

**A30 Chiverton to Carland Cross
TR010026**

**8.17 COMMENTS ON RESPONSES TO
HEARING ACTION POINTS**

Volume 8

May 2019

Table of Contents

	Pages
1 Introduction	1
1.1 Purpose of this document	1
1.2 Structure of this document	1
2 Action Point 1 - ISH2 on the draft DCO	2
2.1 Highways England Response	2
3 Action Point 7 – ISH2 on draft DCO	3
3.1 Highways England Response	3
4 Action Point 11 – ISH2 on draft DCO	4
4.1 Highways England Response	4
5 Action Point 3 - CAH	11
5.1 Highways England Response	11
6 Action Point 7 - CAH	15
6.1 Highways England Response	15
7 Action Point 7 – ISH 3 on WCH	16
7.1 Highways England Response	16

Table of Tables

Table 4-1 2038 forecast link flows	6
Table 4-2 Callestick to Carland Cross via the existing A30 route	6
Table 4-3 Callestick to Carland Cross via Chiverton junction (via the existing A30 in the DM scenario, via the scheme in the DS scenario)	7
Table 4-4 Callestick to Carland Cross with east facing slips at Chybucca	7

1 Introduction

1.1 Purpose of this document

- 1.1.1 This document provides the Highways England (the Applicant) comments on responses to the Hearing Action Points submitted at Deadline 3.
- 1.1.2 The majority of these comments are provided in accordance with specific Hearing Action Points, which require that Highways England respond to Deadline 3 submissions or provide information at Deadline 4.
- 1.1.3 In addition, a correction to the Highways England response to ISH2 Hearing Action Point 1 submitted at Deadline 3 is provided.

1.2 Structure of this document

- 1.2.1 Each chapter of this document relates to a Hearing Action Point. Where necessary, this response may include information that is provided in an appendix to this document, or which has been submitted to the Examining Authority (ExA) separately.

2 Action Point 1 - ISH2 on the draft DCO

Hearing Action Point 1: Update on relevant matters including potential timescales if request to be made for amendment to the application.

2.1 Highways England Response

- 2.1.1 Highways England submitted a response to this Hearing Action Point at Deadline 3 in the **Response to Hearing Action Points – ISH2 on draft DCO** (Document Reference 8.9) [REP3-019]. However, an error was made in Table 3 (page 6) of the document, in relation to proposed changes to land acquisition at Pennycomequick.
- 2.1.2 The type of acquisition proposed for relevant plots was not expressed properly in terms of the reference to whether a plot was proposed for temporary acquisition or acquisition of permanent rights.
- 2.1.3 An updated extract from Table 3 below contains the corrections, which have been highlighted in red.

Document Reference	Document name	Description of amendment to the document
2.2(B)	Land Plans, Sheet 8	New plots 8/2h, 8/2j, 8/2k have been added to show the land requested to be changed to acquisition of permanent rights. temporary acquisition. Plot 8/2c has been changed from permanent acquisition to acquisition of permanent rights. Plot 8/2g has been removed from the plans as it is no longer required due to the changes to the proposed acquisition.

3 Action Point 7 – ISH2 on draft DCO

Hearing Action Point 7: Update SoCG

3.1 Highways England Response

- 3.1.1 This action point requires an updated Statement of Common Ground with the NFU to be submitted by Deadline 4.
- 3.1.2 Highways England's communication with the NFU since the April hearings is set out in the **Statements of Common Ground** (Document Reference 7.4(D)) submitted at Deadline 4 and summarised below.
- 3.1.3 Highways England shared a draft of the Outline CEMP Annex P Outline Soil Management Plan with the NFU on 9 April 2019 and incorporated their comments into the submission in the **Outline CEMP Annexes** at Deadline 3 (Document Reference 6.4(A)) [REP3-014].
- 3.1.4 Highways England understands that the NFU are reviewing the Highways England submissions made at Deadline 3. The NFU is also seeking to consult with the affected agricultural landowners along the scheme as per Hearing Action Point 3 of the ISH2 on the draft DCO [EV-008]. This is ongoing, therefore Highways England expect that an updated draft Statement of Common Ground with the NFU will be submitted at Deadline 5.

