and with a dense hedge to the east, creating a significant risks obstruction of visibility; this is of particular concern to the east, with this access located on the inside of the bend. It is not therefore possible to confirm that safe access can be achieved</p>
Plan ACM-60589004-AMR-DR-0038	Cable Route Access O. La Hough Road, Chippenham.	<p>The proposal is to utilise an existing unmade access which it appears to share with an existing dwelling. Improvements are proposed, with 12m radius to the east and 6m radius to the west, which appear broadly acceptable for the use and speed of the road.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while movement will be managed by traffic signals during the construction phase, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. It is not therefore possible to confirm that safe access can be achieved during the operational phase in the absence of traffic management.</p>
Plan ACM-60589004-AMR-DR-0039/-0040	Cable Route Access P. B1085.	<p>The proposal is to utilise an unmade field access, with improvements proposed, including 14m radius to the east and 6m radii to the west.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while movement will be managed by traffic signals during the construction phase, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. The highway is bounded by a dense hedgerow to the west and trees to the east, both of which are close the road edge; It appears unlikely that suitable visibility can be achieved without significant removal of trees/hedge to allow safe uncontrolled access and it is not therefore possible to</p>

		confirm that safe access can be achieved during the operational phase in the absence of traffic management.
Plan ACM-60589004-AMR-DR-0039/-0040	Cable Route Access Q. B1085.	<p>The proposal is to utilise an existing field access, with improvements proposed, including 14m radius to the east and 6m radii to the west.</p> <p>The swept path detail shown does not demonstrate the ability for two vehicles to pass, and while movement will be managed by traffic signals during the construction phase, it is unclear how the access will be used during the operational phase, or how such conflict will then be managed. It is therefore unclear whether safe access is provided.</p> <p>No visibility splays have been detailed to demonstrate that visibility appropriate to the speed of the road can be achieved within the DCO or Highway boundary. The highway is bounded by a dense hedgerow to the west and trees to the east, both of which are close the road edge, compounded further by the road to the east bending to the south; It appears unlikely that suitable visibility can be achieved without significant removal of trees/hedge to allow safe uncontrolled access and it is not therefore possible to confirm that safe access can be achieved during the operational phase in the absence of traffic management.</p>

6.2 Appendix 16C Framework Construction Environmental Management Plan (Tracked) - Rev: 04 [REP5-044]

Topic	Paragraph Number	Council's Comment
Table 3-3 Stone Curlew – nest plots	Page 16C-14	As set out in paragraph 8.61 of the Council's LIR [REP1-024], the CEMP must confirm that a minimum number of 10 Stone Curlew nest plots will be provided as part of the scheme (currently states a maximum of 10 nest plots), which will be required to address adverse impacts to 5 pairs of Stone Curlews identified nesting within the DCO site and surrounding, as confirmed by the crop surveys within the Offsetting Habitat Provision for Stone-Curlew Specification [REP5-046].
Table 3-3 Stone Curlew	Page 16C-15	Wording has not been updated to accurately reflect the management set out in the revised Offsetting Habitat Provision for Stone-Curlew Specification document [REP5-046]. For example, nest plots for ECO1 are not proposed to be managed in accordance with RSPB guidance etc.
Working Methods to Avoid and Minimise Impacts on Protected /	Page 16C-19 & 20	The Council welcomes additional provisions to protect Havacre Meadows and Deal Nook County Wildlife Site (installation of security fence, retention of all trees and no intrusive crossing of CWS, including River Kennett and its banks).

Notable Species and Existing Habitats – County Wildlife Sites		
Working methods - bat pre-commencement surveys	Page 16-17	The FCEMP should be updated to include a requirement for pre-commencement surveys for bats prior to any tree works, as discussed in the Applicant's response to LPA Deadline 4 Submissions (paragraphs 8.103 & 8.111 / 8.114 – 8.115) [REP5-056]
PROW	Page 16c-40	The Council welcomes the addition of the BHS and local stakeholders but requests that the Fordham (Cambridge) Walking Group are explicitly included, as they effectively operate in place of the Ramblers' Association statutory consultee in this location.
PROW	Pages 16C-45-46, 48	The Council is content with these amendments.

6.2 Appendix 16E Framework Decommissioning Environmental Management Plan (Tracked) - Rev: 02 [REP5-009]

Topic	Paragraph Number	Council's Comment
Habitat Restoration	Page 16E-12	The Council welcomes <i>“ecological mitigation and enhancements measures installed pursuant to the detailed LEMPs will be left in situ”</i> . However, this should also include management of these features during the decommissioning phase and beyond.

6.6 Offsetting Habitat Provision for Stone-Curlew Specification (Tracked) - Rev: 01 [REP5-047]

Topic	Paragraph Number	Council's Comment
General		<p>The document does not take into account the archaeological constraints of the Stone Curlew Offsetting habitat (ECO1, ECO2 and ECO3) as identified within Cambridgeshire County Council and West Suffolk District Council's responses to WQ2.2.6 [REP5-079] and [REP5-085], respectively.</p> <p>The Council is concerned there will be residual adverse impact that cannot be compensated either on-site or off-site due to the very bespoke management required for Stone Curlews and constraints of the wider landscape (including archaeology of high importance) and therefore planning requirements / obligations may be insufficient to address this adverse impact.</p> <p>Stone Curlew is a principal importance for conservation of biodiversity in England (priority species) and therefore the impact on this species should be considered in accordance with</p>

