

**A30 Chiverton to Carland Cross
TR010026**

**8.15 COMMENTS ON INTERESTED
PARTY SUBMISSIONS AT DEADLINE 2**

Volume 8

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document has been prepared by Highways England (the Applicant) for submission to the Examining Authority (ExA) at Deadline 3 of the Examination of the A30 Chiverton to Carland Cross application.
- 1.1.2 The document provides Highways England's comments on submissions made by Interested Parties to the Examination at Deadline 2, including:
- Interested Parties' answers to the ExA's Written Questions;
 - Interested Parties' comments on Statements of Common Ground; and
 - Additional submissions and representations made by Interested Parties.
- 1.1.3 Highways England has only provided comment where it is deemed necessary or relevant to the Examination. Accordingly, a comment is not provided on every submission made by an Interested Party at Deadline 2.

2 Comments on Deadline 2 Submissions

2.1 Responses to ExA's Written Questions

2.1.1 Table 2-1 below provides Highways England's comments on responses to the ExA's Written Questions as submitted by Interested Parties at Deadline 2.

Table 2-1 Highways England comments on responses to the ExA's Written Questions

Interested Party	ExA Question	Interested Party Response to Question	Highways England Comment
Cornwall Council	<p>Question 1.5.11</p> <p>a) In relation to article 7 of the dDCO, are there any known planning permissions within the Order limits?</p> <p>b) If so, is there any reason to suspect that implementation of them may lead to a breach of the Order if granted?</p>	<p>a) Highways England to confirm, CC not aware of any permissions</p> <p>b) n/a</p>	<p>As stated in the Highways England Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020] submitted at Deadline 2:</p> <p><i>"This article is not concerned so much with third party developments as development that might in future be carried out by the Applicant pursuant to a grant of planning permission. It ensures that the Applicant would not breach section 161 of the 2008 Act in carrying out development pursuant to a grant of planning permission provided that the development in question is not of itself an NSIP or part of one, or required to complete the authorised development or enable the use or operation of any part of it.</i></p> <p><i>The Applicant is not at present seeking planning permission for any other development within the Order limits."</i></p>
	<p>Question 1.5.12</p> <p>Paragraphs 4.22 – 4.25 of the EM refer to article 8 of the dDCO, which provides for deviation laterally or vertically from the authorised development with respect to</p>	<p>a) In principle, yes. However, we note that such deviation would be subject to SoS satisfaction in any event.</p> <p>b) For HE applicant to confirm their approach</p>	<p>a) Highways England has no comment on this response to the Examining Authority's Written Question.</p> <p>b) Highways England set out its proposed approach in responding to this question</p>

Interested Party	ExA Question	Interested Party Response to Question	Highways England Comment
	<p>certain specified works. Although reference is made to recent example Orders where this was used, it is my understanding that in the M20 and A14 the ability to exceed the maximum limits of deviation was limited to vertical, not lateral and in the M4 no such power was set out.</p> <p>a) Would it be appropriate to exceed the vertical and horizontal limits of deviation without applying for a change to the DCO in accordance with the processes set out under the 2008 Act?</p> <p>b) Given that the limits of deviation are themselves designed to permit flexibility to deviate from the proposed scheme, what processes would be put in place for the Secretary of State to determine whether or not the development proposed, in excess of the limits, would give rise to any new or worse environmental effects? Although there is a process in place for the discharge of requirements set out in Part 2 of Schedule 2 (requirements 16 and 17) there is no similar provision for the submission of any information to the Secretary of State in accordance with article 8.</p>		<p>in the Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020] submitted at Deadline 2. This stated:</p> <p><i>“Although there is no prescribed process as exists in Part 2 of Schedule 2, it is considered that an appropriate process would be followed in the event that the Applicant needed to seek the Secretary of State's approval of an exceedance under this article. In practice, the Applicant would assess the potential impacts arising from the exceedance and compile the relevant environmental information for submission to the Secretary of State, along with an explanation of the change and why it is needed. The Applicant would then consult the local highway authority and the local planning authority to seek their approval of the proposal prior to making an application to the Secretary of State. The Secretary of State would be at liberty to request any additional information they considered necessary to decide whether or not to grant a certificate.</i></p> <p><i>There is also a separate process for submission of detailed design proposals and it is likely that the approval of any deviation to the Order limits would also be incorporated into this process.”</i></p>

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	<p>Question 1.5.16 As explained in paragraph 4.35 of the EM article 12 paragraph (3) of the dDCO provides that certain provisions of the 1991 Act would not apply. Are you satisfied that the disapplication of these provisions is appropriate, given the scale of the proposed works, the specific authorisation and the specific provisions in the dDCO regulating the carrying out of the works?</p>	<p>Yes, but we would expect the undertaker to take into consideration 'traffic sensitive' seasonal embargo on the A390 and work closely with the CC Streetworks team</p>	<p>Section 4.2 of Appendix 1.2 Traffic Management Plan of the Environmental Statement (Document Reference 6.4) [APP-300] confirms that monthly Integrated Traffic Management meetings will take place with Cornwall Council. The purpose of this meeting will be to: <i>"inform all parties of current and future traffic management and construction operations, the opportunity to share road space for adjacent operations, review of incidents within the roadworks, impact on traffic flow, review feedback from stakeholders and notification of upcoming events."</i></p> <p>Paragraph 4.3.1 of the document states that the meeting will be attended by representatives of Cornwall Council Highway Authority and Cormac. It is understood from a meeting held between Cornwall Council and Highways England on 15 April 2019 that the attendance by specific officers at the Integrated Traffic Management will need to be agreed in advance with Cornwall Council Highways Authority.</p>
	<p>Question 1.5.17 Article 13 places obligations on the highway authority in relation to the construction and maintenance of new, altered or diverted streets and other structures. a) Has this been discussed with you as the relevant highway authority? b) Are you satisfied that the provisions of this article would be appropriate?</p>	<p>a) Yes b) LHA not responsible for Private streets therefore not agree with para 3 of article 13</p>	<p>Paragraph 3 of Article 13 is a standard article and the Applicant is not aware that any Interested Party has raised an issue with it. It is only intended to clarify the maintenance position for private streets and therefore should not be controversial.</p>