4 Action Point 11 – ISH2 on draft DCO

Hearing Action Point 11: Chybucca junction position

4.1 Highways England Response

- 4.1.1 This section provides a response to the submissions made on behalf of Mr Parker at the Open Floor Hearing and subsequently in a written submission at Deadline 3, hereafter referred to as the ‘Stephens Scown document’ [REP3-034]. This section also summarises the view of Cornwall Council in relation to the Chybucca junction.
- 4.1.2 The submission prepared by Mr Tofts (Stephens Scown LLP) on behalf of Mr Parker states that points raised in a letter of 10 October 2017 have not been addressed. However, Highways England’s Responses to issues relating to the lack of inclusion east facing slips at the Chybucca junction, including those raised by Mr Parker, have been contained within several documents submitted with the application and in response to comments made during the Examination (prior to the Open Floor Hearing).
- 4.1.3 In summary:
- **Consultation Report**, pages 61 – 62, 67-68 and 180-185 (Document Reference 5.1) [APP-029].
 - **Comments on Relevant Representations**, pages 14, 16–18, 23-24 and 108-111 (Document Reference 8.1) [REP1-004].
 - **Responses to Written Questions**, Q 1.11.4, pages 63 – 64 (Document Reference 8.4) [REP2-020].
- 4.1.4 This response is structured using the sub headings used within the Stephens Scown document.

Data in respect of trips and use of east-facing junctions

Link Flow Traffic Data

- 4.1.5 The traffic data referred to in the Stephens Scown document is presented in Table 2-1 of the **Scheme Assessment Report** (SAR) (Document Reference 7.6) [APP-050]. The source of this data is the online Highways England WebTRIS traffic flow database. The data is in the form of volume link flows from two selected sites on the existing A30 (Site 1 – East of Chybucca and Site 2 – North of Henver Lane, south of Boxheater).
- 4.1.6 Link flow data is collected automatically at fixed points using technology within the road surface to count the number of vehicles passing. Link flow data does not provide any information with regard to turning movements at junctions, or the origins and destinations of vehicles using the links where the traffic volumes are collected. Link flow traffic data should not be used to inform traffic flow estimates upstream or downstream from that given location other than on immediately adjoining links where it is possible to calculate the flows based on the information provided.
- 4.1.7 The data shows that on the eastbound section of the existing A30 between the Chiverton and Chybucca Junctions, 10,330 vehicles were observed as the daily traffic flow. East of the Chybucca Junction the daily observed eastbound traffic

flow was 9,445 vehicles, demonstrating that in the eastbound directional flow of traffic there is a net loss of 885 vehicles at the Chybucca Junction.

- 4.1.8 Data for the westbound section of the existing A30, east of Chybucca, shows the daily observed traffic flow was 9,369 vehicles. West of the Chybucca Junction, the daily observed westbound traffic flow was 9,379 vehicles, demonstrating that in the westbound directional flow of traffic there is a net gain in traffic flow of 10 vehicles. These numbers demonstrate that at the Chybucca Junction there is a higher demand for access to/from the west than there is from the east.
- 4.1.9 The information shows that over the section of the existing A30 east of the Chybucca Junction to the Carland Cross Junction, there is demand for vehicles to join the A30 to travel to/from the Carland Cross Junction. As this data is link count data, collected north of Henvver Lane, it is not possible to determine the traffic volumes joining the existing A30 at the Allet, Marazonvose, St Freda, and Henvver Lane junctions. Nor is it possible to calculate the number of vehicles routing on upstream or downstream routes based on this data, for example vehicles routing towards Truro through Shortlanesend having exited the westbound A30 on the section between Carland Cross and Allet. Therefore, based on this data alone, it is not possible to calculate how many of these vehicles would potentially use east facing slips at Chybucca, if they were to be provided.

A30 Chiverton to Carland Cross Traffic Model

- 4.1.10 The Traffic Model has been used to assess the scheme, including the decision regarding the proposed partial junction at Chybucca.
- 4.1.11 An overview of the model is set out in Section 4 of the **Transport Report** (Document Reference 7.5) [APP-049]. This demonstrates that the base year model achieves the required calibration and validation criteria, as set out in Table 2 of TAG Unit M3.1 (Highway Assignment Modelling). This table sets out the calibration and validation criteria the base model must achieve for link counts, screenline counts, junction counts and journey times.
- 4.1.12 The Traffic Model achieves this criteria across the area of detailed modelling. As informed by the comprehensive data collection during the model development phase, the model is able to accurately reflect journeys across the study area from origin to destination. The model is therefore fit for purpose to test the impact of proposed schemes in the study area and for providing forecast year traffic flows.
- 4.1.13 The model has been reviewed by Cornwall Council, who agree that the model is sound and fit for purpose. This is confirmed in the draft **Statement of Common Ground** (matters 20.1 – 20.8) with Cornwall Council, as submitted at Deadline 1 (Appendix A of Document Reference 7.4(A)) [REP1-003].