		<p>paragraph 5.3.17 of National Policy Statement EN-1 which states that <i>“the IPC should refuse consent where harm to the habitats or species and their habitats would result...”</i>.</p> <p>The Applicant should therefore redesign the scheme to avoid adverse effect on this species.</p>
10 Nest Plots - Minimum	4.4.1	The document currently states that there will be a “maximum” of 10 nest plots. This should be amended to a <i>minimum</i> of 10 nest plots, given that two nest sites are required per breeding pair and that 5 breeding pairs have been regularly recorded within the site / surrounding 500m of land. Therefore, a total of 10 nest plots (minimum) is required.
Establishment and Management of Plots and Grassland in ECO1	4.1.9-4.1.14	The proposed management of ECO1 does not accord with national guidance for Stone Curlew habitat. Therefore, it is considered that suboptimal habitat will be created.
Summary of Nesting Plot Management in ECO1	Table 4-1	The provision of 3 nest plots is unlikely in ECO1 due to archaeological constraints; please refer to Cambridgeshire County Council and West Suffolk District Council’s responses to WQ2.2.6 [REP5-079] and [REP5-085], respectively. There would be a maximum of 2 plots available within ECO1 and their location will need to be adjusted to suitable areas identified during trial trenching.
Creation of Grassland (Outside of Plots)	4.1.11	Standard minimum tillage cultivation appropriate for archaeological sites (e.g. direct drill) for grassland establishment must be used for management of grassland areas outside of the agreed Stone Curlew plots.
Mowing – 0-5 Years	4.1.12	Optimal management of the site will not be delivered, due to proposed mowing within the first 5 years.

6.7 Biodiversity Net Gain (Tracked) - Rev: 02 - Late Submission Accepted at the Discretion of the Examining Authority [REP5-049]

Topic	Paragraph Number	Council’s Comment
Outline Landscape and Ecology Management Plan (OLEMP)	4.4.2	<p>The document states that <i>“the management regime required for the created and enhanced habitats to reach their target condition in the specified timeframe is provided in Outline Landscape and Ecology Management Plan”</i>.</p> <p>This has not been achieved within the OLEMP [REP5-013], with omissions of management prescriptions for the majority of habitat, and not target conditions provided. Therefore the BNG assessment must be updated to reflect the level of information provided in the OLEMP [REP5-013]. This is likely to result in the creation of poorer quality habitat and reduction in BNG scores.</p>

Removal of functionally linked land from BNG		<p>The Council notes the Applicant's response to WQ2.2.5 [REP5-056] which confirms <i>"that Natural England's advice to the ExA would be to continue to treat the population relevant to Sunnica as functionally linked to Breckland SPA"</i>.</p> <p>Therefore, all land associated with mitigation / compensation for Stone Curlew (functionally linked to the SPA) should be excluded from the BNG calculations.</p>
Strategic Significance	Paragraph 3.6.1	<p>The Council is concerned that all habitat located within the priority areas of the East Cambridgeshire Nature Recovery Network have been identified as high strategic significance. For example, modified grassland is shown as 'high strategic significance at table 4-1.</p> <p>High strategic significance should only be applied to habitats that contribute to the objectives / aims of the East Cambridgeshire Nature Recovery Network.</p> <p>The Council seeks clarification as to the location of habitats shown as high strategic significance, along with justification for why they are classed as high significance. This should be addressed within the BNG report.</p>
Assumption and limitations	Paragraph 3.7.8, page 12	High quality arable flora / field margin habitat is not restricted to 4 fields. The BNG calculations must reflect the importance of the entire site (pre-development) for arable flora.
Arable field margins	Table 4-1, 4.4, 4.7	It is not possible to determine the level of losses / gains in arable field margins habitat because this habitat is not included within the existing, retained, created habitat tables
Appendix B Phase 1 Habitat Plans		Arable field margins and veteran trees have been omitted.
Appendix C Parameter Plan	Appendix B	<p>The BNG calculations are undermined by inconsistencies between the habitats shown on the BNG Post Development drawings (Appendix B) and those shown on the zoomed in Environmental Masterplan [REP5-061]-[REP5-064]. These must be aligned to ensure the appropriate management is undertaken (as part of the OLEMP) to ensure deliver to BNG target condition.</p> <p>Inconsistencies include: land to west of Lee Brook, land to north of E03, land to east of E33, ECO1, ECO2, ECO3 (Worlington Heath), grassland strip to west of E05 (including gravelled path), land north of W10/W08, ECO5, land surrounding W03, and loss of tree between E15-E16.</p>
Appendix C Parameter Plan	Appendix B	<p>The Councils require the post-development BNG habitat drawings to be updated to show:</p> <ul style="list-style-type: none"> - Target condition for each habitat parcel - Areas identified as medium and high strategic significance

		- Areas identified as protected species mitigation land and fall outside of the 10% BNG calculation
Appendix D Natural England's Biodiversity Metric 3.1 Calculation		The Metric 3.1 calculations do not clearly indicate where each habitat unit is located. The Councils require the Assessors comments section to be completed to identify: <ul style="list-style-type: none"> - which land parcel each habitat unit refers to - justify the proposed condition (reference to relevant section of OLEMP and how relates habitat condition assessments) - justify significance attributed to the parcel (e.g. reference to East Cambs Nature Network objectives)
Appendix D Natural England's Biodiversity Metric 3.1 Calculation	Site Habitat Baseline / Site Habitat Creation	The metric 3.1 calculations do not include any existing, retained or created arable field margins. The calculator must be updated to demonstrate the losses / gains of arable field margin priority habitat.
Appendix D Natural England's Biodiversity Metric 3.1 Calculation	Site River Baselines / Site River Creation / Site River Enhancement	The existing, retained / enhanced / created river habitats are not shown on the BNG post-development habitat. Please clarify the location of these features

7.6 Outline Battery Fire Safety Management Plan (Tracked) - Rev: 02 [REP5-051]

Topic	Paragraph Number	Council's Comment
BESS	General	We welcome the commitment to engage the services of an independent Fire Protection Engineer specialising in BESS to evaluate hazard modelling and risks. We encourage the Applicant to engage with interested parties and continue to update the Outline Battery Fire Safety Plan.

