



Our ref: TR010022/S51 Response

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1 July 2019

Dear Robert,

**A38 DERBY JUNCTIONS
PLANNING ACT 2008 SECTION 51: NOTIFYING PERSONS OF ACCEPTED
APPLICATION**

I am writing regarding the proposed A38 Derby Junctions scheme and your letters dated 21 May 2019 and 22 May 2019. Please see below the response of Highways England to the issues raised.

Consultees identified on a precautionary basis

We note that the Planning Inspectorate recommend (taking a precautionary approach) that the Applicant may wish to include the body listed in box 6 of the checklist (Severn Trent Water) amongst those on whom they serve notice of the accepted application under s56(2)(a) of the PA2008, unless there is a specific justification why this is not necessary.

In coming to this conclusion, Highways England notes that the Planning Inspectorate have reviewed Annex G of the Consultation Report (Doc 5.1) which included a list of persons consulted under s42(1)(a) of the PA2008.

For the avoidance of doubt, I can confirm that Severn Trent Water were consulted under s42 (1) (a) of the PA2008, but this information was unintentionally omitted from Annex G of the Consultation Report. Highways England is aware of its responsibilities under s56 (2) (a) of the PA2008 and can confirm that Severn Trent will be notified (along with the other prescribed parties) that the application has been accepted for examination.

In providing this clarification, Highways England does not intend to produce a revised version of the Consultation Report.

Funding Statement

In response to the comments on the Funding Statement (in relation to the provision of the appendices and the use of hyperlinks), please find enclosed an updated version of this report. The version provided includes the removal of the hyperlinks and the provision of extracts within the appendices, which is provided as single composite version.

The enclosed version of the Funding Statement updates the submission version and should be used in the examination of the application.

Structures Engineering Drawings and Sections

Highways England acknowledges the comment that sheets 1, 4, 5,9, 10 only show one elevation of the proposed bridges and that in relation to this, the Examining Authority may request further elevations in the examination.

The reason for preparing a single elevation, is that additional elevations would display the same information, (albeit in mirror form) and that from a 2D perspective these additional elevations would not provide significant value in the understanding of the scheme proposals.

Accordingly, Highways England does not intend to submit any additional elevation drawings at this stage.

General Arrangement Plans

We note the comments on the key to sheet 2 of 4 being incomplete. In this regard, please find enclosed a revised set of General Arrangement drawings (sheets 1-4). This also includes a revision to the legend key, which identifies proposed watercourses.

The enclosed version of these plans updates the submission version and should be used in the examination of the application.

Drawing Number	Drawing Title	Revision
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0020	GENERAL ARRANGEMENT REGULATION 5(2)(o) KEY PLAN	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0021	GENERAL ARRANGEMENT REGULATION 5(2)(o) SHEET 1 OF 4	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0022	GENERAL ARRANGEMENT REGULATION 5(2)(o) SHEET 2 OF 4	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0023	GENERAL ARRANGEMENT REGULATION 5(2)(o) SHEET 3 OF 4	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0024	GENERAL ARRANGEMENT REGULATION 5(2)(o) SHEET 4 OF 4	C02

Works Plans

We acknowledge the stated point on how the beginning and end of linear works is presented on the Works Plans. In order to provide additional clarity, a further legend has been added to the Works Plans key, with notations on the plans that define the beginning and end of the

linear works and how they relate to one another. Accordingly, a revised set of Works Plans (Sheets 1-4) are provided and appended to this correspondence. The enclosed version of the plans updates the submission version and should be used in the examination of the application.

The revised drawings submitted are as follows:

Drawing Number	Drawing Title	Revision
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0010	WORKS PLANS REGULATION 5(2)(j) KEY PLAN	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0011	WORKS PLANS REGULATION 5(2)(j) SHEET 1 OF 4	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0012	WORKS PLANS REGULATION 5(2)(j) SHEET 2 OF 4	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0013	WORKS PLANS REGULATION 5(2)(j) SHEET 3 OF 4	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-0014	WORKS PLANS REGULATION 5(2)(j) SHEET 4 OF 4	C02

Land Plans and Special Category Land Plans

We note the comments on the Land Plans with specific reference to the Special Category Land Plans in relation to the consistency with the Book of Reference, having particular regard to whether or not land is to be used temporarily or permanently.