A30 Chiverton to Carland Cross Traffic Model – Assessment including an all movement junction at Chybucca

- 4.1.14 The forecast design year (2038) Traffic Model has been used to assess the inclusion of east facing and west facing slips at the Chybucca Junction. The results for 2038 with the inclusion of the east facing slips are shown in the table below. Table 4-1 presents the 2038 forecast year link flows for the AM (Average hour between 07.00-10.00), Inter Peak (Average hour between 10.00-16.00) and PM (Average hour between 16.00-19.00) peak periods.

Table 4-1 2038 forecast link flows

Scenario		AM	Inter Peak	PM
West facing slips	Off slip (eastbound)	632	499	491
	On slip (westbound)	248	447	411
	Total	880	946	902
East facing slips	Off slip (westbound)	111	89	111
	On slip (eastbound)	78	38	17
	Total	189	127	128

4.1.15 As evidenced from the table above, the model shows that with the scheme in-situ, with the inclusion of the east facing slips and the additional traffic reassigned to the new A30, the forecast traffic utilising the east facing slips would be significantly lower than the flows on the west facing slips. It is considered by Highways England that the de-trunked A30 would provide an appropriate route to serve the forecast low eastward traffic demand from the Chybucca area and that these forecast numbers are insufficient to justify the provision of east facing slips.

A30 Chiverton to Carland Cross Traffic Model – Scheme Assessment Journey Times

- 4.1.16 The Traffic Model has been used to assess journey times across the modelled network with and without the scheme in place. The inclusion of the scheme offers journey time improvements across the modelled network, not just for those vehicles who directly use the scheme.
- 4.1.17 Forecast year journey times from the Callestick area to north of the Carland Cross junction have been extracted from the Traffic Model. This journey time route has been selected as Callestick represents an area of the modelled network which could use east facing slips at Chybucca to access the A30, therefore it is considered it is an appropriate route to demonstrate the impact on journey times east facing slips could provide. Callestick is also where Mr Parker's business is located so the information presented allows for comparison of journey times to Carland Cross with and without the inclusion of east facing slips. Journey times are presented for peak periods in the tables below for 2023 and 2038 for the 'Do Minimum' (DM) (i.e. without scheme) and 'Do Something' (DS) (i.e. 'with scheme') scenarios.

Table 4-2 Callestick to Carland Cross via the existing A30 route

Direction	Peak	Journey Times (mm:ss)			
		2023 DM	2023 DS	2038 DM	2038 DS
Westbound	AM	12:32	10:16	15:06	10:20
	Inter Peak	11:56	10:20	13:47	10:20
	PM	12:39	10:20	15:05	10:23
Eastbound	AM	11:17	10:11	13:14	10:17
	Inter Peak	11:11	10:12	14:05	10:14
	PM	13:45	10:16	16:40	10:21

4.1.18 As evidenced from Table 4-2 above, journey times on the route between Callestick and Carland Cross via the existing A30 route are forecast to improve

compared to the Do Minimum scenario in all of the modelled peak periods with the scheme in place.

Table 4-3 Callestick to Carland Cross via Chiverton junction (via the existing A30 in the DM scenario, via the scheme in the DS scenario)

Direction	Peak	Journey Times (mm:ss)			
		2023 DM	2023 DS	2038 DM	2038 DS
Westbound	AM	17:52	10:45	21:07	11:39
	Inter Peak	17:12	10:38	18:59	10:58
	PM	18:22	10:56	20:33	11:24
Eastbound	AM	17:26	10:38	21:14	11:16
	Inter Peak	15:52	10:28	19:05	10:52
	PM	17:14	10:41	21:22	11:17

4.1.19 As evidenced from Table 4-3 above, journey times on the route between Callestick and Carland Cross via the Chiverton Junction are forecast to improve compared to the Do Minimum scenario in all of the modelled peak periods with the scheme in place. In addition to this, forecast journey times from Callestick to the Carland Cross Junction via Chiverton are less in the Do Something scenario than the Do Minimum scenario via the existing A30 at Chybucca (Do Minimum data presented in Table 4-2), showing that the scheme also provides benefits for motorists who choose to route this way.