8.71 Applicant's Response to ExA Second Written Questions [REP5-056]

Topic	Paragraph Number	Council's Comment
PROW / Landscape	Q2.7.1 Page 59	The Council welcomes the more detailed assessment of glint and glare effect on PROW in the vicinity of the Application Site, and accepts the comments of the specialists as those appropriately qualified to do so. The only outstanding mitigation is for the Applicant to include

		<p>a requirement in the CEMP for monitoring of the existing vegetation belts that currently screen PROW from the Application Site during the course of operation, and a requirement to replant any gaps that occur, or otherwise block the view that may then arise. The Council has previously raised this request and has reiterated it in relation to 5.4 of the OLEMP at D6 [ref].</p>
PROW / Landscape	Q2.7.4 Page 63	<p>The Applicant's response to this question demonstrates the significant adverse impact that the development will have on users of the road network. Many of the roads affected are minor roads that form key parts of the local community's walking, cycling and riding network, such as the U6006 and Beck Road. Evidence given at ISH3 and the open floor hearings was that people would be strongly discouraged from using their local networks for recreational purposes as a result of this urbanising effect on the landscape. It is not clear that the Applicant has adequately assessed the adverse impact on NMUs in respect of the role that local roads play as part of recreational activity, and requests that it now does so together with consideration of any additional mitigation that can be offered.</p>
PROW – Noise Affecting Equestrians	Q2.8.1 Page 65	<p>The Council welcomes the additional measures that the Applicant has committed to putting in place to help address the adverse impact of noise affecting equestrians.</p>
PROW – NMUs as Visual and Noise Receptors	Q2.9.9 Page 72	<p>The Council disagrees with the assessment of the Applicant that NMUs are not noise sensitive receptors. Evidence given at the open floor hearing in December was that the local community value their countryside for its very quietness, and in many cases have moved into the villages because of that quality. Even low levels of persistent noise can have a detrimental effect on the enjoyment of users of the local highway and rights of way network. 'Enjoyment' is a legal term used to define the quality of experience of users, personal to them. Given the current extreme quietness of the locality, users are likely to experience the noise effect for a significant duration of their journey along paths and local roads that form their circuits, and therefore it is quite possible that there will be a prominent effect on their enjoyment in use of the paths. If users are dissuaded from using their paths this could have a significant impact on their mental and physical health and wellbeing. It could also result in them driving to other locations, putting unnecessary additional traffic on the roads and potentially adding pressure to known ecologically sensitive sites nearby. Therefore, the Council requests that the Applicant reviews its consideration of NMUs as noise sensitive receptors to acknowledge the effect described above.</p> <p>The Council welcomes the Applicant's willingness to enter into a s106 agreement to enhance the PROW network. It notes that the s106 agreement is currently at a very early</p>

		<p>stage. In order to ensure the Applicant's commitment, the Council requests that the s106 Agreement is completed by the close of the Examination.</p>
PROW Plans	Q2.8.13 Page 72	<p>The Council welcomes the Applicant's commitment to adding all permissive paths to the Access and Rights of Way Plans.</p> <p>Part 2 of the Applicant's response to question 2.9.13 states that "the relevant roads which are maintainable at public expense are listed in column (2) of Schedule 5 of the dDCO". This is noted. However, Schedule 5 parts 1 and 2 includes both public highways and private roads. For clarity's sake it should be noted in the Schedule which of the roads are public or private. Furthermore, the Council requests that Schedule 5 be amended to indicate whether the works referenced in column (3) are taking place on public or private sections of the roads listed in column (2).</p>
PROW Mitigation and Enhancement/Landscape	Q2.9.14 page73	<p>It is disappointing that the Applicant continues not to include in its assessments the adverse impact that the development would have on the visual and sound sensory experience and enjoyment of NMUs and the local communities who use the historic PROWs as part of their wider landscape experience, as opposed to simply the physical impact on PROWs. The Council requests that this is acknowledged in the OLEMP and CEMP.</p> <p>The Council welcomes the Applicant's willingness to enter into a s106 agreement to enhance the PROW network. It notes that the s106 agreement is currently at a very early stage. In order to ensure the Applicant's commitment, the Council requests that the s106 Agreement is completed by the close of the Examination.</p>
PROW - Public Access Strategy	Page 73 Q2.9.15	<p>The Council refers to its response to at 5.2.1f of 6.2 10L Landscape and Environmental Management Plan at D6.</p> <p>In addition, it would comment that it is not clear to what the 'shorter circular routes' cited refer.</p> <p>The Council welcomes the relocation of the path further away from Beck Road and the positive mitigation that the addition of the permissive path should have in easing recreational pressure on ecologically sensitive sites, during the course of the development. Due to the nature of the developer's land-holding arrangement, permanent mitigation will unfortunately depend on whether or not the creation of definitive rights of way can be achieved using s106 monies upon decommissioning. This will have to be through the appropriate statutory public process, the outcome of which cannot be guaranteed.</p>