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	<p>Question 1.5.20 As explained in paragraphs 4.64 and 4.65 of the EM article 17 of the dDCO provides that accesses could be created within the Order limits - it is anticipated to provide temporary accesses as required during the construction period - providing the undertaker with a general power to provide means of access, similar to those available under the Highways Act 1980. The provisions of this article confer slightly broader powers than those contained in the 1980 Act.</p> <p>a) Are you satisfied that the provision of such powers would be appropriate to ensure that the authorised development can be carried out expeditiously, allowing the creation of new temporary accesses as, where and when required, particularly in response to requests from landowners, occupiers and other affected parties?</p> <p>b) It appears that the powers would not simply be limited to requests from landowners, occupiers and other affected parties but could enable the applicant to make new accesses where the landowner or occupier did not consent, without any examination of the need for them. Would this be appropriate?</p> <p>c) Is the limit to the power to those that are 'reasonably required' sufficiently certain?</p> <p>d) What processes would be put in place to deal with any dispute as to what was 'reasonably required'?</p>	<p>a) Yes b) Yes c) Yes d) For undertaker (HE) to make proposals for disputes, and in consultation with CC</p>	<p>If any affected party wished to challenge the creation of an access then the mechanism for doing so (depending on the context) would most likely be article 47 (arbitration). In practice the Applicant would expect to liaise closely with affected parties during the construction stage regarding any proposal to create a temporary access and so would not expect any need for a challenge to arise. Appendix 1.2 (draft) Traffic Management Plan of the Environmental Statement (Document Reference 6.4) [APP-300] sets out the procedures that will be followed to establish temporary closures and access during construction.</p>

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	<p>Question 1.5.29 Following the Planning Inspectorate's Advice Note 15, Drafting Development Consent Orders, paragraph 22.1 and Good Practice Point 6, in relation to article 39, where it is known that specific hedgerows need to be removed they should be listed in a Schedule and this article amended to refer to that Schedule. An additional paragraph should be added to this article to the effect that any other hedgerows should only be removed once the prior consent of the local planning authority has been obtained. Is there any reason not to include this matter within the DCO?</p>	<p>No, save for fact that the definition of 'important hedgerows' within The Hedgerow Regulations 1997 does not apply to 'Cornish hedges,' which are quite different in their makeup. Therefore clarification is needed from applicant in terms of how they intend to address mitigating the impact on Cornish hedges.</p>	<p>The assessment in Chapter 7 Landscape of the Environmental Statement (Document Reference 6.2) [APP-060] took into account the loss of sections of Cornish hedgerows as part of the scheme's impact on the them as a distinctive feature and as part of the field pattern. The scheme requires the loss of approximately 4.5km of Cornish hedgerow. The mitigation scheme proposes 12.6km of Cornish hedgerows.</p>
	<p>Question 1.5.34 Schedule 2, Part 1, Requirement 12, permits the Secretary of State, following consultation with the relevant planning authority and the local highway authority, to permit the development to be carried out other than in accordance with the preliminary scheme design shown on the works plans and the general arrangement and sections plans, provided that the departure would not give rise to any materially new or materially worse adverse environmental effects. It seems that this could allow development to take place contrary to the works plans and general arrangements and sections plans Although paragraph 5.29 of the EM says that any variations to the Scheme design must be within the limits of deviation, article 8 permits further deviation from the maximum limits of deviation where the</p>	<p>Would expect any changes beyond agreed deviation to be in consultation with Planning Authority and Local Highway Authority</p>	<p>The requirement to consult the LPA and LHA is confirmed in the Highways England Response to the Examining Authority's Written Questions submitted at Deadline 2 (Document Reference 8.4) [REP2-020]:</p> <p><i>"As with the limits of deviation in article 8, it cannot be ruled out that there may be occasions where it proves necessary for there to be departures from the design illustrated on the works plans and general arrangement plans, which is a preliminary design, albeit one that is fairly well advanced. In such cases, if the Applicant can demonstrate that the departure would not be so significant as to cause materially new or worse environmental effects compared to those assessed in the ES, it is appropriate for the Secretary of State to be able to approve it without the need for an amendment to be made to the DCO and without the need to re-</i></p>

