

A38 Derby Junctions

TR010022

8.12 Statement of Common Ground with Historic England

Planning Act 2008

Rule 8 (1)(e)

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 8

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**The Infrastructure Planning
(Examination Procedure) Rules 2010**

**A38 Derby Junctions
Development Consent Order 202[]**

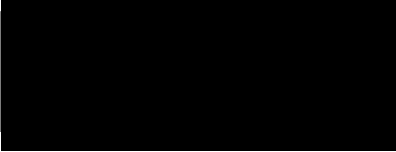
**Statement of Common Ground
Historic England**

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STATEMENT OF COMMON GROUND

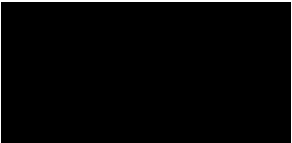
This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Historic England.

Signed  ***

Chris Archbold

Project Manager on behalf of Highways England

Date: 24th October 2019

Signed 

Tim Allen

Development Advice Team Leader (North) (Midlands Region), on behalf of Historic England

Date: 14th of October 2019

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1 Introduction

1.1 Purpose of this Document

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared in respect of the proposed A38 Derby Junctions ('the Scheme') made by Highways England Company Limited ('Highways England') to the Secretary of State for Transport ('Secretary of State') for a Development Consent Order ('the Order') under section 37 of the Planning Act 2008 ('PA 2008').
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/ or the Planning Inspectorate's website¹.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by Highways England as the Applicant and Historic England.
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1st April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency to be conferred upon or assumed by Highways England.
- 1.2.3 Historic England is a non-governmental organisation that is sponsored by the Government's Department for Digital, Culture, Media and Sport. Historic England is responsible for promoting historic places, identifying and protecting England's heritage, supporting change, providing understanding of England's historic places and providing heritage expertise at a local level. As part of this role, Historic England provide advice on planning applications and listed building consents.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter (Section 3) of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" is where points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Historic England, and therefore have not been the subject of any discussions between the parties. As such, those matters can be

¹ <https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/a38-derby-junctions/>

read as agreed, only to the extent that they are either not of material interest or relevance to Historic England.

2 Record of Engagement

2.1.1 A summary of key meetings and correspondence that has taken place between Highways England (and AECOM as Highways England's design consultant) and Historic England in relation to the Scheme is outlined in Table 2.1.

Table 2.1: Record of Engagement

Date	Form of Correspondence	Key topics discussed and key outcomes
10.03.15	Letter from English Heritage	Significance of cultural heritage should be fully assessed within the EIA.
18.11.15	Letter from Historic England	EIA screening/scoping opinion and recommend consultation with the Conservation Officer at Derby City Council and archaeology staff at Derbyshire County Council.
22.06.17	Letter from Historic England	Letter from Historic England concerns their review of the Environment Assessment Report. Recommends ICOMOS methodology is adopted (Heritage Impact Assessment) to inform the assessment of impact on the Outstanding Universal Value (OUV) of Derwent Valley Mills World Heritage Site (WHS).
08.03.18	Email from AECOM	Email seeking input to scope of HIA from Historic England.
13.04.18	Letter from Historic England to the Planning Inspectorate	Letter from Historic England concerning their review of the EIA Scoping Report and agreement to the approach proposed.
09.07.18	Meeting with Historic England	Meeting to discuss Historic England's comments on the EIA Scoping Report, and the proposed cultural heritage impact assessment.
08.08.18	E-mail from Historic England	Historic England e-mail confirming that Highways England should not directly approach UNESCO and that Historic England will discuss this issue with the Inspectorate and they (Historic England/ the Inspectorate) will advise Department for Culture, Media and Sport (DCMS) who can then take a view on whether they feel it is appropriate/ necessary to inform UNESCO.
17.10.18	E-mail from Historic England	Historic England confirmation that they were content with the scope of the Heritage Impact Assessment (HIA) as set out in the HIA Scoping Report.
18.10.18	E-mail from Historic England	Historic England e-mail providing comments on the Preliminary Environmental Report (PEIR).
25.07.19	Relevant Representation Comment	Historic England stated that they are content with the approach to the assessment of impacts on the Derwent Valley Mills WHS.
16.08.19	E-mail from Historic England	Agreement to prepare a SoCG.