PROW - Permissive Access	Page 73 Q2.9.16	<p>The Council refers to its response to at 5.2.1f of 6.2 10L Landscape and Environmental Management Plan at D6 regarding the permissive access currently proposed.</p> <p>The Council welcomes the Applicant's willingness to enter into a s106 agreement to enhance the PROW network. It notes that the s106 agreement is currently at a very early stage. In order to ensure the Applicant's commitment, the Council requests that the s106 Agreement is completed by the close of the Examination.</p>
PROW - Permissive Access	Page 73-74 Q2.9.17	<p>The Council refers to its response to at 5.2.1f of 6.2 10L Landscape and Environmental Management Plan at D6, and in response to Q2.9.15 above.</p>
PROW - FCWG	Page 74 Q2.9.18	<p>The Council is of the view that the permissive paths should be viewed as both mitigation and enhancement, for the reasons set out at the Council's comment to the Applicant's response to Q2.9.14 above. At ISH3 the Council explained that people need to be encouraged to use the PROW network to access the countryside for their health and wellbeing, and this includes mitigating the adverse impact on local communities who are disenfranchised by the visual and built-up impact on the landscape in which they walk, cycle, run or ride. Enhancement of the network is therefore in mitigation of this adverse effect, as well as to comply with the requirement under NPPF para 100 to encourage people into active lifestyles by providing more comprehensive public access into the countryside, e.g. those who may consider moving into the local communities during the 40year life of the development.</p> <p>The LHAs consider that FCWG should be consulted by the LHAs as part of the process to agree the permissive paths, because not only are they an interested party in the DCO process, but they are effectively the pedestrian representation in lieu of the Ramblers' Association (RA) who do not have a representative in this area. The RA is a statutory consultee on all the public paths processes that the LHAs have to undertake in their role as the Order Making Authority, and so the LHA considers it reasonable to consult FCWG in their stead to ensure that local views have been taken into account. Affected parish councils could similarly be consulted.</p> <p>As set out in its LIR, the Council is of the view that a more imaginative approach to public access should be taken. It considers that other permissive paths <i>are</i> feasible, as discussed at the meeting on 1st December with AECOM, and as suggested by FCWG along the cable corridors. The Council would welcome further engagement from the Applicant on this matter.</p>

8.72 Applicant's response to LPA Deadline 4 Submissions [REP5-057]

Topic	Paragraph Number	Council's Comment
LPA Post-Hearing Submissions		
Stone Curlew Mitigation	Page 10	Please see the Council's response to REP5-047 in this document above.
Arable Flora Mitigation	Pages 17-18	Please see the Council's comments on Arable Flora Mitigation in response to REP5-012 on page 2 of this document.
Environment – Landscape and Visual (L&V)		
PROWs	Pages 23-26	Please see the Council's response to the Landscape and Ecology Management Plan in above on page 4, reference to paragraph number 5.2.1f.
Field E05	Page 26-27	Please see the Council's response to the Landscape and Ecology Management Plan in above on page 4, reference to paragraph number 5.2.1f.
Permissive Paths	Page 34-36	<p>The Council notes the Applicant's response and that the principles also affect Cambridgeshire County Council. It welcomes the Applicant's written commitment to proactive engagement and willingness to make s106 contributions to enable permanent enhancements to the PROW network.</p> <p>The Council confirms that it is working on its proposals, in association with Suffolk County Council. The Councils and Applicant are drafting a S106.</p>
PROWs – Temporary Closures and Restoration	Page 37-59	<p>The Council agrees with SCC's approach to this matter, to ensure consistent management of all public paths affected by the scheme. The Council has noted the improvements to the CEMP in respect of temporary closures and restoration, and the provisions in the CTMP, pending agreement on diversions.</p> <p>In the ExWQ2 at Q2.9.10 CCC was asked to provide amended wording for the DCO and the CTMP to ensure that PROW were only closed as a last resort. The Council appreciates</p>

		that the Applicant will only have seen its response [REP5-079] when published after Deadline 5. The amendments are included below in our response to 8.81 Public Rights of Way Closure Note [REP5-068]. See page 40.
PROW – Temporary Closures	Page 60	The Council refers to its previous response made at Deadline 5, which does not appear to have been addressed.
PROW – Haul Roads	Page 60	<p>The Council welcomes the amendments to the CEMP but notes that the Applicant has not confirmed that Schedule 2 of the dDCO will be amended. The Council requests that this is done.</p> <p>The Council notes the Applicant refers to emerging discussions with the LHAs in respect of a side agreement regarding inspection and certification and other highway matters, and urges the Applicant to move swiftly to progress this. The legal agreement must be completed by the close of the Examination if the Council is to satisfy its concerns and be able to withdraw its objection concerning due procedures to enable it to meet its statutory obligations.</p>
Access & ROW Plans	Page 61	The Council reiterates that it notes the Applicant refers to emerging discussions with the LHAs in respect of a side agreement regarding inspection and certification and other highway matters, and urges the Applicant to move swiftly to progress this. The legal agreement must be completed by the close of the Examination if the Council is to satisfy its concerns and be able to withdraw its objection concerning due procedures to enable it to meet its statutory obligations.
Permissive Paths on Plans	Page 61	The Council welcomes this amendment to the Plans and the intention to submit a consolidated set of A&ROW Plans pending acceptance of the application and discussion with the LPAs. This discussion should include the LHAs, given the importance of their role in public access and mitigation of the effect on NMUs in the landscape.
Impact on NMUs	Page 62	The Council welcomes the Applicant's amendment to the communication strategy, and its commitment to incorporate the Council's recommendations.
Impact on NMUs – Saturdays	Page 62-63	The Council does not accept the Applicant's limited assessment of NMUs as only transient visual sensitive receptors. At ISH3 the Council explained that people need to be encouraged to use the PROW network to access the countryside for their health and wellbeing, and this includes mitigating the adverse impact on local communities who are disenfranchised by the visual and built-up impact on the landscape in which they walk, cycle, run or ride.