4.1.20 A further assessment has been undertaken to understand the impact east facing slips could have on vehicles routeing between Callestick and Carland Cross. The results of this scenario are shown in the table below.

Table 4-4 Callestick to Carland Cross with east facing slips at Chybucca

Direction	Peak	Journey Times (mm:ss)	
		2023 EFS	2038 EFS
Westbound	AM	09:51	10:04
	Inter Peak	09:47	09:54
	PM	09:52	10:00
Eastbound	AM	10:10	10:24
	Inter Peak	10:08	10:17
	PM	10:15	10:31

4.1.21 Comparison of the journey time data in Table 4-4 with that of the journey times via the existing A30 and the route via the Chiverton Junction shows that the east facing slips may provide some additional benefits to vehicles routeing between these origins and destinations, but any such benefit is marginal. In some cases there would be no improvement in journey times (for example, comparing the 2038 DS journey times for the eastbound peaks in Table 4-2 with the 2038 journey times for the eastbound peaks in Table 4-4).

Impact on businesses

- 4.1.22 The forecast impact of the scheme on local businesses has been assessed and is presented in **Chapter 12 People and Communities** of the Environmental Statement (Document Reference 6.2) [APP-065].
- 4.1.23 In summary this document presents the impact on All Travellers, Communities (including potential effects on employment) and Land and Property.
- 4.1.24 Table 12-20 in Chapter 12 considers the effects of the scheme on commercial property and businesses within 2km of the scheme. It is stated that although access arrangements will be maintained during construction to all identified commercial property and businesses, there would be overall temporary slight adverse effects. However, as stated at paragraph 12.13.7, *“the scheme once operational would bring accessibility benefits to many of the existing businesses situated along and near to the A30 by virtue of improved transport conditions.”*
- 4.1.25 Furthermore, as stated at paragraph 12.13.8, although some businesses in proximity to Chiverton Cross would experience reduced accessibility, the benefit to journey times and reliability by virtue of the improved travel conditions would offset this impact. It should also be noted the premises listed in Table 12-20 not only serve A30 users but also the local communities and visitors accessing their services via local roads.
- 4.1.26 In relation specifically to Mr Parker’s business, this is assessed in Table 12-21 Tourism and Recreation Assessment of Chapter 12. As outlined above, the assessment considers that once operational, the scheme will bring accessibility benefits to many of the existing businesses, including Mr Parker’s, through reduced journey times and improved travel conditions.
- 4.1.27 Paragraph 12.13.47 states that: *“This would be particularly beneficial at peak times during summer months when congestion is often experienced, which could help remove a perceived barrier to tourism and accessibility to facilities and services with associated wider economic benefits.”*
- 4.1.28 As such, tourism and recreation businesses are expected to experience a slight benefit as a result of the scheme, once it is operational.

Resilience

- 4.1.29 The scheme provides additional network resilience in its current form. The existing A30 route will be maintained and will be the signed diversion route at times when the new A30 between Chiverton and Carland Cross may be closed. The scheme will provide significant additional highway capacity compared to the existing situation and therefore the network will be more resilient with the scheme compared to the Do Minimum scenario.
- 4.1.30 A detailed explanation of how the scheme would increase the resilience of transport systems in Cornwall is provided in response to Q1.11.2 of the **Responses to the Examining Authority’s Written Questions** (Document Reference 8.6, page 56 – 58) [REP2-020].

Amending the scheme

- 4.1.31 As detailed in response to Q1.11.4 of the **Responses to the Examining Authority’s Written Questions** (Document Reference 8.6, page 63 – 64) [REP2-

020], Highways England has set out why it considers a partial junction to be the best option and why it considers that there is insufficient justification for the provision of east facing slips at Chybucca. In addition to forecast traffic, there are other aspects that need to be considered when assessing the provision of east facing slips, namely the required revised vertical alignment of the route at this point, increased construction costs, additional environmental impacts and the additional land that would be required.