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	<p>Secretary of State, following consultation with the relevant planning authority and local highway authority, certifies that this would not give rise to any materially new or worse environmental effects than those reported in the ES (see Question 1.5.11 above).</p> <p>Is it necessary and appropriate for amendments to be permitted to these key documents and the detailed design of the project without consultation or examination?</p>		<p><i>consult (noting the requirement to consult with the LPA and LHA) or re-examine, which would be heavy handed if the departure in question is minor.</i>" [emphasis added]</p>
	<p>Question 1.8.2 Schedule 1 to the dDCO, Authorised Development, includes at "(g) landscaping, noise bunds and barriers, works associated with the provision of ecological mitigation and other works to mitigate any adverse effects of the construction, maintenance or operation of the authorised development." Paragraph 7.10.11, section 6.2, Environmental Statement, Chapter 7 refers to agreement to provide a 3 m high timber noise barrier in relation to Nancarrow Farmhouse.</p> <p>Are you satisfied that this fits with Local Plan policies regarding local distinctiveness and design?</p>	<p>No, in terms of local distinctiveness and reflecting local landscape character a Cornish hedge planted with native trees and shrubs would be more appropriate. This was a point raised in my email to Chris Daly of 21 January 2019: 'VP12 – winter view year 1 – I question whether close board fencing is appropriate to the southern side of the road. A planted Cornish hedge would be more appropriate in terms of character and visual impact. This boundary treatment is also shown in VP13 winter year 1, and VP15 winter view year 1'</p>	<p>Cornwall Council also made this comment in reference to VP12 in section 9.7 of the Local Impact Report submitted at Deadline 1 [REP1-010].</p> <p>Highways England has provided a response to this comment in the Comments on Local Impact Report (Document Reference 8.5) [REP2-021] and the Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020], both submitted at Deadline 2:</p> <p><i>"The choice of a 3m high close boarded fence to the south of the scheme between Ch 6,800 and 7,500 was in order to provide noise and visual screening at the top of the cutting slope for receptors to the south. An alternative using a 1.8m Cornish hedge on a 1.2m bund (false cutting) above the real cutting was previously considered in this location. Through engagement with the affected landowner, the more 'space-hungry' Cornish hedgerow option was discounted in</i></p>

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			<p><i>favour of the taller timber fence, in order to reduce land take from the farm.</i></p> <p><i>The landscape mitigation design at Sheet 10 of the Environmental Masterplans (Document Reference 6.3) [APP-190] shows the scrub and woodland planting to the north of this fence and woodland to the south, which is intended to break up, filter and eventually screen views of the fence from receptors to the south, from Marazanvose and the scheme to the north (see VP 12 and 13, Winter Yr 15).</i></p> <p><i>It is considered that the proposed solution, comprising a fence with landscape mitigation, offers the best balance between aesthetics and mitigation function.”</i></p> <p>To summarise, Highways England is satisfied that the principles of Cornwall Council Local Plan Policy 12 Design, are met particularly in respect of weighing up the aims of paragraphs 1a) (character), 1e) (engagement) and 2c) (noise and disturbance) in Policy 12.</p>
	<p>Question 1.12.2 If the matters set out in Question 1.5.35 were accepted how would an appropriate consenting regime for ordinary water courses be addressed?</p>	HE to confirm their approach	<p>Highways England set out its proposed approach in responding to this question in the Response to the Examining Authority’s Written Questions (Document Reference 8.4) [REP2-020] submitted at Deadline 2. This stated:</p> <p><i>“This would be dealt with outside of the DCO process via the ordinary consenting process with Cornwall Council. As set out in</i></p>

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			<p><i>paragraph 2.2.7 of the Details of Other Consents and Licences (Document Reference 7.2) [APP-046], applications for written consent to alter ordinary watercourses will be made as required to Cornwall Council as the Lead Local Flood Authority pursuant to section 23 of the Land Drainage Act 1991. Reference to applying to Cornwall Council for Ordinary Watercourse Consents will be retained.”</i></p>
<p>Western Power Distribution (WPD)</p>	<p>Question 1.5.13</p> <p>Paragraph 4.27 of the EM provides a list of the works (to fall under article 9 paragraph (2) of the dDCO) and persons considered to benefit. There appear to be discrepancies between the list in article 10(4) and that provided in the EM.</p> <p>Please confirm that the correct information is provided in both the EM and dDCO.</p> <p>Question 1.5.14</p> <p>Article 10 paragraph (4) of the dDCO sets out that the benefit of the Order could be transferred or leased to others by the undertaker.</p> <p>How can it be confirmed that these parties would be able to meet the CA compensation costs if the DCO permitted transfer of the CA powers and TP powers to these bodies</p>	<p>We act on behalf of Western Power Distribution (South West) PLC (WPD) whose registered office is at Avonbank, Feeder Road, Bristol, BS2 OTB. We note the Examining Authority's first written questions issued on 13 February 2019 and confirm that WPD have raised the same questions as the inspector which are referenced at question numbers 1.5.13 and 1.5.14.</p> <p>The Applicant has responded to these questions and WPD are considering their response with a view to progressing a voluntary agreement.</p> <p>We note the deadline to register for the hearings and accompanied site inspection is Friday 22nd March 2019. WPD do not anticipate needing to attend the inquiry but please can the planning inspector hold a position should WPD's situation change.</p>	<p>As stated in the Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020] submitted at Deadline 2:</p> <p><i>“The Applicant has made the necessary amendments to the updated EM and dDCO submitted at Deadline 2. Both the EM and dDCO now contain the correct list of persons considered to benefit from the DCO.”</i></p> <p>A draft agreement between the Applicant and WPD has been prepared and is subject to ongoing discussion. The Applicant and WPD are currently arranging a meeting to finalise the draft agreement.</p> <p>As stated in the Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020] submitted at Deadline 2:</p> <p><i>“This is a precautionary provision as most statutory undertakers already have broad powers, including compulsory purchase powers, to relocate equipment themselves. However, the Applicant acknowledges that</i></p>