		<p>The Council disagrees with the assessment of the Applicant that NMUs are not noise sensitive receptors. Evidence given at the open floor hearing in December was that the local community value their countryside for its very quietness and open rural nature, and in many cases have moved into the villages because of that quality. Even low levels of persistent noise can have a detrimental effect on the enjoyment of users of the local highway and rights of way network. 'Enjoyment' is a legal term used to define the quality of experience of users, personal to them. Given the current extreme quietness of the locality, users are likely to experience the noise effect for a significant duration of their journey along paths and local roads that form their circuits, and therefore it is quite possible that there will be a prominent effect on their enjoyment in use of the paths. If users are dissuaded from using their paths this could have a significant impact on their mental and physical health and wellbeing. It could also result in them driving to other locations, putting unnecessary additional traffic on the roads and potentially adding pressure to known ecologically sensitive sites nearby. requests that the Applicant reviews its consideration of NMUs as sensitive receptors to acknowledge the effect described above.</p> <p>The Council therefore requests that Saturday working is minimised in order to mitigate the adverse impact of noise on the health and wellbeing of NMUs.</p> <p>It also requests that the Applicant acknowledges that this greater sensitivity of people is a key reason why the Councils seek enhancement of the network, to offset the adverse impact of the development and provide some lasting benefit to the local community, both during the life of the development and after decommissioning.</p>
Noise Affecting Equestrians	Page 64	<p>The Council notes the response and accepts the Applicant's commitment to engage with equestrians to respond to noise complaints through the CEMP as sufficient, noting that this might require noise levels to be assessed should complaints be raised.</p>
Landscaping – PROW	Page 64	<p>The Council welcomes the updated OLEMP amendments.</p> <p>The Council notes the intention of the Applicant to provide a technical note on the interaction of the Scheme with the experience of NMUs at Deadline 6 with interest. It refers to its Deadline 5 response at 5.2.1f 'Impact on NMUs- Saturdays re NMUs as sensitive receptors in the landscape, and its response at 5.2.1f of 6.2 10L Landscape and Environmental Management Plan.</p>

Landscaping – PROW (Hedgerows)	Page 66	The Council refers to its Deadline 6 response to the updated OLEMP and CEMP.
Landscaping – PROW as Historic and Living Features	Page 66	<p>The Council refers to its response at 5.2.1f of 6.2 10L Landscape and Environmental Management Plan.</p> <p>The Council welcomes the Applicant's willingness to enter into a s106 agreement to enhance the PROW network. It notes that the s106 agreement is currently at a very early stage. In order to ensure the Applicant's commitment, the Council requests that the s106 Agreement is completed by the close of the Examination in order for the Council to be able to withdraw its objection in respect of adequate mitigation of the impact of the development on the local community.</p>
Ch13 Transport	Page 67	The Council notes that the Applicant states it has requested highway extent information from the Councils. To date the relevant Asset Information Searches team at Cambridgeshire has not received any such request.
Construction Traffic Management Plan and Travel Plan		
Site Accesses	4.1.9 (page 90)	<p>The Environmental Statement assessment that maintenance work will not give rise to any materially new or materially different effects is not considered suitable in determining whether any intensification of use is acceptable in terms of highway safety. The Applicant is asked to define and quantify infrequent use during the operational phase. As previously advised, any additional use beyond that existing would be considered unacceptable where the existing access does not already meet appropriate standards for visibility and access geometry for the use proposed.</p> <p>While it is recognised in the Applicant's responses to '1s' (page 71) and '4.1.10' (page 90) of the Applicant's response to LPA Deadline 4 Submissions [REP5-057] that "<i>the cable route site accesses would only be used during the operational phase if a fault was identified on the cable</i>" and that "<i>If this were to be the case, the same Temporary Traffic Measures would be introduced as in the construction phase if access is needed</i>", it remains unclear whether any use would occur in identifying such faults such as through routine inspection, or in providing beneficial route when travelling between sites or accesses onto the public highway.</p>
Site Access	4.1.10 (page 90)	The Council's previous observations remain applicable.

		<p>While it is noted that when maintenance work is required, the need for traffic management will be discussed with the highway authority, there is no clear indication of how the junctions will be used throughout the operational phase. The Applicant should confirm how the access will be used, whether this be for routine inspection of the cable route, where the frequency and number of vehicle movements should be confirmed, or that they may be used freely at the discretion of employees to traveling along haul roads to cross or join the highway when travelling between sites or onward destinations. Without appropriate information, it is not possible to consider the material impact on highway safety. It is reiterated that where an access is not considered suitable for its existing established use, then there should be no increase of use without appropriate improvements.</p> <p>The observations regarding the management of arrivals and departures of HGVs at Sunnica West Access A during the construction phase is noted, and the highway authority looks forward to receiving details of how they propose to be adequately managed. The response indicates that in the unlikely event that two vehicles reach the access at the same time, that the outbound vehicle will wait within the site; the Applicant should detail how such an occurrence will be identified, as well as how similar protection may be afforded during the operational phase.</p>
Site Access	5.1.1 (page 92)	This issue remains outstanding. Until provided, safe access at junctions cannot be established.
Site Access	5.2.4 (page 92)	<p>The Applicant's reference to its response to 5.1.9 is not evident and is presumed to instead refer to its response to 4.1.9. Please therefore see the Council's response to 4.1.9 above in this table.</p> <p>This point remains applicable. While it is noted that the Applicant will discuss traffic management needs with the highway authority, it remains unclear whether all vehicle movements afforded traffic management during the construction phase will be similarly protected during the operational phase, or whether limited use is still proposed without such controls, which may not be acceptable to the highway authority, subject to consideration of proposed use, access geometry and available visibility with relation to vehicle speeds.</p> <p>The response does not appear to consider sites such as Sunnica West Site A, Access A, where it is presumed the Applicant is not contesting intensification of use. No clear details of vehicle movements or management during the operational phase has been provided and it</p>