Highways England has undertaken a review and consistency check and have made some revisions to the key and features on the Special Category Land Plans. A new legend has been added which is defined as:

‘Special Category Land – Open Space land to be acquired permanently and retained as open space.’

We consider this provides additional clarity, between land that is needed on a compulsory basis whereby its use as open space will cease (with suitable replacement land being provided) and land that is acquired permanently, but its use as open space will be retained.

In this regard, please find enclosed a revised set of Special Category Land Plans (Sheets 1-10). These plans update the submission version and should be used in the examination of the application.

The revised drawings submitted are as follows:

Drawing Number	Drawing Title	Revision
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9700	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) KEY PLAN	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9701	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 1 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9702	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 2 OF 10	C02

HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9703	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 3 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9704	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 4 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9705	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 5 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9706	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 6 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9707	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 7 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9708	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 8 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9709	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 9 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9710	SPECIAL CATEGORY LAND PLANS REGULATION 5(2)(i) SHEET 10 OF 10	C02

In undertaking this consistency check, a small number of anomalies have also been identified in relation to the land plans. These corrections comprise the following adjustments:

- Sheet 7 – Land outside DCO order limits highlighted yellow.
- Sheet 8 – 8/25c. Parcel is subject to cut-line. Amended and changed from green to blue. Reflected in BoR.

Accordingly, a revised set of Land Plans are provided (Sheets 1-11). These plans update the submission version and should be used in the examination of the application.

The revised drawings submitted are as follows:

Drawing Number	Drawing Title	Revision
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9900	LAND PLANS REGULATION 5(2)(i) KEY PLAN	C01
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9901	LAND PLANS REGULATION 5(2)(i) SHEET 1 OF 10	C01
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9902	LAND PLANS REGULATION 5(2)(i) SHEET 2 OF 10	C01
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9903	LAND PLANS REGULATION 5(2)(i) SHEET 3 OF 10	C01
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9904	LAND PLANS REGULATION 5(2)(i) SHEET 4 OF 10	C01
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9905	LAND PLANS REGULATION 5(2)(i) SHEET 5 OF 10	C01
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9906	LAND PLANS REGULATION 5(2)(i) SHEET 6 OF 10	C01

HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9907	LAND PLANS REGULATION 5(2)(i) SHEET 7 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9908	LAND PLANS REGULATION 5(2)(i) SHEET 8 OF 10	C02
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9909	LAND PLANS REGULATION 5(2)(i) SHEET 9 OF 10	C01
HE514503-ACM-DCOA38_SW_PR_ZZ-DR-DC-9910	LAND PLANS REGULATION 5(2)(i) SHEET 10 OF 10	C01

Book of Reference

The comparative consistency check has also brought up a small number of inconsistencies in the submission version of the Book of Reference. The revisions made to the Book of Reference are summarised below:

- Part 1 – 2/1l. Addition of the word ‘comprising’ in Description of Land.
- Part 1 – 3/1aa. Submitted BoR stated Temporary possession and use of land and acquisition of rights over land. Land plans showed parcel as temporary passion and use of land. BoR document amended to align with Land Plans.
- Part 4 – 3/5b. Extent of acquisition or use states Land to be acquired temporarily and rights to be acquired permanently, which differs from Part 1, Land plans and Special Category Land Plans. Part 4 amended to reflect Part 1, Land Plans and Special Category Land Plans.
- Part 4 – 3/5d. As per 3/5b above. Amended to reflect Part 1, Land Plans and Special Category Land Plans.
- Part 5 – 3/1aa. Same anomaly from part 1. Amended to remove rights.
- Part 5 – 4/1f. Formatting, space added.
- Various – text formatting sizes through document.
- Derby City Council – addition of ‘The’ Council House in address through document.
- Part 8 - 8/25c – changed from Temporary possession and use of land to Temporary possession and use of land and acquisition of rights over land. This change was to reflect the changes to the Land Plans as this plot is a subject to a cutline and needed to reflect the same as 9/6b. This parcel is affected by a utility diversion.
- Various parcels – the deletion of the duplication of Derbyshire County Council on Sheets 7, 8 and 9.
- Various parcels – change of name from Western Power Distribution (West Midlands) to Western Power Distribution (East Midlands) to reflect the part of the organisation responsible for where the Scheme is located.