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between Highways England and Historic England in relation to the issues addressed in this SoCG.

3 Issues

3.1 Introduction and General Matters

3.1.1 This chapter sets out the ‘issues’ which are agreed, not agreed, or are under discussion between Historic England and Highways England.

3.1.2 The letter provided to Highways England by The Planning Inspectorate on the 23rd of August 2019 under Section 88 of the Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6 (hereafter referred to as the ‘Rule 6 Letter’), sets out the issues that The Planning Inspectorate want Highways England and the relevant parties to address in their SoCG. Specifically, Annex E sets out the parties that The Planning Inspectorate wants Highways England to produce a SoCG with and the issues that they want to see addressed. This bullet point list has been replicated using a numbered list and is available at Appendix A of this SoCG. The issues set out below refer to this numbered list, making it clear which issues have been addressed.

3.1.3 It is noted that issues mentioned in the Rule 6 Letter not covered by the below are as follows, together with reasons why:

- **A-D.7** (Likely effects (direct and indirect) on protected (or equivalent) biodiversity sites, habitats and species): not used as biodiversity is outside of the remit of Historic England.
- **A-D.17** (The identification of consents, permits or licenses required before the development can become operational, their scope, any management plans that would be included in an application, progress to date, comfort/impediments and timescales for the consents, permits or licenses being granted): not used as consents, permits or licenses are not required from Historic England.
- **A-D.18** (Whether the effectiveness of consents, permits or licenses as mitigation have been accurately identified in the impact assessment): not used as consents, permits or licenses are not required from Historic England.
- **A-D.19** (Whether potential releases can be adequately regulated under the pollution control framework): not used as pollution control is outside of the remit of Historic England.
- **A-D.20** (Whether contaminated land, land quality pollution control and waste management can be adequately regulated by Environmental Permits): not used as contaminated land, land quality pollution control and waste management are outside of the remit of Historic England.
- **A-D.21** (Any other relevant matters included in the Initial Assessment of Principal Issues in Annex B): not used as at present no issues outside of the Initial Assessment of Principal Issues have been identified.
- **A-D.22** (Any other relevant matters and important considerations): not used as at present as no other relevant matters or important considerations have been identified.
- **A-D.23** (Any other matters on which agreement might aid the smooth running of the Examination): not used as all matters agreed or under discussion are covered by other specified issues.

- 3.1.4 It is noted that where the Historic England requests changes to the draft DCO Requirements, we will work with Historic England and propose new Requirement wording.

The Environmental Statement, Environmental Management Plans and Permits, Consents and Licenses

- 3.1.5 No objections to the Outline Environmental Management Plan (OEMP) [APP-249] or the Traffic Management Plan (TMP) [APP-254] have been provided by Historic England (Issues ref A-D.15). It should be noted that a Construction Environmental Management Plan (CEMP) and a Handover Environmental Management Plan (HEMP) have not been produced as of yet, as a contractor has not been procured to construct the Scheme. The CEMP will be based upon the OEMP [APP-249]. Delivery of the OEMP is a Requirement in the draft DCO [APP-016].
- 3.1.6 Moreover, Historic England has not provided comment on permits or licenses and their appropriateness (Issues ref: A-D.17 and A-D.18), as this is generally outside of the remit of Historic England (as applicable to the Scheme). As such, Highways England does not propose to address these issues in this SoCG.

Legislation and Policy

- 3.1.7 The Planning Statement [APP-252] and the Environmental Statement [APP-039 to 055] identify the relevant policy framework set out within the National Policy Statement for National Networks (NPSNN), as outlined in Appendix A of the Planning Statement [APP-252] and within section 2 of Chapters 5 to 15 of the Environmental Statement [APP-043 to 053]. The Planning Statement [APP-252] also sets out compliance with the policies of the NPSNN. From our discussions with Historic England, they are content with the approach that Highways England has taken in this regard (Issues ref A.1).
- 3.1.8 In addition, the applicable legislation and policies (from the relevant local development plans) considered by the Highways England, during the production of the DCO documents, are set out within Chapter 1, 4 and 5 to 16 of the Environmental Statement [APP-039, 042 and 043 to 053]; and Chapter 6 and Appendix A of the Planning Statement [APP-252] (Issues ref A.1).