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	without further consideration by the Secretary of State?		<p><i>this point has not been dealt with expressly in this Order or previous orders.</i></p> <p><i>Subsequent to the DCO hearing, the Applicant has given further consideration to this issue. It is considered that the most straightforward solution is to expressly provide in the DCO that the Undertaker will be liable for any compensation payable on the exercise of compulsory acquisition powers by any of the transferees. Appropriate drafting has been included in the dDCO submitted at Deadline 2.”</i></p>
Nancarrow Farm	<p>Question 1.5.12</p> <p>Paragraphs 4.22 – 4.25 of the EM refer to article 8 of the dDCO, which provides for deviation laterally or vertically from the authorised development with respect to certain specified works. Although reference is made to recent example Orders where this was used, it is my understanding that in the M20 and A14 the ability to exceed the maximum limits of deviation was limited to vertical, not lateral and in the M4 no such power was set out.</p> <p>a) Would it be appropriate to exceed the vertical and horizontal limits of deviation without applying for a change to the DCO in accordance with the processes set out under the 2008 Act?</p> <p>b) Given that the limits of deviation are themselves designed to permit flexibility to deviate from the proposed scheme, what processes would be put in place for the Secretary of State to determine whether or not the development</p>	<p>Due to the particular sensitivity of our business, we would request that no lateral deviation is permitted unless it is away from Nancarrow and no horizontal deviation is permitted unless in is downwards</p>	<p>Lateral deviation is required for any reduction in the vertical alignment of the road, as this would increase the footprint of the earthworks required for the embankment in a cutting.</p> <p>Deviation upwards is restricted in the area of Nancarrow Farm, as stated in Article 8(d) of the draft DCO (Document 3.1(D)) and shown on Sheets 4 and 5 of the Works Plans (Document Reference 2.4(B)) [REP2-004 and REP2-005].</p>

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	<p>proposed, in excess of the limits, would give rise to any new or worse environmental effects? Although there is a process in place for the discharge of requirements set out in Part 2 of Schedule 2 (requirements 16 and 17) there is no similar provision for the submission of any information to the Secretary of State in accordance with article 8.</p>		
	<p>Question 1.7.1 Paragraph 7.10.38, ES [APP-060], indicates that due to the short-term and temporary nature of the construction effects identified by the ES, it would not be feasible to include any additional landscape mitigation measures to further reduce the construction phase effects.</p> <p>a) Please confirm whether these short term and temporary construction impacts will have any significant adverse effects on the receiving environment.</p> <p>b) If so, please explain why it is not feasible to have any additional mitigation measures.</p>	<p>It had been indicated that temporary screening would be possible in key areas (within Marazanvose)] We await further information on this as part of the construction plan.</p>	<p>Highways England has committed to providing acoustic fencing during the construction period to screen Nancarrow Farm from construction activities.</p>
	<p>Question 1.9.1 ES Chapter 3, Consideration of Alternatives [APP-056] presents a summary of the alternative options which have been considered and the justification for the scheme as now applied for. Paragraphs 3.7.7 and 3.7.8 refer specifically to Marazanvose, where there have been questions over route choice. Section 3.8 goes on to set out the preferred option in</p>	<p>Please see summary table 7.6 (referred to within our SOCG (apologies should have been attached to our earlier email) summarises flaws in the assessment process, which is also outlined within the Matters Outstanding within our SOCG. It is clear to us, that when considering the 9 criteria used to assess the 2 options through Marazanvose, the Northern route performs better in all pertinent areas.</p>	<p>Highways England has responded this matter at Action Point 8 in the Response to Compulsory Acquisition Hearing Action Points (Document Reference 8.11).</p>

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	<p>this context, with subsequent amendments in 3.9 and 3.10.</p> <p>Taking account of the information provided – and other information you may have – please indicate how you believe the route choice would, or would not, represent the best available option in this location.</p>	<ul style="list-style-type: none"> • Residential demolition • Visual Impact • Business Impacts • Living Standards • Noise • Cultural heritage <p>Representations have also been made regarding route selection from Marazanvose residents Peter Mewton, Mark Nicholson, Mark Overend. In addition to these, 1 dwelling is being removed as a result of the scheme, and another is experiencing the biggest increase in pollution of any dwelling along the route.</p>	
<p>Tregothnan Estate</p>	<p>Question 1.5.23 Taking account of The Cornwall Minerals Safeguarding Development Plan Document (2018) would article 24 of the dDCO, incorporating Parts II and III of Schedule 2, Minerals, to the Acquisition of Land Act 1981 appropriately address the concerns raised by [RR-060]?</p> <p>Question 1.5.26 Taking account of The Cornwall Minerals Safeguarding Development Plan Document (2018) would articles 31 and 32 of the dDCO, acquisition of subsoil or airspace only and rights under or over streets, appropriately address the concerns raised by [RR-060]?</p>	<p>Tregothnan Estate does not believe that articles 31 and 32 of the dDCO or article 24 of the dDCO, incorporating Parts II and III of Schedule 2, Minerals, to the Acquisition of Land Act 1981 appropriately addresses their concerns.</p> <p>The reasoning for this is that the value of the underlying minerals is currently unknown and not possible to quantify given the time restraints in which a response was required by.</p> <p>If the acquiring authority do not acquire the mineral rights which the road scheme covers they would in effect be trespassing on those mineral rights by building the road scheme over them. But the question of compensation is based on value and the acquiring authority can compensate the owner for all or any part of the mines that</p>	<p>The Applicant maintains its position that Article 24 of the dDCO satisfactorily addresses the points raised by the Estate.</p> <p>It is accepted that the value of the underlying minerals is not currently known. That has no bearing on the operation of the Minerals Code, which envisages that the owner of the mineral rights may not have a current proposal to work them.</p> <p>The statement that the scheme would effectively be ‘trespassing’ if the mineral rights are not acquired appears to be without legal basis. The Minerals Code (which is contained in statute) explicitly provides for exactly this situation.</p> <p>The Applicant accepts that a potential future developer might take a view that the minerals under the scheme had been sterilised and</p>