An updated version of the Book of Reference is enclosed with this correspondence. This version updates the submission version and should be used in the examination of the application. In the interests of clarity, a tracked change version and a ‘clean’ version is submitted, to provide visibility over where changes have been made.

Environmental Statement

Biodiversity

In relation to page 51 of the Biodiversity chapter of the Environmental Statement, the missing section of the page relates to a formatting error in the finalisation of the document.

Accordingly, please find enclosed a replacement version of page 51 and separate to this, the full version of the chapter.

The enclosed version of the chapter updates the submission version and should be used in the examination of the application.

OEMP

With respect to the Outline Environmental Management Plan (OEMP), I can confirm that both versions of the OEMP are identical in content and it was intentional to append this document to the ES and provide as a standalone document. Notwithstanding this, for the avoidance of doubt, I can confirm that document 6.12 should be the version relied upon for the purpose of the examination.

Visualisations

It is acknowledged that the Examining Authority may request the provision of 3D visualisations/drawings to enable a clear understanding of the visual impact of the proposed junction developments. In response to this, Highways England will review the photomontages that were prepared as part of the public consultation. The suitability of these for use in the examination will be considered by Highways England, in the event that further information is requested by the Examining Authority.

Air Quality

In relation to Air Quality, reference is made to the letter dated 22 May and the more detailed questions contained therein. These detailed questions are reproduced below, along with the response of Highways England. For the avoidance of doubt, the collective responses seek to provide additional clarification on the assessment undertaken and as such should not be treated as new assessment. In this respect, the findings of the Air Quality assessment remain as presented in the original application submission.

ES chapter 5, paragraph 5.6.2 states that the assessment of “operational phase traffic effects uses a study area of 200m around roads likely to be affected by the Scheme” and ES paragraph 5.6.3 sets out standard screening criteria used to determine study areas. Figures 5.2a-c and 5.3a-c set out the receptors considered in the construction phase and the opening year of operation. However, no detailed information is provided to explain how the selected receptors were derived with reference to the 200m study area and screening criteria thresholds. Please provide further detail regarding the findings of the receptor screening process set out in the ES.

The screening criteria used to identify the Affected Road Network (ARN) is set out in the ES Chapter 5 Para 5.6.3. The screening criteria are taken from the DMRB Volume 11, Section 3 Part 1 Air Quality (HA207/07) para 3.12. The study area was identified through the assessment of the difference in traffic characteristics between the ‘without scheme scenario’ (Do-Minimum) and the ‘with scheme scenario’ (Do-Something) and the application of the qualifying screening criteria.

Additional figures have been produced (Figures 1-4) to illustrate the identification of the study area and these are enclosed with this response. These figures illustrate which road links are affected by changes in traffic flow, traffic speed or road alignment in the Scheme opening year of 2024:

- Road links with an increase or decrease in traffic flows of more than 1000 AADT are shown in Figure 1.
- Road links with an increase or decrease in HDV flows of more than 200 AADT are shown on Figure 2.
- Road links with a change in daily average speed of more than 10 km/hr are shown on Figure 3.
- Road links with a change in road alignment of more than 5m are shown on Figure 4.

