

A30 Chiverton to Carland Cross TR010026

8.19 COMMENTS ON INTERESTED PARTY SUBMISSIONS AT DEADLINE 4

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 5 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 4, including:
- 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 4.

2 Comments on Deadline 4 Submissions

2.1 Responses to Comments on Statements of Common Ground

2.1.1 Table 2-1 below provides Highways England's response to comments on Statements of Common Ground (SoCG) as submitted by Interested Parties at Deadline 4.

Table 2-1 Highways England response to IP comments on SoCGs made at Deadline 4

Interested Party	Comments on Statement of Common Ground	Highways England Comment
Historic England (HBMCE)	<p>As referred to in our Written Representations, the Historic Buildings and Monuments Commission for England is generally known as Historic England. However, due to the potential for confusion in relation to "HE" (Highways England and Historic England), we have used "HBMCE" in our formal submissions to the examination to avoid confusion.</p> <p>Highways England have submitted a working draft of the SoCG today for Deadline 4 (2nd May). HBMCE offer the following update on the draft Statement of Common Ground (SoCG), to assist the Examining Authority.</p> <p>HBMCE and Highways England are in on-going discussion regarding the SoCG and are confident that a final draft will be ready for submission at Deadline 5. This will allow the amendments referred to in the draft SoCG 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.</p> <p>We are content that the SoCG reflects the current developing discussions and is close to agreement. We expect 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 make the following observations regarding the additional viewpoints 2 and 3.</p> <p>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</p>	<p>A Statement of Common Ground with HBMCE is in the process of being signed and will be submitted at Deadline 6.</p>

Interested Party	Comments on Statement of Common Ground	Highways England Comment
	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 should be adhered to.	

2.2 Responses to representations made at Deadline 4

2.2.1 Table 2-2 below provides Highways England's response to representations as submitted by Interested Parties at Deadline 4.

Table 2-2 Highways England response to IP representations made at Deadline 4

Interested Party	Representation	Highways England Comment
Scottish Power Renewables (SPR)	Please find below comments on behalf of ScottishPower Renewables (SPR) in relation to documents submitted by the Applicant at Deadline 4 in respect of the A30 Chiverton Cross to Carland Cross DCO. <ol style="list-style-type: none"> SPR welcomes the updates made to Sheet 8 of the Works Plans (Document reference 2.4(C)) to reflect design changes agreed with SPR. SPR notes that the updated Sheet 8 corrects the tie-in error with the wind farm access road and now shows the roundabout overrun and the lay-by facility with two new labels added for Work No 5(a) and Work No. 5(p). 	This is noted.
	<ol style="list-style-type: none"> SPR also welcomes the update in Schedule 1 of the DCO (Document reference 3.1(D)) to the description of Work No. 5(a) and the addition of Work No. 5(p). 	This is noted.
	<ol style="list-style-type: none"> SPR would however request that the labelling on Sheet 8 of the Works Plans for Work No. 5(a) or alternatively the description of Work No. 5(a) itself within the DCO makes it clear that the layby from the existing A30 to the new roundabout forms part of Work No. 5(a). 	This is noted. The overrun track has been added to the northern roundabout on Sheet 3 of the Work Plans (Document Reference 2.4(D)) and the description of Work No. 4 (a) has been updated in the draft DCO (Document Reference 3.1(E)) to " <i>a new roundabout north of the main carriageway of the new A30 with overrun area through the central island for Carland Cross windfarm</i> ". Both the draft DCO (Document Reference 3.1(E)) and the updated Work Plans (Document Reference 2.4(D)) are submitted at Deadline 5.
	<ol style="list-style-type: none"> SPR notes that Sheet 3 of the updated Works Plans does not show the over-run area across the northern roundabout of the new Chybucca junction as agreed between the Applicant and SPR and SPR would request that this is shown on Sheet 3 of the Works Plans. 	
The Harvey Family	The Harvey Family submitted a response to Deadline 4 regarding the following matters:	A meeting was held with the Harvey Family on 10 June 2019 to discuss these issues following an exchange of correspondence. A letter providing Highways England's understanding of the final

Interested Party	Representation	Highways England Comment
	<ul style="list-style-type: none"> • Proposed land acquisition • Traffic noise • Road safety • Traffic conflict • Design of the Pennycomequick underpass 	<p>position with the Harvey Family is included at Appendix A of this document. It includes the response of Highways England to all the matters raised by the Harvey Family at Deadline 4. This letter has not yet been confirmed by the Harvey Family, an update on the final position of the Harvey Family and Highways England will be provided at Deadline 6.</p>
<p>Nancarrow Farm (late Deadline 4 submission accepted at discretion of Examining Authority)</p>	<p>Nancarrow Farm submitted a response to Deadline 4 regarding the following matters:</p> <ul style="list-style-type: none"> • Route Selection • Action Point 4 Table 3-1 of the Highways England Response to Compulsory Acquisition Hearing Action Points (Document Reference 8.11) [REP3-021] 	<p>Highways England has no further comments on the matters raised in the Nancarrow Farm submission at Deadline 4. It is considered that all matters relating to route selection have been responded to as part of the following documents:</p> <ul style="list-style-type: none"> • Response to PIL ID 56 and 57, pages 142 – 170 of the Consultation Report (Document Reference 5.1) [APP-029] • The Highways England response to the Relevant Representation of Nancarrow Farm, Appendix E of Highways England's Comments on Relevant Representations (Document Reference 8.1) [REP1-004] • The matters outstanding contained in the draft Statement of Common Ground with Nancarrow Farm, submitted as Appendix B to Statements of Common Ground (Document Reference 7.4(C)) [REP3-016] at Deadline 3. • Action Points 6 and 9 as part of the Highways England Response to Response to Hearing Action Points - CAH (Document Reference 8.11) [REP3-021].
<p>Cornwall Chamber of Commerce (late Deadline 4 submission accepted at discretion of Examining Authority)</p>	<p>Cornwall Chamber of Commerce is the accredited body which supports and lobbies on behalf of businesses in Cornwall & Scilly. We have consulted businesses along the new stretch of the trunk road, we have studied the drawings and traffic research findings and have looked at our analysis of where businesses are sited, where their customers hail from and where heavy and light supplies need to be routed. We have also seen the CGI video of the route taking into account wildlife bridges, the environment, residents and side road traffic flow.</p>	<p>Highways England notes that the Cornwall Chamber of Commerce responded to the statutory consultation held in January to March 2018 in full support of the scheme proposed on the basis of the economic benefits it would bring. This is reported in page 439 of the Consultation Report (Document Reference 5.1) [APP-029].</p> <p>Highways England has requested the list of businesses referred to in the submission of the Chamber of Commerce.</p>