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		<p>cannot be worked. A potential future developer of the mines and minerals however might take a view that the road scheme had sterilised the whole site not just the area covered by the road scheme and dismiss the area as a problem without fully exploring the opportunities and therefore the compensation to the mineral owner could arguably be nil.</p> <p>More detailed information about the underlying mineral lodes under this proposed road scheme and the long term impact that this might have on the economic opportunities in the future needs to be considered further.</p>	<p>therefore decide not to explore the opportunities to work them any further. That would be a matter for them. Again however, that has no bearing on the operation of the Minerals Code, as the owner of the mineral rights would be at liberty to serve a notice on the acquiring authority to commence that process, which would lead to compensation being payable to them in the event the minerals could not be worked due to sterilisation. The Applicant therefore does not accept that the compensation to the mineral owner could be nil.</p> <p>The Applicant does not agree that more detailed information about the minerals that may or may not be present under the scheme is required, or that this is a matter that the ExA needs to consider any further. If there are no current proposals to work the minerals then it is a matter that can be dealt with satisfactorily at a future date due to the incorporation of the Minerals Code in the DCO.</p>
<p>Sam Parker</p>	<p>Question 1.11.4 The design provides west-facing junctions only at Chybucca, where the B3284 and the A30 meet and there are questions over the lack of a full junction at this location. a) Please provide the traffic data used to inform the decision regarding the proposed partial junction at Chybucca, the junction of the A30 and the B3284.</p>	<p>We act for Sam Parker and on his behalf, and in response to written question 1.11.4, attach the detailed response [see REP2-035 for attached document] to the statutory consultation submitted in September 2017 which concludes that the decision to not include east facing slip roads is irrational and fails to take account of material considerations.</p>	<p>Highways England recognises that Mr Parker has raised concerns regarding east-facing slips at Chybucca junction during the design development of the scheme, including making formal representations at statutory consultation and during the Examination. Highways England has provided a response to Mr Parker's representations in the following documents:</p>

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	<p>b) Taking account of the comments made in this respect, please indicate how you believe the decision for a partial junction in this location would, or would not, represent the best available option.</p>	<p>In addition, paragraph 2.4 of the Scheme Assessment Report sets out the scheme objectives which include:</p> <ul style="list-style-type: none"> • to contribute to regeneration and sustainable economic growth • to support employment and residential development opportunities • to improve network reliability and reduce journey times • to deliver capacity enhancements to the Strategic Road Network • to improve local and strategic connectivity <p>The lack of a full junction at Chybucca impedes greater use of the proposed new road, does little to improve connectivity and would prohibit the potential for development in this location. Accordingly, the proposed partial junction is contrary to the scheme objectives listed above.</p> <p>For these reasons we submit that the proposal for a partial junction at Chybucca is not the best available option.</p>	<ul style="list-style-type: none"> • Consultation Report (Document Reference 5.1) [APP-029], page 180-185 • Comments on Relevant Representations (Document Reference 8.1) [REP1-004], response reference RR-059 <p>The responses provided in the above documents set out the reasons that Highways England has concluded that the provision of east-facing slips is not justified. This position is reiterated in the Highways England response to Question 1.11.4 in the Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020] submitted at Deadline 2.</p> <p>Cornwall Council accept the justification and analysis of Highways England with regard to east-facing slips, as stated in matter 2.11 of Table 4.1 in Appendix A of the Statement of Common Ground with Cornwall Council (Document Reference 7.4(A)) [REP1-003].</p>

Interested Party	ExA Question	Interested Party Response to Question	Highways England Comment
<p>Mark Overend</p>	<p>Question 1.9.1 ES Chapter 3, Consideration of Alternatives [APP-056] presents a summary of the alternative options which have been considered and the justification for the scheme as now applied for. Paragraphs 3.7.7 and 3.7.8 refer specifically to Marazanvose, where there have been questions over route choice. Section 3.8 goes on to set out the preferred option in this context, with subsequent amendments in 3.9 and 3.10.</p> <p>Taking account of the information provided – and other information you may have – please indicate how you believe the route choice would, or would not, represent the best available option in this location.</p>	<p>The Preferred route (7A) does not address our concerns, specifically that this route does not fundamentally address one of the 3 primary objectives for the scheme, which is safety. The preferred route maintains the old road and this will continue to be the primary route for those living between Perranporth and Newquay to access Truro and onwards. This road (which will be the old A30) I understand will remain as is with no identified speed restriction or traffic calming controls. As the road becomes quieter it becomes more dangerous as motorists speed on this particular stretch. Consequently, one of the primary objectives of improving safety will not be met for those with residences adjoining this road.</p> <p>The preferred route was 7B which took the new road to the north of Marazanvose and resulted in the existing A30 became an access road to Marazanvose only (and a dead-end a few metres past our house). A new safer local road was to go north of Marazanvose. The majority, if not all, of the residents in Marazanvose, especially those with businesses, preferred this route. It is unclear why the collective viewpoints expressing preference for the alternative route were not acted upon. I have received no feedback or a response to my request for a clear explanation of this decision rationale. The north route of 7B provided additional benefits to residents of Marazanvose besides noise and safety, especially in relation to:</p>	<p><u>Safety of existing A30</u></p> <p>As part of the scheme, the existing A30 would be ‘de-trunked’ to be used as a local route and Cornwall Council would become the responsible highway authority for the road. As set out in section A3 of the Local Impact Report submitted by Cornwall Council at Deadline 1 [REP-010], a de-trunking strategy is being developed by the Council. The drawing titled ‘Outline De-trunking Strategy’ included in the Local Impact Report demonstrates that in the Council’s current outline strategy for de-trunking, the existing A30 would have speed limits ranging from 30 to 50mph.</p> <p><u>Consultation</u></p> <p>A summary of the localised public engagement in Marazanvose has been provided by Highways England in response to this question in the Response to the Examining Authority’s Written Questions (Document Reference 8.4) [REP2-020] submitted at Deadline 2. This states: <i>“As detailed in the Consultation Report (Document Reference 5.1) [APP-029], Highways England held a localised engagement event on 8 February 2017, during the assessment of alternatives and prior to the Preferred Route Announcement (July 2017). The event was held in Shortlanesend and 150 properties in the Marazanvose, Zelah, Callestick and Tresawsen areas were notified via letter. The</i></p>