The ARN for the Scheme opening year is presented in ES Figures 5.3 A-C. A similar exercise was undertaken to identify the ARN for the construction scenarios. The construction scenarios assessed are explained in ES para 5.5.6 - 5.5.7 and 5.8.8 – 5.8.9. The identification of the ARN is explained in ES Para 5.6.3 – 5.6.4. Additional figures have been produced (Figures 5 - 10, also enclosed with this response). These figures illustrate which road links are affected during the construction scenarios by changes in traffic flow or HDV flow, with the three construction scenarios assessed. The road links meeting the qualifying traffic screening criteria during any of the construction scenario were included in the ARN for construction impacts. The construction phase ARN is shown on ES Figures 5.2 A-C. The additional figures produced are:

- Road links with an increase or decrease in traffic flows of more than 1000 AADT with construction Scenario 0 are shown in Figure 5.
- Road links with an increase or decrease in HDV flows of more than 200 AADT with construction Scenario 0 are shown on Figure 6.
- Road links with an increase or decrease in traffic flows of more than 1000 AADT with construction Scenario 2 are shown in Figure 7.
- Road links with an increase or decrease in HDV flows of more than 200 AADT with construction Scenario 2 are shown in Figure 8.
- Road links with an increase or decrease in traffic flows of more than 1000 AADT with construction Scenario 4 are shown in Figure 9.
- Road links with an increase or decrease in HDV flows of more than 200 AADT with construction Scenario 4 are shown on Figure 10.

The selection of receptors was consistent with the guidance as set out in ES para 5.3.2 (Defra's Local Air Quality Management Technical Guidance 2016, the DMRB Volume 11 Section 3 Part 1 Air Quality and the guidance set out in Section 2.2 of Highways England's Interim Advice Note 174/13 'Significant air quality effects'). This involves identifying potential receptors which are the closest distance to the ARN as concentrations will be highest at these locations, this is standard practice. The majority of receptors that were identified near the operational phase ARN were also assessed for the construction phase. Receptors include buildings where members of the public are likely to be located such as residential dwellings and schools and outdoor areas where members of the public could be located such as parks and playing areas. Receptors were selected that are likely to have the highest air pollutant concentrations and so are at risk of exceeding an Air Quality Strategy objective / EU limit value or were expected to have the greatest change (improvement or worsening) in concentrations due to the Scheme. In addition, Derby City Council requested that a number of receptors in the city centre be included that were not near the ARN. These are discussed in ES para 5.4.5 and were included in the air quality assessment.

The ES describes local air quality effects during the construction phase and at the year of opening. The Design Manual for Roads and Bridges (DMRB) paragraph 3.5 requires assessment for the year of opening and possibly a further year. The

assessment should be based on the ‘worst year in the first 15 years from opening’.
The ES does not clearly explain why the 2024 opening year would be the worst case.
Please provide clarification in this respect.

The Scheme opening year (2024) has been assessed for impacts on local air quality as this year would be the worst year in the first 15 years after Scheme opening for the pollutant of most concern, nitrogen dioxide (NO₂). This accords with DMRB Volume 11, Section 3 Part 1 Air Quality (HA207/07) paras 3.5 and 3.6.

Para 3.5 which states

“... the worst year in the first 15 years from opening needs to be assessed.”

DMRB Para 3.6 states:

“ For local air quality, this [the worst year] will be the opening year and possibly a later year if more stringent air quality criteria come into effect at a later date. The earlier years tend to be worst for local air quality as vehicle emissions are set to decrease in the future due to increasingly stringent vehicle emission legislation ...”

For the A38 Derby Junctions scheme, the opening year is the year in which NO₂ concentrations impacts would be greatest as vehicle emissions would decrease in the future as indicated in Highway England’s Interim Advice Note 185/15 ‘Advice on the assessment of link speeds’. Whilst there is a natural growth in traffic year on year, this would not offset the improvement in NO_x emissions as a result of increased numbers of cleaner vehicles entering the vehicle fleet. It is not anticipated that more stringent air quality criteria for ambient air quality will be introduced in the future, which could result in exceedances of the air quality criteria. A later year was not assessed for the Scheme as the opening year was considered to be the worst for NO₂ concentrations as there were no other factors identified that would cause a deterioration in air quality in later years that would offset the decrease in emissions due to a cleaner vehicle fleet. The decrease in emissions in later years is demonstrated in ES Tables 5.7 and 5.8 in the regional emissions assessment where the emissions of NO_x are much lower in the design year (2039) than the opening year. Concentrations of NO₂ in the design year (2039) would therefore be lower than those in the Scheme opening year (2024) due to the cleaner vehicle fleet.