3.2 Issues related to the Environmental Statement/ Heritage Impact Assessment

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
Issue ref: A-D.1, applicable legislation and policy	ES Chapter 6 Cultural Heritage [APP-044]	Section 6.2	Applicable legislation and policy	Historic England is content that ES Chapter 6 Cultural Heritage [APP-044] appropriately covers the legislation and policy applicable to heritage assets.	Applicable legislation and policy is detailed in Section 6.2, ES Chapter 6: Cultural Heritage [APP-044].	Agreed
Issues ref: A-D.2 and 3, EIA methodology and extent of the areas of potential impact	ES Chapter 6 Cultural Heritage [APP-044]	Section 6.3	Heritage impact assessment methodology and study area	Historic England reviewed the scope of the heritage assessment (and the defined study area) included in the Environmental Statement and consider that it is appropriate to assess the effects of the Scheme on the historic environment.	The scope of the heritage impact assessment and the applicable study area is detailed in the EIA Scoping Report and in ES Chapter 6: Cultural Heritage [APP-044].	Agreed
Issues ref: A-D.2 and 3, D.3, EIA methodology, and WHS	ES Appendix 6.1: Heritage Impact Assessment (HIA) [APP-173]	Section 3	Methodology of the Historic Impact Assessment (HIA)	Historic England is content that the ICOMOS guidelines have been followed by the Heritage Impact Assessment (HIA) which focuses upon the Derwent Valley Mills	The scope of the HIA was agreed with applicable consultation bodies (including Historic England) through submission of the HIA Scoping Report. The scope and	Agreed

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
				WHS (including the Outstanding Universal Value (OUV) of the WHS).	methodology for the HIA is set out in ES Appendix 6.1 [APP-173].	
Issues ref: D.1 and A-D.4 and 6, identification of heritage assets, and identification of sensitive receptors	ES Chapter 6 Cultural Heritage [APP-044] ES Figures 6.1 to 6.6 [APP-076 to 081]	Section 6.8 to 6.11 (ES Chapter 6) and ES Figures 6.1 to 6.6	Identification of baseline heritage assets and historic landscape character areas and their defined sensitivities	Historic England is content that the assessment has appropriately identified baseline heritage assets and historic landscape character areas in the defined study area, and that the defined sensitivities of such assets are appropriate.	Baseline heritage assets are detailed in Sections 6.8 to 6.11 of the ES Chapter 6: Cultural Heritage [APP-044].	Agreed
Issues ref: A-D.5, expert judgements and assumptions	ES Chapter 6 Cultural Heritage [APP-044]	Section 6.5	ES assessment assumptions and limitations	Historic England is content that the ES assessment assumptions and limitations are acceptable and do not alter the assessment findings. In addition, Historic England is comfortable with the application of expert judgements.	ES assessment assumptions and limitations as related to the heritage assessment are detailed in Section 6.5 of ES Chapter 6: Cultural Heritage [APP-044].	Agreed

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
Issues ref: A-D.9, Rochdale Envelope parameters	ES Chapter 2 The Scheme [APP-040]	Paragraphs 2.5.37 to 2.5.43	Limits of Deviation	Historic England is content that ES Chapter 6: Cultural Heritage assesses the impact of the defined Scheme as detailed in ES Chapter 2 [APP-040] , taking into account the proposed limits of deviation for the Scheme, and the maximum area of land anticipated to be required.	The assessments included within the ES are based on the design of the Scheme (described in ES Chapter 2: The Scheme [APP-040]) and presented in Figures 2.5 to 2.7 [APP-061 to 063] . They are also based on the works listed in the DCO as shown on the Works Plans [APP-009] , the General Arrangement Scheme Layout Plans [APP-010] and the maximum area of land anticipated as likely to be required, taking into account the proposed limits of deviation for the Scheme.	Agreed
Issues ref: D.2 and A-D.8, WHS and likely effects (direct or indirect) on receptors	ES Chapter 6 Cultural Heritage [APP-044] and ES Appendix 6.1: Heritage Impact Assessment (HIA) [APP-173]	Section 6.15 (ES Chapter 6) and Section 7 (ES Appendix 6.1)	Effects upon the Derwent Valley Mills WHS	Historic England is content with the assessment of Scheme effects upon the WHS which indicates that the Scheme would not be	Scheme effects upon the Derwent Valley Mills WHS are detailed in Section 6.15 (ES Chapter 6: Cultural Heritage [APP-044]) and Section 7 (ES	Agreed