- 4.1.32 Accommodating east facing slips without introducing departures from DMRB standards would require changes to the vertical geometry on the mainline A30 dual carriageway. This would require a significantly higher embankment adjacent to Tresawsen which would introduce significant additional earthworks. This would significantly increase construction costs and could result in associated environmental impacts (noise, air quality, landscape and visual).
- 4.1.33 In addition, Highways England would have had to apply for powers of compulsory acquisition for the land required to construct and operate east facing slip roads. It can be assumed that Mr Williams would be the landowner likely to be most affected by the provision of east facing slip roads. Mr Williams stated his support for the east facing slip roads in his Relevant Representation [RR-100], which could indicate that Mr Williams would not be likely object to the compulsory acquisition of his land for this purpose.
- 4.1.34 Notwithstanding this, Highways England would have still included the land required for east facing slip roads as subject to compulsory acquisition. Highways England must be satisfied that any compulsory acquisition of land interests complies with the tests set out in section 122 of the Planning Act 2008. Section 122 (3) states that there must be a compelling case in the public interest for land to be acquired compulsorily; section 5.4 of the **Statement of Reasons** (Document Reference 4.1) [APP-006] sets out this case in relation to the proposed scheme.
- 4.1.35 It is considered by Highways England that the lack of demand for east facing slip roads as demonstrated in this section would not meet the test for a compelling case in the public interest to justify the use of compulsory acquisition powers.
- 4.1.36 Cornwall Council accepts the analysis of Highways England that the provision of east facing slips at Chybucca cannot be justified in terms of future traffic demand and associated costs, land take and environmental impacts. This is detailed in the 'matters agreed' section of the **Statement of Common Ground with Cornwall Council** (Document Reference 7.4(A)) [REP1-003], specifically matter 2.11 in Appendix A.
- 4.1.37 The **Local Impact Report** submitted by Cornwall Council (Document Reference 8.5) [REP2-021] further states at paragraphs A2.7 – A2.9:

“A2. 7. The grade separated junction at Chybucca will provide partial movements with west facing slip roads off the A30, creating a junction with the B3284 linking to settlements to the north at Perranporth and surrounding area. The west facing slips will provide an attractive alternative route into Truro passing through Shortlanesend. This issue is explored further below. There has been much discussion on provision of east facing slips for this junction; however the Council accepts the Highways England analysis that concludes the provision of east facing slips at Chybucca cannot be justified in terms of future traffic demand and associated costs, land take and environmental impact.”

A2. 8. The proposed Carland junction at eastern end of the scheme comprises a two roundabout dumbbell arrangement that connects the new dual carriageway section with the A39 to Truro and the de-trunked existing A30. The de-trunked section of the existing A30 will provide the connection to Goonhavern, Perranporth and minor settlements towards the north coast, whilst A39 provides the main eastern link to Truro. The grade separation ensures this junction has significant additional capacity to meet future traffic demands.

A2. 9. In addition to the 3 main junctions and the parallel de-trunked existing A30, the provision of a number of side road crossings at Tresawsen, Two Barrows, Trevalso Lane, and Pennycomequick Lane ensures the new scheme does not sever or significantly inhibit access to adjacent settlements and properties.”

5 Action Point 3 - CAH

Hearing Action Point 3: Response to compulsory acquisition matters, if any raised

5.1 Highways England Response

- 5.1.1 This Hearing Action Point requires that Highways England comment on any submissions made at Deadline 3, in response to Hearing Action Point 2.
- 5.1.2 Hearing Action Point 2 required that the Nancarrow Parties provide ‘*clarification of any remaining specific concerns relating to compulsory acquisition matters or confirmation no further matters remain*’.
- 5.1.3 Submissions were made by Steve and Lucy Chamberlain [REP3-031] and Peter Mewton [REP3-032] in response to Hearing Action Point 2 at Deadline 3.

Peter Mewton

- 5.1.4 The response from Peter Mewton to CAH Action Point 2 states:

“Field know as ‘Three Corners’, West of St Freda, through which a new section of road for local traffic is planned. On Highways England works plan, this area contains Pond 11; work number 30, 31, 28; Work number 1q, 2c, 2e and 8b; work number 66 and 32.

Pond 11 seems to have been sited on a considerable incline. Would it be better to site this further down into the unused part of the field (to the east) which is lower (more suited to drainage) and which would leave a larger area above as a useful field for Nancarrow agriculture. Alternatively, Nancarrow could retain the whole area around and below the pond wherever it is sited.”