		<p>is not therefore clear whether access widths are appropriate. It is however noted that no visibility splays are shown on plans. From a simple assessment of visibility based upon Ordnance Survey, the requirement of 2.4m by 215m for a national speed limit road would appear to require significant removal of foliage on both sides of the junction to meet this standard. Given the Applicant's previous stance on the removal of foliage in response to this point, it is unclear how safe access can be established at this site.</p>
Site Access	5.3.11 (page 95)	<p>The response indicates that these accesses will not be used in any way during the operational phase, other than for maintenance when traffic management (as to be agreed in the CTMP [REP5-015]) will be present. The Council requests confirmation from the Applicant that the accesses will not be used for access for inspection of the cable route or for any travel between sites or adjoining highway.</p>
Site Access	5.4.3 (page 95)	<p>The observation regarding the extent of the DCO boundary is noted. While the works proposed appear to be achievable within the DCO boundary shown on plan, it has not yet been established that issues such as access width and junction radii as proposed is appropriate to provide safe access and this cannot therefore be confirmed until these other issues are agreed.</p>
Site Access	5.10.1 (page 97)	<p>While this is acceptable for internal arrangements required during the construction phase, the Council suggests that any permanent works required for use during then operational phase should be identified prior to close of Examination.</p>
Site Access	6.1.1 (page 98)	<p>The Applicant is correct in the assumption regarding construction and decommissioning.</p> <p>It is noted that the Applicant's response indicates that there will be no intensification of use during the operational phase, except for the purpose maintenance where traffic management will be provided as necessary after consultation with the highway authority. Throughout sections 4 and 5 of the Framework Construction Traffic Management Plan and Travel Plan [REP5-015], the requirement to retain accesses for infrequent use during the operational phase for maintenance purposes is also noted, but no clear indication is given as to what constitutes maintenance. The Council therefore requests that the Applicant clarifies this, and confirms that access will not be required for routine inspection or as a means of accessing other sites or sections of cable route.</p> <p>The Council also requests that the Applicant confirms that where it states that no intensification of use will occur, whether this indicates that there will be no numerical increase in traffic movements beyond that from the established agricultural use, rather than its own assessment that a proposed increase in flow will not in be materially different in transport</p>

		terms from the existing flow. The latter would not be considered appropriate in determining the impact that the proposal might have on safety, especially in relation to accesses that are already deficient in terms of visibility and/or access geometry for their current use.
Highways Condition Surveys	7.2.15 and 7.2.16 (page 103)	The Council reiterates that the methodologies for these surveys should be defined within the CTMP [REP5-015]. It is not sufficient to 'agree to agree' how these surveys will be undertaken.
Preventative Treatments	7.2.16 (page 103)	A commitment to "discuss" preventative treatments within the CTMP [REP5-015] is inadequate and the Council reiterates its requirement for such treatments to be undertaken as are reasonably required by the Highway Authority, at the expense of the Applicant. This commitment should be contained within the CTMP.
Costs of Damage to Local Highway Network	7.2.15 and 7.2.16 (page 103)	A loose commitment to the principle of commuted sums is inadequate. An absolute sum, or means of calculating such a sum, needs to be explicitly set out in the CTMP [REP5-015] or explicitly referenced in the DCO itself. The Applicant makes reference to a side agreement, but discussions on highways matters have not commenced beyond very broad Heads of Terms and it seems highly unlikely that such an agreement would be concluded prior to the closure of the Examination. Therefore, the Council cannot rely solely upon such an agreement to resolve the matter of commuted sums, without an appropriate mechanism for the implementation of such an agreement being set out in the DCO.
Local Impact Report		
Chapter 13, Transport	1g, 1h (pages 67-68) 14.19, 14.21 (page 61)	Local highway authorities have represented that it is necessary for the Applicant to obtain and display highway boundary information on the appropriate draft Order plans. The Applicant has advised in response that it has contacted the local highway authorities to obtain this information, but has yet to commit to the display of this information on the draft Order plans. Cambridgeshire County Council remains of the opinion that this makes the task of understanding the impact of the proposed works on the pre-existing highway network more difficult. CCC is yet to receive a request for highway boundary information in relation to the draft DCO proposals.
Ecological Vision	8.37-8.40 and Annex A (page 51)	Please see the Council's response to REP5-012 on page 2 of this document. (Page 2 of this document).
Ecological Vision – Arable Flora Mitigation	8.37-8.40 and Annex A (page 51)	Please see the Council's response to REP5-012 on page 2 of this document. (Page 2 of this document).