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
				damaging to the OUV of the WHS.	Appendix 6.1 [APP-173]).	
Issues ref: D.3 and A-D.8, Darley Abbey Scheduled Ancient Monument	ES Chapter 6 Cultural Heritage [APP-044]	Section 6.15	Effects upon the Darley Abbey Scheduled Ancient Monument	Historic England is content that the assessment indicates that the Scheme would have no impact upon the Darley Abbey Scheduled Ancient Monument (thus effects being neutral).	Scheme effects upon the Darley Abbey Scheduled Ancient Monument are detailed in Section 6.15 (ES Chapter 6: Cultural Heritage [APP-044]).	Agreed
Issues ref: D.5, A-D.8, assessment of other historic assets	ES Chapter 6 Cultural Heritage [APP-044]	Section 6.15	Effects upon non-designated historic assets	Historic England is content that the assessment appropriately assesses effects upon non-designated historic assets.	Scheme effects upon non-designated historic assets are detailed in Section 6.15 (ES Chapter 6).	Agreed
Issues ref: D.7 and A-D.8, historic landscape character areas	ES Chapter 6 Cultural Heritage [APP-044] and ES Appendix 6.1: Heritage Impact Assessment (HIA) [APP-173]	Section 6.15 (ES Chapter 6) and Section 7 (ES Appendix 6.1)	Effects upon historic landscape character areas	Historic England is content that the assessment appropriately assesses effects upon historic landscape character areas.	Scheme effects upon historic landscape character areas are detailed in Section 6.15 (ES Chapter 6 [APP-044]) and Section 7 (ES Appendix 6.1 [APP-173]).	Agreed
Issues ref: D.5 and A-D.8, appropriate	ES Chapter 6 Cultural Heritage	Section 6.15 (ES Chapter 6) and	Effects upon conservation	Historic England is content that the	Scheme effects upon conservation areas and	Agreed

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
assessment of other historic assets	[APP-044] and ES Appendix 6.1: Heritage Impact Assessment (HIA) [APP-173]	Section 7 (ES Appendix 6.1)	areas and listed buildings	assessment appropriately assesses effects upon conservation areas and listed buildings (including impacts upon their setting).	listed buildings are detailed in Section 6.15 (ES Chapter 6 [APP-044]) and Section 7 of Appendix 6.1 ([APP-173]).	
Issues ref: D.2, WHS	ES Chapter 6 Cultural Heritage [APP-044]	Section 6.3, Table 6.7	Notification of UNESCO	Historic England confirmed that they would consult with the Department for Culture, Media and Sport (DCMS) and that their advice would be that significant effects upon the OUV of the WHS are unlikely. On that basis, notification of the Scheme by the State Party to UNESCO is unlikely to be necessary i.e. it does not appear to be a case that requires a notification to UNESCO.	Highways England has consulted with Historic England, which is the government's advisor on heritage including world heritage.	Agreed
Issues ref: D.2, WHS	ES Appendix 6.1: Heritage Impact Assessment (HIA) [APP-173] and ES	ES Chapter 6 Section 6.4, Table 6.9	Layout of the floodplain compensation area at Little Eaton junction	Historic England stated that it is important that the proposed flood compensation area at Little Eaton is blended	With regard to the Little Eaton junction floodplain compensation area, the floodplain landform	Agreed