- 5.1.5 Pond 11 in plot 6/4d is required to hold the new road surface water run-off before discharging to the existing watercourses at the equivalent rate as the run-off from the existing fields. This is a requirement of the Environment Agency and Cornwall Council and therefore there is no scope to reduce its size. The area of acquisition surrounding Pond 11 also includes for the provision of forebays, as required in agreement with Cornwall Council.
- 5.1.6 As shown on Sheet 5 of General Arrangement and Section Plans (Document Reference 2.6(A)) [REP3-006], the pond has been located as far east as possible within the field. The need for this location is due to the required the levels of Pond 11 and the resulting side slopes of the pond. The proposed location has been designed to retain as much of the existing field as possible.
- 5.1.7 Highways England also needs to acquire the land surrounding the pond for the purposes of landscaping, as stated on page xxi of Appendix A to the **Statement of Reasons** (Document Reference 4.1(B)) [REP3-010].
- 5.1.8 The response from Peter Mewton to CAH Action Point 2 states:
- “To the North of the new minor road, there are two triangular areas, one not under a Compulsory Acquisition and the other, is proposed for landscape planting. We object to having the second area taken unnecessarily out of our holding. If it was kept by us it would be, when added to the other retained land, usefully productive land for Nancarrow. Gate and hedge/fencing accommodation would be understood as provided by Highways England to all fields.”*

- 5.1.9 As stated on page xxi of Appendix A to the **Statement of Reasons** (Document Reference 4.1(B)) [REP3-010], plot 6/4d is required for landscaping. This area of woodland planting is required to reduce the effects of the scheme for Viewpoint 16 (Chyverton Lodge) to slight adverse and insignificant by year 15 of operation (paragraph 7.11.46 of Chapter 7 Landscape of the ES (Document Reference 6.2) [APP-060].

“The return of the slip road and wooded area to Nancarrow and kept as amenity woodland with some agricultural use, fenced and gated as a single area.”

- 5.1.10 Highways England agrees that this could be a suitable usage for the area of land currently used as a slip road within Plot 6/1 which is proposed to be returned to the ownership of Nancarrow Farm, following the construction of the scheme.
- 5.1.11 The response from Peter Mewton to CAH Action Point 2 states:
- “This area is where the planned and consented retirement home is to be destroyed and where a bat roost replacement building is to be erected. The whole area should be retained, without rights to Highways England, by Nancarrow for farming use.”*
- 5.1.12 Regarding the demolition of the existing derelict barn, as stated in the Highways England comment on the Written Representation of Peter Mewton (Document Reference 8.6) [REP2-022]: “There are four occurrences on the scheme of acquiring residential property. This is detailed in paragraphs 6.1.6 to 6.1.17 of the **Statement of Reasons** (Document Reference 4.1) [APP-006]. The scheme requires the demolition of a derelict barn at Nancarrow Farm for works associated with the new A30.” It would not be possible to construct the Scheme without the demolition of the existing barn, which has planning permission for conversion into a one-bedroom dwelling house.
- 5.1.13 Plot 5/7a is proposed to be subject to the acquisition of permanent rights for a bat roost. As stated in point 5 of Table 3-1 of the Highways England response to CAH Action Point 9: “Highways England changed the land acquisition of Plot 5/7a from permanent acquisition to temporary acquisition with permanent rights in order to preserve access to this meadow.” Highways England will continue to discuss the delivery of the bat roost at Plot 5/7a with Nancarrow Farm in order to minimise disruption to farming activities.

Stephen and Lucy Chamberlain

- 5.1.14 The response from Stephen and Lucy Chamberlain to CAH Action Point 2 states:
- “Does the land take meet the relevant tests*
- Route selection. Such strategic organic land loss, both in close proximity to farmyard, and as key staff and guest areas should not be given equal weighting to agricultural land on the edge of a holding. (see comparison table 7.6 when comparing Northern route and preferred route)”*
- 5.1.15 Highways England has responded to matters relevant to route selection in its response to CAH Action Point 9 in the **Response to Hearing Action Points - CAH** (Document Reference 8.11) [REP3-021].
- 5.1.16 The response from Stephen and Lucy Chamberlain to CAH Action Point 2 states:

“Given the proximity to several key strategic farm components, detailed design should be undertaken asap to:

- *ensure minimal land is taken in key areas (access track, areas surrounding the bridge)”*