Arable Field Margins / Arable Flora	8.89 (page 54)	<p>Appendix 8C: Terrestrial Habitats and Flora Report [APP-079] Figure 2 does not show the survey area.</p> <p>The Council still remains unclear about which of the fields were scoped out for detailed for arable flora surveys, as set out on page 3 of West Suffolk Council's Post Hearing Submission ISH2 [REP4-131].</p>
AIA – Bat Surveys	8.103 and 8.111 (pages 55-57)	<p>The Council seeks the submission of the Preliminary Roost Appraisal that <i>“has been undertaken on all woodlands and trees and it is noted that there could be potential impacts to trees and woodlands with bat roost suitability.”</i></p> <p>The Council also seeks clarification at to the potential level of impact of the works on bats (based on the precautionary principle).</p>
Bats – Pre-Commencement Surveys	8.103 & 8.111 (pages 55-57) 8.114 – 8.115 (pages 57-58)	The FCEMP [REP5-043] should be updated to include a requirement for pre-commencement surveys for bats prior to any tree works.
Appendix A Phase 1 Habitat and Arable Flora Update		
Arable Flora	Page 125	<p>The purpose and significance of the walkover survey is unclear.</p> <p>The Councils seek further clarification of the methodology used, in order to determine the comprehensiveness of the survey work. For example:</p> <ul style="list-style-type: none"> • Was all land within the red-line boundary surveyed? If not, what was the rationale for selecting specific land parcels to surveys? • Were the surveys completed by a suitably competent botanist? • Were the fields assessed against UK Habs classification? • Was a more detailed botanical assessment undertaken of potentially interesting habitats, following the methodology set out in the Terrestrial Habitats and Flora Report of the [APP-07]? <p>The Councils seek further clarification on the constraints of the survey, both the area covered and timing of the survey and how this has a bearing on the results. The survey work was undertaken in September 2022, which is outside of the optimal botanical survey seasons,</p>

		<p>particularly for arable flora that are normally surveyed in late spring. The survey work also followed a prolonged period of drought. For this reason, other botanical surveys of grassland in Cambridgeshire had to be abandoned by the end of July because the vegetation was completed dried / scorched and not identifiable.</p> <p>Given the constraints, the Councils question the level of confidence that the Applicant is able to afford the findings of the results.</p>
Additional Fields of Local County Importance		<p>The survey identified additional fields within the development site as being of 'local importance'. However, given the constraints of the surveys (as identified above), the Council considered it more appropriate to describe these fields as of up to county importance, to reflect the possibility that a number of key target species may have been missed due to poor quality of the survey.</p> <p>The only conclusion that can be made from the walk-over is that notable arable flora are well spread across the Development Site. The presence of arable flora (yearly growth) is dependent on the phase of the cropping pattern. Mitigation / compensation will be required to address the loss of arable flora from across the entire site. The current proposal for three areas of compensatory habitat for arable flora is not considered adequate to address the loss of large areas of arable field margins from across the site.</p>
Appendix A – Phase 1 Habitat and Arable Flora Update	Table 1	<p>Table 1 refers to “<i>annotated Phase 1 Figure 1</i>”, however this figure has not been supplied. As such, it is not possible to undertaken where the notes are referring to.</p> <p>It is noted there is also reference to an Updated Phase 1 Map within the BNG report [REP5-048], however we cannot find any drawings that are annotated to include the ‘notes’ or field reference numbers used in Table 1.</p> <p>The Councils request that “Annotated Phase 1 Figure 1” is supplied. This should include the location of all referenced fields and notes, as well as showing the area of land surveyed. It should also clearly show how the results differ from the 2019/20 baseline.</p>

8.77 Environmental Masterplan (Zoomed In) – 1, 2 3 and 4 of 4 [REP5-061 to REP5-064]

Topic	Paragraph Number	Council’s Comment
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Existing Grassland	e.g. Sheet 9	<p>Areas along the cable corridors are shown as “<i>existing grassland</i>”, suggesting these areas will be retained throughout the development. However, this doesn’t reflect the temporary loss of these areas associated with the construction phase.</p> <p>The reinstatement of these grasslands should also be covered in the Environmental Masterplan and OLEMP [REP5-013].</p>
Veteran Trees		The Environmental Masterplan should include the location of veteran trees to ensure these are protected and managed during the operational phase.
Arable Field Margins Pollen and Nectar	Sheet 9 & 12	<p>It is unclear what is meant by “<i>Arable Field Margins pollen and nectar</i>”? It is not explained on the Environmental Masterplan or within the OLEMP [REP5-013]. Will these be sown with nectar / pollen seed mix? The areas should be managed to allow the existing seedbank to flourish.</p> <p>The location of the arable field margins are welcomed, particularly within W09. However, management for arable flora should be extended across the entire scheme to ensure the existing network of fields of local-county importance for arable flora are maintained as part of the scheme.</p>
Stone Curlew Plots – EO1	Sheet 2 & 3	Stone Curlew plots are positioned within areas containing sensitive archaeology and must be re-positioned. ECO1 can only support a maximum of two plots, as set out in both Cambridgeshire County Council and West Suffolk District Council’s response to WQ2.2.6 [REP5-079] and [REP5-085], respectively.
Proposed Woodland		<p>This category should be separated into the constituent parts:</p> <ol style="list-style-type: none"> 1. new planting; 2. natural regeneration; 3. infilling; and 4. existing vegetation. <p>This would allow the Councils to understand the proposed planting in more detail.</p>
SuDS		The Environmental Masterplan doesn’t include the sustainable urban drainage features set out the Drainage Strategy General Arrangements drawings, Appendix F of the Drainage Technical Note [REP5-070]
PROW / Landscape	Sheet 2	The Council refers to its response at 5.2.1f and 5.9.9 to the Landscape and Ecology Management Plan [REP5-012] within this document.