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
	Chapter 6: Cultural Heritage [APP-044]			back into the landscape and spoil heaps should not be leftover. The difference between the existing situation and the impact of the flood compensation area could be demonstrated using visualisations. If appropriately designed, the long-term effect of the proposed flood compensation area is not expected to be a significant issue (noting that this will be assessed and confirmed in the Environmental Statement /EIA/HIA). In the context of Little Eaton palaeo-channels could be present within the floodplain and Steve Baker (Derbyshire County Council (DCC) Archaeologist) should be contacted regarding previous studies along the Derwent.	design has been developed with input from landscape, ecological and cultural heritage specialists with the aim that it creates a naturalistic profile that blends in with the surrounding valley profile, as well as enabling the land to be returned to agricultural use. It is the intention that following profiling and re-establishment of agricultural grassland, it would not be apparent that any works had taken place on the site. As detailed in ES Appendix 6.1 [APP-173] and ES Chapter 6: Cultural Heritage (refer to Section 6.15 [APP-173]), the floodplain compensation area would not have a significant effect upon the WHS. Surveys to investigate and understand the	

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
					archaeological potential of the river floodplain have been completed with the approval of DCC archaeologist, the results of which have contributed to the assessment.	
Issues ref: D.5 and A-D.10, 16, appropriate assessment of other historic assets	ES Chapter 6: Cultural Heritage [APP-044]	Section 6.4, Table 6.9	Reconfiguration of Markeaton Park entrance/ exit	Reconfiguration of the Markeaton Park entrance/ exit needs to be sympathetic to the historic importance of the park. Historic England consider that the proposed approach as detailed in the Environmental Statement is appropriate.	The reconfiguration of the Markeaton Park entrance/ exit has been assessed using a variety of historical sources, including documents, maps, aerial photographs and paintings. The entrance/ exit and its associated historical features were also part of the walkover survey to inform the assessment. The design aims to be sympathetic to the historic significance of the park and has been discussed and agreed with Derby City Council.	Agreed

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
Issue ref: D.4 and D.6, A-D.10, 13, 14, 15, 16; approach to archaeology and written scheme of investigation	Archaeological Mitigation Strategy and the Site Specific Written Scheme(s) of Investigation	Section 6.14 within ES Chapter 6 Cultural Heritage [APP-044]	Scope of the outline archaeological mitigation strategy	Historic England is content with the approach to archaeology and the scope of the outline archaeological mitigation strategy. Historic England require involvement in the design of the archaeological mitigation documentation to be used during Scheme construction.	As detailed in the Environmental Statement, the Archaeological Mitigation Strategy (AMS), Overarching Written Scheme of Investigation (OWSI) and Site Specific Written Scheme(s) of Investigation (SSWSIs) would be prepared and agreed in consultation with the DCC archaeologist prior to preliminary works commencing on site. The advice of Historic England's Regional Scientific Advisor would be sought and incorporated into the design of the documents, where it is appropriate and relevant. Such mitigation measures are detailed in the OEMP [APP-249] which is a Requirement in the draft DCO.	Agreed

Issues reference (see Appendix A)	Environmental Statement Chapter/ Appendix	Paragraph Ref	Sub-section	Comment	Highways England Response	Status
Issue ref: D.8, A-D.10, 11, 12, 13, 14 and 15, mitigation and securing mitigation	ES Chapter 6: Cultural Heritage [APP-044]	Section 6.14	Heritage mitigation	Historic England is content that the heritage mitigation requirements as detailed in the ES are appropriate and would result in the defined residual effects, and that such measures are covered by the OEMP [APP-249] .	Heritage mitigation measures are detailed in Section 6.14 in ES Chapter 6: Cultural Heritage [APP-044] and translated into the OEMP [APP-249] . Delivery of the OEMP [APP-249] is a Requirement in the draft DCO [APP-016] .	Agreed
Issue ref: D.2, 3, 5 and 7; A-D.8 and 12, nature of likely effects and the significance of effect	ES Chapter 6: Cultural Heritage [APP-044]	Section 6.15 and Section 6.17	Substantial harm	Historic England is content that the heritage assessment reported in the ES indicates that the Scheme would not result in any instance of 'substantial harm' or total loss of significance to any designated asset, or significant residual effects.	Scheme heritage effects are reported in Section 6.15 in ES Chapter 6: Cultural Heritage [APP-044] and summarised in Section 6.17.	Agreed
Issue ref: A-D.2, cumulative effects	ES Chapter 15: Assessment of Cumulative Effects [APP-053]	Sections 15.1 to 15.13	Cumulative impact assessment	Historic England is content with the cumulative impact assessment methodology and the assessment findings.	Cumulative effects are reported in ES Chapter 15: Assessment of Cumulative Effects [APP-053] .	Agreed

3.3 Other Matters

- 3.3.1 In regard to the Scheme, Historic England has not raised any other relevant matters (beyond the Principal Issues set out in Annex B of the Rule 6 Letter), important considerations, or matters which require agreement in order for the Examination to run smoothly (Issues ref: A-D.21 to 23).
- 3.3.2 Historic England has not provided commentary on potential release of pollution or potential control measures (issues ref: A-D.19 and 20), as this is outside of their remit.