Interested Party	ExA Question	Interested Party Response to Question	Highways England Comment
		<ul style="list-style-type: none"> • Impact on businesses • Living conditions • Visual impact • Pollution <p>Marazanvose community not split</p> <p>The preferred route 7A is based on an assessment of various criteria. I understand that these criteria were applied to each of the route options and therefore I assume that route 7A scored higher than route 7B. I cannot reconcile however how route 7A is more beneficial to the residents and businesses at Marazanvose. Specifically, it is not clear how these assessment criteria were applied or weighted as having the two roads 50 metres behind Marazanvose is far better for the residents of Marazanvose than the two roads splitting Marazanvose (and 4 metres in front of Treffry Cottage). The majority of Marazanvose residents are opposed to the “preferred” route 7A for a number of detrimental reasons. This weight of consensus has not been acted on in the selection of the route</p> <p>Notwithstanding, the assessment itself was undertaken against the plan for route 7A when it indicated that the new road would be 5 metres below the current level of the A30 at the point it passes Treffry Cottage and that noise barriers would be in place. These aspects will have been a significant factor in assessing noise pollution for residents and businesses. Since that assessment, the plans have been amended.</p>	<p><i>event was held in recognition that the alternative design options being considered at Marazanvose would have a potentially significant effect on several local properties and community views should be sought.</i></p> <p><i>Four alternative options were presented in the consultation and views sought, which included the southern route as presented in the October 2016 public consultation and three other alternative routes – Marazanvose South, Marazanvose North Option 1 and Marazanvose North Option 2. Figure 1-1 in the Addendum to Report on Public Consultation in Appendix B of the Consultation Report Appendices (Document Reference 5.2) [APP-030] depicts the alignment of these options. The results from this consultation is summarised as follows:</i></p> <ul style="list-style-type: none"> • <i>Residents of Zelah expressed a strong preference of the southern October 2016 consultation route, including through the submission of a petition expressing this view, signed by 45 people.</i> • <i>Marazanvose North Option 2 was preferred by most residents of Marazanvose.</i> • <i>Marazanvose South and Marazanvose North Option 1 were the least preferred options by all respondents.</i> • <i>The options would have differing levels of impact on local businesses, with a preference for the Northern options at</i>

Interested Party	ExA Question	Interested Party Response to Question	Highways England Comment
		<p>The noise barriers are no longer all present and the road is now only 3 metres below the existing A30. Therefore, the original assessment is flawed and cannot be relied upon as evidence and justification for the route decision, owing to these material changes. I requested details of any reassessment of route 7A against all other routes in light of these changes however received no response so assume that no reassessment was undertaken against the revised plan.</p>	<p><i>Nancarrow Farm and a preference for Southern options at Chyverton Park.</i></p> <ul style="list-style-type: none"> • <i>Similarly, responses identified that individual properties would have varying severity of impacts depending on the option selected.</i> <p><i>The localised engagement event identified that there was not a clear consensus among the community, with differing preferences between residents of the Marazanvose hamlet and village of Zelah and between business and property owners. However, the largest number of respondents supported the southern October 2016 consultation layout.”</i></p> <p>Highways England responded to concerns raised about the route selection during statutory consultation in the Consultation Report (Document Reference 5.1) [APP-029]. This is summarised in sections 8.2.17 to 8.2.21 of the Consultation Report.</p> <p><u>Route Assessment</u></p> <p>A summary of the route selection process has been provided by Highways England in response to this question in the Response to the Examining Authority’s Written Questions (Document Reference 8.4) [REP2-020] submitted at Deadline 2. In summary, the chosen option (7A) was assessed to be the best performing alternative on 8 out of 9 assessment criteria and therefore Highways England decided to progress with this route.</p>

Interested Party	ExA Question	Interested Party Response to Question	Highways England Comment
			<p><u>Vertical Alignment</u> As stated in the Highways England Comments on Written Representations (Document Reference 8.6) [REP-022]: response to Nancarrow Farm (page 15):</p> <p><i>“At the section of the scheme adjacent to Marazanvose, the level of the road was lowered by approximately 2 metres in response to comments received at statutory consultation. The proposed road level allows an acceptable highway drainage solution for the new A30, taking into account the geotechnical constraints of high ground water levels, and the need for the outfall to the adjacent watercourse in this location. Lowering the road level any further would lead to groundwater problems with the earthworks and with the highway drainage pond number 10, as shown on Sheet 4 of the Works Plans, (Document Reference 2.4(B)).</i></p> <p><i>The combination of the 2 metres cutting, the 3 metres high close boarded noise barriers, and the oak rich woodland screen planting at the top of the cutting extends the visual and noise screening to a minimum total height of 5 metres. This is the equivalent height of screening to the vertical alignment which was discussed at Preferred Route Announcement.”</i></p>

2.2 Responses to Comments on Statements of Common Ground

2.2.1 Table 2-2 below provides Highways England's response to comments on Statements of Common Ground as submitted by Interested Parties at Deadline 2.