Sunnica West A (W08-W12)	Sheets 11 and 12	Sheets 11 and 12 are missing and therefore, the detailed design for parcels W08-W12 and the surrounding land (e.g. archaeological constraints to south of W09 and rush pasture / grassland north of W08/W10) are not known. The Councils request this information be provided
General		The proposed habitats do not accord with the post-development habitats shown in the BNG report, please refer to Council's comments on [REP5-048] above REP5-048].

8.81 Public Rights of Way Closure Note [REP5-068]

Topic	Paragraph Number	Council's Comment
General Comments		<p>The Council welcomes the provision of this PROW Closure Note, and it is welcomed that the programme asserts that there will be no overlapping closures.</p> <p>The Council welcomes the principles of 2.3.3 and encourages where possible that, despite a TTRO potentially being in place, the best option is for marshals to be in place to guide users to safely cross the point where works are taking place.</p> <p>Table 1.1 incorrectly refers to East Cambridge District Council, rather than East Cambridgeshire District Council.</p> <p>Should a TTRO be required, for the avoidance of doubt there must be a specific TTRO for each closure, and the Applicant needs to ensure that the Contractor is aware of TTRO application time scales. The proposed Highways Legal Agreement needs to include agreed timescales for the LHA to advise on signage and pre inspections.</p> <p>The Council is concerned that the tone of the Note is still very much around closure of PROW despite the statement that they would be closed as a last resort. The Council repeats its proposed amended wording to the DCO and CTMP as requested by the Examiners at ExWQ2.9.10:</p> <p>This matter equally affects PROW in the area for which SCC is responsible, and so a joint response between CCC and SCC has been agreed. CCC and SCC consider that Article</p>

		<p>11(1) of the dDCO needs to be amended as highlighted in bold in order to address our concerns.</p> <p>Article 11(1): “The undertaker, during and for the purposes of constructing or maintaining the authorised development, may temporarily stop up, prohibit the use of, authorise the use of, alter or divert any public right of way and may for any reasonable time only as a last resort in accordance with the detailed Construction Traffic Management Plan approved under Schedule 2 Requirement 16 —”.</p> <p>The DCO should refer to the legal agreement that the Council has requested the Applicant to enter into with it. This the legal agreement will provide the detail as to how the liaison process will be governed, as well as phasing and other matters critical to ensuring effective delivery and control.</p> <p>Schedule 2 Requirement 16 sets out the requirement for a Construction Traffic Management Plan. This is linked to Article 9, Power to alter layout, etc., of streets. Article 9)3) should be amended as follows:</p> <p>Article 11((3): “The undertaker must restore any street that has been temporarily altered under this Order to the reasonable satisfaction of the street authority through inspection and certification by the street authority in accordance with the procedure set out in the legal agreement between the relevant parties.”</p> <p>Article 9(1)(b) should also be amended so that it refers to Part 1 of Schedule 6, which governs the temporary stopping up of PROW. If it does not refer to Part 1 of Schedule 6 then there is no provision within the DCO for control of reinstatement of PROW affected, as there is for the streets listed in Schedule 5. This is because Article 11 only deals with temporary stopping up and alterations to the surface etc. of PROW and not reinstatement provisions. Article 9)1)(b) should be amended as follows:</p> <p>Article 9(1)(b):</p>
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		<p>“in the case of the streets specified in column 2 of the table in Part 2 (temporary alteration of layout) of Schedule 5 and Schedule 6 temporarily in the manner specified in relation to that street in column 3.”</p> <p>Schedule 2 Requirement 16: Construction Traffic Management Plan should be amended as follows:</p> <p>Requirement 16(3): “No part of the permitted preliminary works for each phase comprising above ground site preparation for temporary facilities for the use of contractors, site clearance (including vegetation removal, demolition of existing buildings and structures) and the diversion and laying of apparatus so far it relates to works in the highway (including public rights of way) and the crossing of highways (including public rights of way) for construction purposes may start until a permitted preliminary works traffic management plan for that phase has been submitted to and approved by the relevant county authority for that phase or, where the phase falls within the administrative areas of both the county of Suffolk and the county of Cambridgeshire, both relevant county authorities.”</p> <p>The CTMP should be amended as follows: 6.3.4 Over the course of the construction period a number of PROW may need to be temporarily closed for a maximum of three weeks. This is a worst-case scenario: PROW will only be closed as a last resort. The local highway authority will be consulted on any proposed closures in accordance with article 11 of the DCO.</p> <p>Paragraph 6.3.10 to be replaced as follows:</p> <p>The contractor will provide its proposed programme of all proposed temporary diversions and/or closures of PROW to the relevant LHA and will agree the appropriate diversionary routes. Through discussions with the Local Highway Authorities, it is understood that their preference is to avoid PROW closures where they are required for vehicles to cross the PROW, with the preferred method to be the use of marshals (banksman/banks person) to enable usage of the PROW to cross the point at which the</p>
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		<p>management is required. Solutions may include diversion within the redline boundary, where space allows. This is supported by the Applicant, however, the contractor will make the final decision as to whether marshals (banksman/banks person) can be used, and this will be decided on case-by-case based on health and safety of workers and the nature of users of the public rights of way.</p> <p>New para 6.3.11 Appropriate signage for any diversions or closures will be agreed with the Local Highway Authority through the detailed CTMP/the preliminary works traffic management plan under Requirement 12 of Schedule 2 to the DCO, including the locations at which signage is to be placed in order to provide users with adequate notice to make appropriate decisions for their journeys.</p> <p>It is requested that the Note please be amended to align with these amendments.</p>
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