

**Application by Highways England  
for an  
Order Granting Development Consent  
for the  
A38 Derby Junctions Project**

**EREWASH BOROUGH COUNCIL'S RESPONSE TO THE EXAMINING AUTHORITY'S SECOND  
WRITTEN QUESTIONS AND REQUESTS FOR INFORMATION ISSUED 14<sup>th</sup> JANUARY 2020**

**(SUPPLEMENTARY ANSWERS TO QUESTIONS 4.3 & 4.4)**

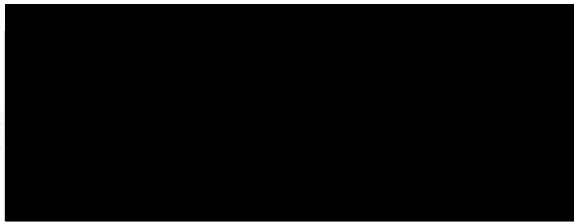
**PINS Reference: TR010022  
Local Authority Reference: 032176**

No	Question to	Reference	Question
4.3	DCiC <b>EBC</b>	Significance and exceedance of SOAEL FWQ [PD-005] Q6.14 Applicant response [REP1-005] EBC response [REP1-051] Recording of ISH2 [EV-011, EV-012, EV-013] ISH2 I&Q [PD-010] Q22 Applicant response [REP3-014] [REP3-026] DCiC response [REP3-027] EBC response [AS-028]	a) Do DCiC and EBC (still) consider any exceedance of SOAEL to be significant? <b>No. The short duration events indicated by the applicant would not be significant events.</b> b) The Applicant proposes that any assessment carried out later, when more detailed information would be available, would consider exceedance of SOAEL for up to 10 days (or 10 evenings, weekends or nights) in any 15 to be not significant. Is the Applicant's approach expected to lead to more impacts that DCiC and/or EBC would consider significant than are identified in the ES? <b>No, based on current information EBC doesn't consider this will create any further significant effects.</b>
4.4	Applicant DCiC <b>EBC</b>	BPM and consistency with the ES ISH2 I&Q [PD-010] Q22, Q23 Applicant response [REP3-014] [REP3-026] DCiC response [REP3-027] EBC response [AS-028]	a) Does the Applicant consider that the construction contractor is likely to have enough flexibility to ensure that its' detailed design and construction proposals would not give rise to any materially new or materially worse adverse noise or vibration effects in comparison with those reported in the ES? <b>Although EBC is noted in the "Question to" section, the question is aimed at the applicant.</b> b) In order to preserve the validity of the impact assessment and the basis of any decision regarding development consent, the ExA is considering a dDCO or OEMP requirement for the construction contractor to explicitly demonstrate that its' detailed design and construction proposals would not give rise to any materially new or materially worse adverse noise or vibration effects in comparison with those reported in the ES, and for this to be subject to review by the Local Authorities and the Applicant and approval by the Secretary of State? Please could the Applicant comment? <b>Although EBC is noted in the "Question to" section, the question is aimed at the applicant.</b>

## Abbreviations

<b>BPM</b>	Best Practicable Means	<b>ISH2 I&amp;Q</b>	Issue Specific Hearing 2 Issues and Questions
<b>BS</b>	British Standard	<b>NMUs</b>	Non-Motorised Users
<b>CEMP</b>	Construction Environmental Management Plan	<b>NPSNN</b>	National Policy Statement for National Networks
<b>CO<sub>2</sub></b>	Carbon Dioxide	<b>NO<sub>2</sub></b>	Nitrogen Dioxide
<b>DCC</b>	Derbyshire County Council	<b>OEMP</b>	Outline Environmental Management Plan
<b>DCiC</b>	Derby City Council	<b>PA2008</b>	The Planning Act 2008 as amended
<b>dDCO</b>	Draft Development Consent Order	<b>RR</b>	Relevant Representation
<b>DMRB</b>	Design Manual for Roads and Bridges	<b>SoCG</b>	Statement of Common Ground
<b>EA</b>	Environment Agency	<b>SOAEL</b>	Significant Observed Adverse Effect Level
<b>EBC</b>	Erewash Borough Council	<b>SuDS</b>	Sustainable Drainage Systems
<b>ES</b>	Environmental Statement	<b>TMP</b>	Traffic Management Plan
<b>ExA</b>	Examining Authority	<b>TP</b>	Temporary Possession
<b>FWQ</b>	First Written Questions	<b>WHS</b>	World Heritage Site
<b>HEMP</b>	Handover Environmental Management Plan	<b>WR</b>	Written Representation
<b>ISH</b>	Issue Specific Hearing		

Signed



Steve Birkinshaw  
Head of Planning & Regeneration

Date: 10<sup>th</sup> February 2020