Appendix A: The Planning Inspectorate SoCG Issues List (Annex E, Rule 6 Letter)

SoCGs are requested to be prepared between the Applicant and:

A. Derby City Council, Derbyshire County Council and Erewash Borough Council to include:

1. Compliance with the development plans, impacts on land use and the acceptability of proposed changes to land use
2. The need for development
3. Alternatives and compliance with relevant legal requirements and policy, including with respect to the Environmental Impact Assessment (EIA), flood risk and Compulsory Acquisition
4. Whether the business case and economic case adequately consider local matters
5. Minimisation of land take
6. Impacts on local transport networks, impact and mitigation of temporary and permanent closures of roads and other rights of way
7. Traffic management and communication with residents and businesses during construction
8. Air quality and the potential for a zone compliant with the Air Quality Directive to become non-compliant and the potential for delays for a non-compliant zone to achieve compliance
9. Dust, odour, artificial light, smoke, steam impacts and nuisance
10. Noise and vibration and impacts on local residents and others, construction noise and working hours limits, noise barriers, other mitigation and the need for any specific requirements in the draft Development Consent Order (dDCO)
11. Biodiversity and impacts on sites and habitats and species and mitigation
12. Impacts on open space, any assessments of whether any open space is surplus to requirements and the suitability of proposed replacement
13. “Good design” including functionality and aesthetics, the replacement bridge, noise barriers, site restoration, and “good design” in terms of siting and design measures relative to existing landscape and historical character and function, landscape permeability, landform and vegetation.
14. Landscape and visual impact assessment and lighting
15. Green Belt
16. Impacts on Public Rights of Way, on pedestrians, cyclists and horseriders, and opportunities to improve
17. Temporary and permanent impacts on recreation
18. Socio-economic impacts
19. Community isolation, severance and accessibility, including by disabled users
20. Common law nuisance and statutory nuisance, nuisance mitigation and limitations and appropriate provisions in the dDCO
21. Whether the maintenance and decommissioning activities have been adequately defined in the dDCO and whether they have been appropriately assessed and mitigated
22. Measures to avoid, reduce or compensate for adverse health impacts, including cumulative impacts on health
23. Safety impact assessment and consistency with relevant highways safety frameworks
24. Whether appropriate bodies have been consulted about national security implications and whether any issues have been adequately addressed
25. The assessment of civil and military aviation and defence matters in accordance with the National Networks National Policy Statement

B. The Environment Agency, Derby City Council, Derbyshire County Council, Erewash Borough Council and Severn Trent Water to include:

1. Dust, odour, artificial light, smoke and steam scope and methodology of assessment
2. The water environment including main rivers, groundwater and other water bodies, any concerns on impacts on water quality/resources and the need for any specific requirements in the dDCO
3. Flood risk, adequacy of the Flood Risk Assessments, the selection of mitigation sites and any concerns about the proposal on flood risk grounds
4. Drainage, Sustainable Urban Drainage Systems (SuDS), compliance with national standards and the appropriate body to be given the responsibility to maintain any SuDS
5. Water abstraction, discharge, pollution control and permits and whether potential releases can be adequately regulated under the pollution control framework
6. Contaminated land
7. Climate change, including the appropriate use of UK Climate Projections, identification of maximum credible scenarios, adaptation, impacts, radical changes beyond the latest projections
8. Whether processes are in place to meet all relevant Environmental Permit requirements (including with respect to waste management), timescales, and any comfort/impediments to them being granted