Table 2-2 Highways England comments on Interested Parties' comments on SoCGs

Interested Party	Comments on Statement of Common Ground	Highways England Comment
<p>Peter Mewton</p>	<p>The route through Marazanvose & Nancarrow Farm & impacting detrimentally on Nancarrow venue business would, if allowed, be desasterously damaging, forever! It would degrade our community's living environment, our & our neighbours connectivity with our community & ours to farmland on the North side of Marazanvose. Devaluation of the location of all dwellings North & South of the current & proposed roads would undoubtedly occur.</p> <p>The severance of Nancarrow & the position near the farm hub creates huge & lasting insurmountable farm management problems. The mitigation works offered do not solve the problems only propose to make continued farming possible but with undoubted, lasting extra difficulties, the severity of which are not known. 1 home is destroyed preventing someone making use of it & the attached land for home or business.</p> <p>A planned & consent-granted home would be destroyed. This would be my intended retirement cottage built by renovating, sensitively, a historic "grooms cottage" which could've been listed had attention been brought to it. It is not a "derelict barn" as insultingly suggested by Highways England in their response to my "relevant representation statement" statement".</p> <p>As a barn it was roofed and useful, maintained & improved by my recent excavation of the footings in preparation for full renovation. For any further detail on how bad this route is to me & my family please refer to my previous written representation and relevant representation.</p>	<p>The matters raised have been responded to in the Highways England Comments on Written Representations (Document Reference 8.4) [REP2-022] of Peter Mewton (page 6).</p>
<p>David Mewton</p>	<p>I, as joint owner of Nancarrow Farm, have not changed my position concerning the planned route.</p> <p>Firstly I wish to record that this favoured route IS STILL the wrong route and considerably more damaging to not only Nancarrow Farm</p>	<p>Highways England has responded to the matters raised in response to Question 1.9.1 in the Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020].</p>

Interested Party	Comments on Statement of Common Ground	Highways England Comment
	<p>but to the whole village of Marazanvose, than a northern route would be.</p> <p>The Northern route unlike the southern route does NOT destroy a village, infact it will unite it. It does not detroy 2 dwellings (1 with planning permission yet to be built). It is a long way from a Listed building, again unlike the southern route.</p> <p>You mention the northern route bring close to Chiverton House however Chiverton House will be at least 4 times the distance away from the new road that Nancarrow Listed farm house will be on the southern route.</p> <p>There are a number of areas on the project where being more direct would save taking land BUT H.E. have slightly altered the route for more important reasons. Taking a little more land to the north of Marazanvose surely fits into this same category?</p>	

2.3 Responses to representations made at Deadline 2

2.3.1 Table 2-3 below provides Highways England's response to general representations as submitted by Interested Parties at Deadline 2.

Table 2-3 Highways England comments to representations submitted by Interested Parties at Deadline 2

Interested Party	Representation	Highways England Comment
Robert Mewton	<p>I am writing to remind all authorities concerned in the road changes between Carland Cross and Chiverton Crossroads that I, as joint owner of Nancarrow Farm, have not changed my position concerning the planned route. The southern version of this route hits the farm and hamlet of Marazanvose much harder than the northern version would. Both livelihoods and living conditions will be sorely hit by the choose currently preferred, which appears to be much less the case for the northern route. For these reasons the latter should definitely be preferred.</p>	<p>Highways England has responded to the matters raised in response to Question 1.9.1 in the Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020].</p>
Mark and Tricia Nicholson	<p>We gather that the route of the A30 at Marazanvose, as well as the details of its proposed structure, are still under consideration. We therefore wish to reinforce the concerns we have previously raised on both issues and why we believe the proposed route is not the best available option in this location. This includes our views on the negative impact the road, as planned, will have on our quality of life.</p> <p><u>Objections to route taken:</u></p> <p>Firstly, it will obliterate much of the historic hamlet of Marazanvose.</p> <p>Our small community will be divided. The width of the four dual carriageway lanes, plus a central reservation, plus the existing road's two lanes, will separate the north of the hamlet from the south. Does this not contravene Cornwall Council policy toward maintaining communities?</p> <p>The A30 plans which were developed several years ago took the new road north of Marazanvose to avoid such destruction. We are now told that this is not possible because it would take away a small part of Chyverton Park's land.</p>	<p>Highways England has responded to the matters raised regarding route in response to Question 1.9.1 in the Response to the Examining Authority's Written Questions (Document Reference 8.4) [REP2-020].</p> <p>Highways England has responded the matter regarding the consideration of cultural heritage in route selection at Action Point 6 in the Response to the Compulsory Acquisition Hearing Action Points (Document Reference 8.11).</p> <p>It is noted that Marazanvose is not a designated heritage asset and is not assessed in Chapter 6 Cultural Heritage of the Environmental Statement (Document Reference 6.2) [APP-059].</p>