- 5.1.17 As stated in point 3 of Table 3-1 of the Highways England response to CAH Action Point 9: “Highways England changed the permanent acquisition to temporary with permanent rights for the access track from the farmyard to the Green Bridge as shown on Sheet 5 of the **Land Plans** (Document Reference 2.2(A)) [APP-AS-009] (Plot numbers: 5/8a; 5/8b; 5/7b; 5/7h).”
- 5.1.18 As stated in point 5 of Table 3-1 of the Highways England response to CAH Action Point 9: “Highways England amended the design of the access track to PR7 to be in the field to the west of the Green Bridge, instead of on the existing route of FP 319/16/1 as shown on Sheet 4 of the **Rights of Way and Access Plans** (Document Reference 2.5(B)) [REP2-009]. Steps (PR8) are now proposed to access the proposed bridleway PR7 from FP 319/16/1. These measures have minimised the land required for access to the Green Bridge.”
- 5.1.19 The response from Stephen and Lucy Chamberlain to CAH Action Point 2 states: *“ensure access is not removed from Jose’s meadow (east of the green bridge) and Wild close (east of Jose’s meadow) Confirmation that access between wild close and western close (approx. chainage 7 +700) will be retained.”*
- 5.1.20 See paragraph 5.1.12 of this document regarding access to Jose’s Meadow.
- 5.1.21 As explained during the CAH and stated at paragraph 4.1.10 of the Highways England **Post Hearing Submissions including Written Summary of Oral Case – CAH** (Document Reference 8.10) [REP3-020], the engineering design was amended prior to submission of the DCO application to retain the corner of the field boundary between Jose’s Meadow and Wild Close as shown on Sheet 11 of the **Environmental Masterplans** (Document Reference 6.3, Figure 7.6(A)) submitted at Deadline 4.
- 5.1.22 As shown on Sheet 11 of the Environmental Masterplans, the scheme does not encroach on the corner of the “Wild close” and “Western Close” field slightly to the east of Chainage 7+700.
- 5.1.23 The response from Stephen and Lucy Chamberlain to CAH Action Point 2 states: *“address visual impact issues at the South West corner of Wild Close.”*
- 5.1.24 It is not considered that visual impact is a relevant matter to compulsory acquisition. However, it is understood that Nancarrow Farm would like a 1.8m Cornish hedge from approx. Chainage 7+500 to Chainage 8+100, and not a 1.2m Cornish hedge as proposed. A 1.2m Cornish hedge has been proposed as this provides appropriate screening from the road which is in a cutting in this location. Woodland planting and woodland edge planting is proposed between the Cornish hedge and the carriageway.
- 5.1.25 The response from Stephen and Lucy Chamberlain to CAH Action Point 2 states: *“Ensure corner of Great Close is retained as detailed in environmental design but remains within red line on compulsory purchase maps.”*

- 5.1.26 It is not clear which field is being referred to. The Order limits are set to ensure access for construction and future maintenance of the scheme. Only land which is required for these purposes is proposed to be acquired.
- 5.1.27 The response from Stephen and Lucy Chamberlain to CAH Action Point 2 states:
*“Land required but then returned but with remaining rights of access.
Is all land detailed as such on the map actually required to have access retained by highways? In particular access to bat roost which is within the remaining small field.”*
- 5.1.28 Permanent acquisition of rights is required for the maintenance of the scheme, accesses, and landscaping. For the access track to the green bridge, permanent rights are required for the designation of this track for walkers, cyclists and horse riders. See paragraph 5.1.12 of this document regarding access to Jose’s Meadow and the bat roost.
- 5.1.29 The response from Stephen and Lucy Chamberlain to CAH Action Point 2 states:
“Loss of trees
- *The scheme removes 2 plantations (community planting schemes post 1992 Zelah Bypass) Furthermore, an established specimen tree boundary (providing visual screen and protection for wildlife) is being removed in its entirety. The loss of these sentimental, visual, and environmental areas should be better addressed at Nancarrow.*
 - *Whilst planting has been planned for Shop Meadow (west of the green bridge) and we acknowledge a significant number of trees are being planted as part of this scheme, further planting should be considered in Wild close and Western close to adequately replace what is being removed.*
 - *To address part of the above, we propose a small copse at the South West corner of Wild close (to replace the existing copse at the Northern corner) with acoustic fencing continuing to the North of the copse (around 20m) and a gate between Wild close and Great Close (to replace the gate between Wild close and Joses meadow)”*
- 5.1.30 It is not considered that the impacts from the loss of existing vegetation are relevant to compulsory acquisition matters. The areas outlined for further planting are beyond the Order limits and would not be deliverable as part of the scheme, nor is it considered that the planting would be required to make the scheme acceptable in planning terms.