C. Natural England, Derby City Council, Derbyshire County Council and Erewash Borough Council to include:

1. The Applicant's Habitat Regulation Assessment – No Significant Effects Report (NSER) and the included matrices which exclude the potential for likely significant effects to arise alone or in combination with other plans and projects
2. Impacts on habitats and species, habitat replacement and opportunities for enhancement
3. Assessment of noise, vibration, air and water quality impacts on designated nature conservation sites, protected landscapes, protected species or other wildlife.
4. Agreement of biodiversity and ecological conservation mitigation measures, any comfort/impediments for the granting of relevant licences and their timescales
5. Waterbodies
6. Agricultural land
7. Green infrastructure

D. Historic England, Derby City Council, Derbyshire County Council and Erewash Borough Council to include:

1. Whether heritage assets have been identified and assessed appropriately
2. Derwent Valley Mills World Heritage Site
3. Darley Abbey Scheduled Ancient Monument
4. The approach to archaeology
5. Other historic assets, including non-designated historic assets identified by local authorities and in Historic Environmental Records
6. Written scheme of investigation
7. Historic landscape character areas
8. The need for any specific requirements in the dDCO

SoCGs A-D to include:

1. The applicable legislation and policy considered by the Applicant
2. The Environmental Impact Assessment methodology, including the assessment of cumulative effects and the other plans/projects included
3. The extent of the areas of potential impact considered
4. Baseline information, data collection methods, data/statistical analysis, approach to modelling, presentation of results and forecast methodologies
5. The application of expert judgements and assumptions
6. Identification and sensitivity of receptors with the potential to be affected by the proposed development, magnitude and the quantification of potential impact
7. Likely effects (direct and indirect) on protected (or equivalent) biodiversity sites, habitats and species
8. Nature of the likely effects (direct or indirect) on receptors
9. “Reasonable worst case” Rochdale Envelope parameters
10. Mitigation that is necessary, relevant to planning, relevant to the development to be consented, enforceable, precise and reasonable
11. Whether the secured mitigation measures are likely to result in the identified residual impacts
12. The significance of each residual impact
13. Whether the mitigation identified in the Environmental Statement (ES) is adequately secured by the combination of Requirements in the dDCO with other consents, permits and licenses
14. dDCO provisions
15. The Outline Environmental Management Plan, The Construction Environmental Management Plan, the Transport Management Plan and the Handover Environmental Management Plan
16. Matters for which detailed approval needs to be obtained and the roles of the local authorities and of other independent statutory and regulatory authorities
17. The identification of consents, permits or licenses required before the development can become operational, their scope, any management plans that would be included in an application, progress to date, comfort/impediments and timescales for the consents, permits or licenses being granted
18. Whether the effectiveness of consents, permits or licenses as mitigation have been accurately identified in the impact assessment
19. Whether potential releases can be adequately regulated under the pollution control framework
20. Whether contaminated land, land quality pollution control and waste management can be adequately regulated by Environmental Permits
21. Any other relevant matters included in the Initial Assessment of Principal Issues in Annex B
22. Any other relevant and important considerations
23. Any other matters on which agreement might aid the smooth running of the Examination

E. Network Rail to include:

1. Bridge widening comfort/impediment
2. Any other matters on which agreement might aid the smooth running of the Examination

F. Statutory Undertakers to include:

1. Impacts on rights/apparatus and on the transmission/distribution systems that could be interfered with and their mitigation
2. The adequacy of the provisions in the dDCO to protect the public interest
3. The Outline Environmental Management Plan
4. Any other matters on which agreement might aid the smooth running of the Examination

G. The Royal School for the Deaf to include:

1. The assessment and mitigation of potential impacts, including in relation to the use and reinstatement of temporary possession land, noise and vibration, air quality, safety and security, access and liaison during construction
2. Any other matters on which agreement might aid the smooth running of the Examination

H. Cherry Lodge children's residential care home to include:

1. The assessment and mitigation of potential impacts, including in relation to parking, noise and vibration, air quality, other changes to the local environment and potential impacts on well-being, access and operation
2. Any other matters on which agreement might aid the smooth running of the Examination

I. Existing Businesses in the vicinity of Markeaton junction to include:

1. The assessment and mitigation of potential impacts, including in relation to access, safety and economic impact
2. Any other matters on which agreement might aid the smooth running of the Examination