	<p>It appears that the grass field concerned has such a high level of historic importance that removing a fraction from the edge of it cannot possibly be considered. This did not seem to be the case when the previous plans were developed. Has Historic England been asked to comment on whether it feels that large-scale damage to the structure of our historic hamlet is a price worth paying for preservation of a small piece of grass.</p>	
	<p><u>Objections to specific details of the currently proposed road structure:</u></p> <p>This gives Marazanvose residents much cause for concern, particularly with regard to its height, lack of screening and extra noise. These issues will devalue our properties as well as reducing our quality of life.</p> <p><u>Road height:</u></p> <p>We were previously told (during the initial consultation exercise on which the proposals are based) that the new road would be 5 metres lower than the surrounding landscape. This would reduce noise levels and visual impact for the Marazanvose community. This detail has changed substantially in the plans, with the new road now being just 1 or 2 metres below the existing ground level.</p>	<p>Issues regarding the height of the road through Marazanvose are discussed in the Highways England Comments on Written Representations (Document Reference 8.6) [REP2-022] of Nancarrow Farm (page 15).</p>
	<p><u>Noise and visual impact:</u></p> <p>The new road's proposed height will affect noise levels for all Marazanvose residents. Given that previous noise predictions were based on a road 5 metres below ground level, with sound-absorbing banks immediately adjacent to the road, we believe the impact of the new proposals will be very different.</p> <p>To the north of the dual carriageway, there will now be just a very thin hedge separating the new road from the old one and our adjacent households. Trees may be planted but will take 10 or 20 years to start providing an effective barrier to the noise and visual impact of the new road. A sound-absorbing screen would be needed.</p> <p>For residents to the north of the A30, in particular, there is a further issue. Traffic noise from the new dual carriageway will be compounded by noise from the existing road which will be kept open. There should be no assumption that reduced traffic levels</p>	<p>As stated in the Highways England response to the Written Representation of Peter Mewton (page 9 of Document Reference 8.6) [APP-022]:</p> <p><i>"In terms of noise effects on Marazanvose, Chapter 11 Noise and Vibration of the Environmental Statement (Document Reference 6.2) [APP-064] concludes that properties at Marazanvose would experience a reduction in noise of 1-5dB(A) as a result of the new A30 being further from the properties, and because there would be substantially less traffic on the existing A30."</i></p>

	<p>will make that road quieter. In fact, it will be noisier – and more dangerous. As the dual carriageway reduces the volume of traffic on the old road, its speed – and hence noise – will increase. At present, it is only the congestion of the A30 that limits drivers' speeds.</p> <p><u>Increased danger:</u> For residents of Marazanvose, the existing A30 will become a much more dangerous road when the new dual carriageway is built. At present, traffic congestion during busy times of day and year limits driving speeds. A reduction in traffic volume will allow all drivers to travel at very rapid speed, as many vehicles do at night in the present situation.</p>	<p>As stated in paragraph A3.13 of Cornwall Council's Local Impact Report [REP-010]: <i>"The speed limit through Marazanvose would be reduced to 30mph, supported by gateway signing and traffic management features. Consultation with residents is required to develop this principle further."</i></p> <p>It is not considered that there are any safety issues as a result of the scheme in this area.</p>
<p>Simon and Caroline Foote</p>	<p>I hereby request that Chynoweth farm partners located at TR4 9DG, 1/2 mile south from the Marazanvose junction on the A30 be allowed to make a relevant representation to present a case for alterations to the current A30 improvement.</p> <p>We apologise for the late notice of our intentions but feel our concerns are justified and our suggested alterations will result in improved access for all concerned.</p> <p>Firstly we have concerns over the Zela to shortlanesend roads ability to service the farms requirement for HGV access. The lane is not capable of allowing vehicles to pass an on coming HGV in several places unless large scale upgrading is carried out.</p> <p>Our dairy farm operation requires daily HGV access and would inhibit traffic using the Zela to Shortlanesend road.</p> <p>We therefore suggest the "Wildlife" over pass at Nancarrow which we understand will now allow vehicle access over the new and existing A30 should be replaced with a bridge capable of allowing HGVs from the old A30 to access the lane heading south from Marazanvose to Chynoweth Farm and the Allet lanes beyond.</p> <p>This would allow local traffic an alternative route and reduce pressure on the Zela to Shortlanesend road.</p>	<p>At a site meeting held on 2 April 2019, Highways England committed to funding passing places along this section of the C0089 through an agreement with Cornwall Council.</p> <p>As stated in the Highways England response to the Written Representation of Chynoweth Farm: <i>"To the south of Chynoweth Farm there is a junction with the Kilivose Lane (U6082) and the Shortlanesend Road (C0089). The current junction from the U6082 to the C0089 is not sufficient for use by HGVs and as shown as Work No. 75 on Sheet 4 of the Works Plans (Document Reference 2.4(B)), the junction would be upgraded as part of the scheme to accommodate these vehicles. This would allow access to the existing A30 from Chynoweth Farm via the U6082 and the C0089.</i></p> <p><i>The green bridge at Marazanvose is proposed as a crossing facility for the local ecology and to connect the walking, cycling and horse riding routes in this area. However, as the structure would also be required to accommodate access for highway authority maintenance vehicles, it could accommodate the similar load of a tractor and trailer. Access for a tractor and trailer has been granted for the adjacent Nancarrow Farm to assist their access to their land on the opposite side of the existing and new</i></p>

		<i>A30. The new bridge would be subject to a strict weight limit and no access for heavy goods vehicles would be permitted."</i>
Gillian Richards	I am in favour of a communal bridge at Marazanvose to the existing road leading to Chynoweth Farm, Killivose Farm etc, for the ease of access to all who use Killivose Farm, neighbouring properties and businesses	This matter is considered in Highways England's comment on the representation at Deadline 2 of Chynoweth Farm above.

If you need help accessing this or any other Highways England information, please call **0300 123 5000** and we will help you.