6 Action Point 7 - CAH

Hearing Action Point 7: Either comment on data as supplied OR agree update on SoCG

6.1 Highways England Response

6.1.1 This Hearing Action Point requires that Highways England and/or Historic England (HBMCE) either comment on data supplied to HBMCE at Deadline 3 (as required under Hearing Action Point 6) OR provide an agreed update of the draft Statement of Common Ground with HBMCE.

6.1.2 HBMCE submitted an update on the SoCG at Deadline 3 [REP3-029], stating:

“Following on from the position at Deadline 2 (19 March), our discussions with Highways England continue. We have been informed by Highways England that they intend to submit a revised draft SoCG at Deadline 3 and we are, together, working towards agreement of a SoCG for submission by Deadline 5 (18 June). Submission at Deadline 5 will allow amendments referred to in the draft SoCG to be made to be made to the DCO, ES, CEMP and, to allow the draft Scheduled Monument Protection Plan to be finalised and included in the CEMP.

We are content that the SoCG is close to agreement and that it will address the issues and comments on the draft DCO, the draft ES and, the draft CEMP raised in our original Written Representations, submitted at Deadline 1 (19 March). HBMCE do not therefore, intend to comment in detail at this stage, however, following the receipt of further information we make the following comments on visibility from the Carland Cross barrow group and from the proposed viewing platform.

- Table 4.1

22.1 The requested additional photomontage; Heritage VP 2 and VP 3, show that a reduction in levels to the maximum allowed in the draft DCO, 0.5m, would have a clear visible effect. The photomontages both show the safety barrier protruding above the embankment and obscuring views of the Newlyn Downs, in particular those of the valley bottom. We believe that the reduction of 500mm will be worthwhile, and that a one metre reduction would be preferable.”

6.1.3 A meeting was held with HBMCE on 29 April 2019 to further review the draft Statement of Common Ground **Appendix A** of the **Statements of Common Ground** (Document Reference 7.4(C)), the additional photomontages and the updates to the Outline CEMP submitted at Deadline 3. As a result, a number of matters are now agreed, with the only matters subject to ongoing discussion with Historic England relating to the range of measures to offset the impacts of the junction design at Carland Cross – the viewing platform overlooking Newlyn Downs, amendments to proposed Public Rights of Way to access the viewing platform and the southern part of the CRoW land and a high level description of the interpretation strategy to be added to Annex F Outline Written Scheme of Investigation.

6.1.4 A further update to the draft Statement of Common Ground has been submitted at Deadline 4, with the intention for a signed version to be provided at Deadline 5.

7 Action Point 7 – ISH 3 on WCH

Hearing Action point 7: Clarification of any additional requirements arising from the outcome of point 7

7.1 Highways England Response

- 7.1.1 Highways England understands that there may be a typographical error in this Hearing Action Point, which should state “*Clarification of any additional requirements arising from the outcome of point 6*”.
- 7.1.2 Hearing Action Point 6 of ISH3 on WCH required that Cornwall Council provide “*Confirmation of the status of the section of route to west of end of proposed bridleway VV*” at Deadline 3.
- 7.1.3 At Deadline 3, Cornwall Council provided a response to Action Point 6, stating that:
- “This section of highway was stopped up as part of earlier works to Carland Cross junctions as per the details of the attached Side Roads Order and Stopping Up order and plan.”*
- 7.1.4 Cornwall Council provided supporting documents as stated, including a Side Roads Order, a Stopping Up Order and a plan.
- 7.1.5 Highways England have investigated the land interests in this area and are considering solutions to ensure that the proposed bridleway from Carland Cross to Mitchell can operate. Highways England has provisionally identified an alternative route for the western section of proposed bridleway VV that would utilise a section of the A30 that is currently proposed to be stopped up. This would provide a segregated route for walkers, cyclists and horse riders that would separate them from vehicular traffic accessing the service area and business premises in this area of the Carland Cross Junction.
- 7.1.6 Highways England intends to consult with the relevant user groups on this alternative proposal, which can be accommodated within the existing Order limits with no change to the compulsory acquisition position. An update will be provided in advance of Deadline 5.

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