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Your Reference: **TR010022**

Our Reference: **HE514503**

19 November 2019

Dear Rob,

Submission made by Highways England pursuant to Deadline 2 of the Examination of the A38 Derby Junctions Development Consent Order Application

Please find below a list of documents which form Highways England's submission for Deadline 2 of the Examination of the A38 Derby Junctions scheme in accordance with the confirmed Examination Timetable received in the Rule 8 Letter dated 11 October 2019.

This submission comprises the following documents:

- An updated **Guide to the Application** (Document Reference 8.2(a))
- An updated set of **Works Plans** (Document Reference 2.5(b))
- An updated set of **General Arrangement Plans** (Document Reference 2.6 (b))
- An updated set of **Land Plans** (Document Reference 2.2 (b))
- An updated set of **Special Category Land Plans** (Document Reference 2.3b))
- An updated set of **Crown Land Plans** (Document Reference 2.4 (a))
- An updated **draft Development Consent Order** (Document Reference 3.1(b))

- Schedule of changes to the **draft Development Consent Order** (Document reference 8.31(a))
- Comparison of updated **draft Development Consent Order** (Document Reference 8.34(a))
- **Schedule of changes to the Book of Reference** (Document Reference 8.32(a))
- **Statement of Reasons – Updated Annex A** (Document Reference 8.40)
- **Applicant’s Comments on any Additional Information or Submissions Received by Deadline 1** (Document Reference 8.36)
- **Additional Photomontages** (Document Reference 8.37)
- An updated **Environmental Statement Figure 7.5. Representative Viewpoints 1-24 (a)** (Document Reference 6.2)
- **Cross Section of Kingsway junction northern dumbbell** (Document Reference 8.38)
- An updated **Environmental Statement Figure 7.1A: Kingsway and Markeaton Junctions – ZTV (a)** (Document Reference 6.2)
- **An updated Environmental Statement Chapter 7 (Landscape and Visual Impact Assessment)** – tracked change and clean version (Document Reference 6.1 (a))
- A draft **Statement of Common Ground with Derby City Council** (Document Reference 8.7)
- A final **Statement of Common Ground with Little Eaton Parish Council** (Document Reference 8.27)
- A draft **Statement of Common Ground with Network Rail** (Document Reference 8.14)
- A draft **Statement of Common Ground with Virgin Media** (Document Reference 8.25)
- Response to request by the **ExA under Rule 17** (dated 12 November 2019) - Schedules 5 and 7 of the Draft DCO (Document Reference 8.39).

The documents have been submitted in PDF format. Where requested by the Examining Authority, or in the circumstance where it is considered to add to the clarity of the submission both a clean and tracked change version is supplied.

In respect of the list of documents referred to above, further explanation is provided (as needed) which explains the changes made and the reason for the submission.

Updated Works Plans – The works plans have been subject to minor modifications and revisions. This includes updates in response to the ExA’s first written questions (Q1.4), and in response to the Rule 17 request from the ExA dated 12 November 2019.

Updated Land Plans (Comprising the Land Plans, Special Category Land Plans and Crown Land Plans) – Legend revised to ensure consistency with the Works Plans, with the removal of ‘*no powers sought from the DCO*’ from all land plan drawing sets. Sheet 7 on all these sets has also been updated to include a clearer indication (signified by a yellow area) of the land that is not included within the order limits.

Photomontages – These are provided in response to the ExA’s first written questions (Q9.8) and in this respect we have prepared photomontages for the following:

- *Viewpoint 2*
- *Viewpoint 17*
- *Viewpoint 22*
- *Viewpoint 24*
- *ExA requested Viewpoint on the A38 over the railway bridge looking towards Little Eaton junction*
- *ExA requested Viewpoint on Greenwich Drive North adjacent and looking towards Work 10a gantry*

It should be noted that these photomontages should be taken to be illustrative as a number of Scheme design elements will be subject to confirmation during the detailed design stage – this includes noise barriers colours and materials, signage details, and gantry designs etc.

Environmental Statement Figure 7.5 - This is an updated figure with the inclusion of additional photographs in the interests of providing clearer information and is provided in response to the ExA’s first written questions (Q9.9).

Kingsway Junction Northern Dumbell - Additional detail provided as cross sections provided in response to the ExA’s first written questions (Q9.14).

Environmental Statement Figure 7.1A - An updated figure is provided with corrections in response to the ExA’s first written questions (Q9.19).

Environmental Statement – Chapter 7 – Landscape and Visual Impact Assessment. Various corrections have been made to the tables within Chapter 7 in response to the ExA’s first written questions (Q9.32). For ease of reference, an updated ES Chapter is provided (in clean and track change form). This update does not affect the conclusions of the assessment work undertaken and presented within this chapter.

Response under Rule 17 – Commentary is provided in the tabulated response to the request from the ExA under Rule 17 in the request dated 12 November 2019. This response clarifies where changes have been made to other documentation including the Draft DCO, BoR, SoR and Works Plans, but for clarity it should be noted that the DCO and SoR are provided as updated versions (with the SoR being an update to Annex A only) with the BoR being an updated schedule of changes to this document only.

Further to the recent deadline one submission, Highways England have also identified a matter to be brought to the attention of the Examining Authority. This relates to the Statements of Common Ground (SoCG) submitted by Euro Garages Ltd and McDonalds Restaurants Ltd. Further explanation is provided below.

Euro Garages Ltd

Highways England, received this SoCG shortly before Deadline 1, but the content of this updated version has not been subject to review by Highways England. As such, it should not be considered to be an 'agreed' draft SoCG in this respect and Highways England was not notified of the intention to submit this version for Deadline 1. Highways England will continue to work with Euro Garages Ltd on producing an 'agreed' draft and will endeavour to confirm their position on this matter as soon as possible, with an updated version submitted (if possible) at Deadline 3.

McDonalds Restaurants Ltd

The version of the SoCG as submitted at Deadline 1, has not previously been provided to Highways England, nor were Highways England aware that McDonalds Restaurants Ltd intended to submit this version of the draft document for Deadline 1. As such, Highways England has not been provided the opportunity to review the updated version of this SoCG, prior to it being submitted for Deadline 1. Notwithstanding this, Highways England will continue to work with McDonalds Restaurants Ltd in producing an 'agreed' draft and will endeavour to submit this as soon as possible, with an updated version being provided (if possible) at Deadline 3.

I trust that the content of this letter is clear, but please do not hesitate to get in touch, if you would like to discuss matters further.

Yours sincerely



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