Emissions of PM₁₀ from the ARN are slightly higher in the design year (2039) than in the opening year. This is because the year on year improvements in vehicle PM₁₀ emissions due to cleaner vehicles entering the vehicle fleet are slightly less than the increase in PM₁₀ emissions due to traffic growth over the 15 year period as shown in ES Tables 5.7 and 5.8. However, predicted PM₁₀ concentrations are well within the Air Quality Strategy objectives and EU limit values in the base year (2015) (ES para. 5.7.9), construction year (2021) (ES para 5.7.13) and opening year (2024) (ES para 5.7.13 and 5.10.52). Annual mean PM₁₀ concentrations at the receptor with the highest concentrations (Stafford Street) are approximately half of the objective and limit value during these three years and so are not at risk of exceeding the objective and limit value in the construction, opening or later years.

As such, no further air quality assessment is required.

Air quality effects are reported for Derby Ring Roads Air Quality Management Area (AQMA) (No. 1 Ring Roads AQMA for NO₂). The No. 2 A52 AQMA is a feature that is mentioned within the Applicant’s Scoping Report and its extent is identified in ES Figure 5.4 but it is not labelled and does not appear to be referenced in the text. The exclusion of this AQMA may relate to the definition of the study area, which has been

raised above. Please provide clarification explaining how effects on the A52 AQMA have been addressed.

The No 2 A52 AQMA is in Spondon. This is approximately 4 km to the east of Derby Inner Ring Road and is outside of the Scheme air quality study area. The traffic assessment prepared for the ES showed that traffic flows on the A52 in Spondon are expected to change by up to approximately 200 AADT in the opening year due to the Scheme, this is well below the DMRB screening criteria of 1000 AADT and so was not included in the Affected Road Network. The A52 AQMA in Spondon was not assessed as air quality effects will be insignificant.

The air quality chapter assumes that Derby City Council mitigation measures for Stafford Street are in place for the construction phase assessment but not for the operational assessment. ES paragraph 5.4.3 states that “The measures were not incorporated into the Scheme opening year assessment for 2024 as it was understood at the time that the operational phase traffic data was being produced, that the city was likely to be compliant with the EU Directive by that time”. Please provide clarification to explain whether this assumption has been agreed with Derby City Council; why the ES assumes this to be a worst-case assessment and whether an assessment of air quality effects with Derby City Council mitigation measures in place during 2024 has been undertaken.

AECOM met with Derby City Council in June 2018 to discuss the Council’s emerging Clean Air Zone (CAZ) proposals and the results of the Council’s modelling studies. Derby City Council agreed that the A38 Derby Junctions Scheme would improve air quality in Stafford Street once the Scheme was operational. The traffic management measures proposed by the Council instead of a charging CAZ access restriction would mainly affect a small area around Stafford Street and would have the effect of reducing traffic flows in Stafford Street, the most sensitive area in Derby. These measures are temporary and are expected to be implemented during 2019 and will be required for the years prior to the opening of the Scheme.

The proposed traffic management measures are discussed in ES para 2.4.5 and, as outlined in Derby City Council’s Preferred Option Announcement, include:

- Changes to the junctions at either end of Stafford Street to restrict traffic flows in the most sensitive area.
- Changes to improve capacity at the Ashbourne Road/Uttoxeter Old Road junction to help provide alternative route choices.
- Traffic management measures to support alternative routes such as Old Uttoxeter Road.
- Wider traffic management measures to include improvements to the network management control system that manages traffic signals in Derby to help ensure that there is a better system to manage traffic flows and the road network.

Five scenarios were tested by the Council in relation to the CAZ and the resulting predicted concentrations in Stafford Street are shown in Table 1. The Council’s scenario testing showed that the traffic management measures (Test 3) would reduce concentrations in Stafford Street in 2020 compared with not having the traffic management measures (Test 2)¹. The Test 5 results indicate that by 2025 with the A38 Scheme in operation and no traffic management measures in place, Stafford Street would be compliant with the objective and

¹ Derby City Council, Derby Air Quality Modelling Report (AQ3), Issue Number 6, 14/03/2019.

EU limit value and it is also likely, according to the Council's predictions, that it would be compliant in the Scheme opening year of 2024.

Table 1: Derby City Council's Air Quality Predictions for Stafford Street

Scenario	Description	Annual mean NO ₂ Concentration in Stafford Street (µg/m ³)
Test 1	Business as usual- baseline in 2020	49.3
Test 2	Do minimum which includes measures that have already received funding from government in 2020	48.5
Test 3	Stafford St traffic management and wider network management scheme in 2020	35.5
Test 4	Charging CAZ access restriction in 2020	38.0
Test 5	2025 reference year which includes the completion of the three A38 Derby junctions grade separation work but no other measures so business as usual conditions.	36.1

The assessment approach taken by AECOM was to include the Council's mitigation measures in the 'Do-Minimum' and 'Do-Something' construction analyses, but to exclude the Council's proposed mitigation measures from the Scheme's operational analyses in the chosen forecasting years of 2024, 2031 and 2039 as they would no longer be needed. Excluding the Council's traffic management measures from the operational assessment is considered to represent a worst case given that it results in higher traffic flows along Stafford Street.

Table 4 in Appendix 5.2 of the ES shows the traffic flows in Stafford Street with each of the Scheme assessment scenarios. Traffic flows in 2015 are predicted to be approximately 20,700 AADT whilst in 2021, with the traffic management measures in place, traffic flows are predicted to reduce to approximately 18,700 AADT. By 2024, without the traffic management measures, traffic flows are predicted to increase to approximately 23,500. Not having the traffic management measures in place in 2024 would thus result in higher predicted pollutant concentrations in Stafford Street (which is the most sensitive area), than would be predicted with the traffic management measures in place. Thus, not including the traffic management measures within the operational phase is considered to be the worst case. According to the ES, the operation of the A38 Scheme would result in a small improvement in air quality in Stafford Street. An assessment of operational impacts with the traffic management measures in place has not been undertaken for the ES as the assumption is that these traffic management measures will no longer be in place and, in any event, would only further improve the position were they accounted for given that they are likely to result in reduced traffic flows.

In addition to the points raised in the letter dated 22 May 2019, an additional clarification is presented in the Section 55 Acceptance of Applications checklist (Item 30). This is referred to below, along with a response.

Figure 5.5a-f shows changes in opening year air quality. The figure merges changes of +0.4µg/m³ with -0.4µg/m³ on the basis that a change of 0.4 µg/m³ is imperceptible. It is suggested that a revised figure which depicts the fine-grained detail to differentiate between changes in air quality is requested in order to more clearly distinguish between areas anticipated to receive improvement and deterioration in air quality.

Highways England's Interim Advice Note 174/13 'Significant Air Quality Effects' sets out the magnitude of change criteria that are to be applied in air quality assessments in Table 2.1. These are included in Table 7 of ES Appendix 5.2. Changes due to the Scheme which are less than 1% of the objective are described as 'imperceptible'. For annual mean NO₂ concentrations, this imperceptible change is -0.4 to +0.4 µg/m³.

I trust that the contents of this correspondence and the accompanying information provides suitable additional clarity to the Inspectorate, following the issuing of advice under S51 of the PA2008. Please note that the revised documentation referenced in this correspondence is submitted in electronic form (USB stick).

Should you wish to discuss matters further, then please do not hesitate to get in touch.

Yours sincerely



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Enc. Revised Funding Statement
Revised General Arrangement Plans
Revised Works Plans
Revised Special Category Land Plans
Revised Land Plans
Replacement page 51 of Chapter 6 of the ES and standalone copy of Chapter 6
Additional Air Quality Figures
Updated Book of Reference