Interested Party	Representation	Highways England Comment
	<p>Taking all factors into account, we see a full junction with exit and access from both directions as being preferential to businesses, their customers and suppliers, preserving jobs and creating prosperity within, and from, the private sector for West Cornwall. The additional cost of this scheme while work is being done will be considerably less than having to do it subsequently, which our analysis indicates would need to be done . The support that Cornwall Council would engender from the business community would be greatly enhanced and the ongoing tax take from successful businesses created by the improved business environment would be an ongoing benefit to everybody in Cornwall and there is very little discernible negative impact on residents, wildlife, visitors or other stakeholders – indeed, in our consultation, all of these groups could benefit from the addition of westerly direction access and egress.</p> <p>We urge the Chybucca Issue Specific Hearing on 12th June to think again about making the Chybucca Junction fully accessible from both directions for the sake of businesses and other stakeholders. There is a huge financial benefit to having this work, which is sorely needed by all businesses in West Cornwall, comprehensively completed at one time.</p> <p>If names of businesses, further information or economic development plans for Cornwall are needed to enhance our letter of support, do not hesitate to contact me.</p>	<p>At the Issue Specific Hearing 4 on Chybucca junction, held on 12 June 2019, the business impacts of a partial junction at Chybucca was discussed by Highways England and the Interested Parties in attendance.</p> <p>A written summary of the case put forward by Highways England at this hearing is provided in the Post Hearing Submissions including Written Submissions of Oral Case – ISH 4 on Chybucca Junction (Document Reference 8.20) submitted at Deadline 5. Highways England considers that the case put forward at the hearing provides a sufficient response to the comments made by the Cornwall Chamber of Commerce at Deadline 4.</p>

Appendix A Correspondence with the Harvey Family on 17 June 2019

Dear Mr and Mrs Harvey

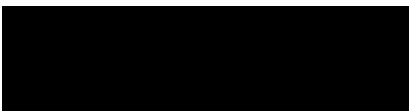
Meeting held with Highways England Thursday 20 March

I am writing to you to set out our understanding of the position between the Harvey Family and Highways England following your review of the positions we set out in our letter dated 14 May 2019, your response to our letter on 6 June 2019 and the meeting held on 10 June. The following topics have been discussed:

- Compulsory Acquisition of land from the wildflower meadow and the stream in the ownership of the Harvey Family
- Access to the Pennycomequick residence
- Treatment of the underpass at Pennycomequick Lane (C0075), and boundary structures on this lane
- Access to the construction compound at Pennycomequick Lane (C0075)
- Noise at the Pennycomequick residence

Highways England request your comments on Annex A, or confirmation in writing that the matters expressed in Annex A represent our final position.

Yours faithfully,



Josh Hodder
Project Manager
A30 Chiverton to Carland Cross

Enc.

Annex A – Summary of latest position with Harvey Family

Annex A:

Summary of final position with Harvey Family

Ref	Harvey Family matters raised in written representations and discussed at the meeting	Highways England Response	Final position
1.	<p>Objection to the acquisition of land within the wildflower meadow for the purposes of woodland planting.</p>	<p>At Deadline 3, Highways England submitted revised Land Plans (Document Reference 2.2(B)) [REP3-003] which provide the following changes to the proposed acquisition. At Deadline 4, a clarification of Table 3 in Highways England's Response to Hearing Action Point 1 from the Issue Specific Hearing on the DCO (Document Reference 8.9) [REP3-019] was provided to confirm that:</p> <ul style="list-style-type: none"> Plot 8/2b on Sheet 8 of the Land Plans has been split and new plots 8/2h, 8/2j and 8/2k have been added to show the land requested to be changed to temporary use. <p>At Deadline 4, Highways England submitted revised Environmental Masterplans (Environmental Statement Figure 7.6(A)). This includes an amendment at Sheet 15 to remove the 5m wide woodland strip to the east of the lane, as previously proposed, and instead a planted Cornish hedge in keeping with the existing condition.</p>	<p>It is agreed that these changes resolve the concern raised by the Harvey Family.</p>
2.	<p>Objection to permanent acquisition of the stream adjacent to Pond 14.</p> <p>Objection to the permanent acquisition of rights only of the stream adjacent to Pond 14. This is on the basis that the stream cannot be required for the construction, operation or maintenance of the pond. This is given the streams location on the opposite side of Cornish hedgerow and other vegetation to the construction of the</p>	<p>At Deadline 3, Highways England changed Plot 8/2c from permanent acquisition to acquisition of permanent rights.</p> <p>Page 49 of Statement of Reasons - Appendix A (Document Reference 4.1(B)) [REP3-010], will be amended to: permanent rights are being acquired in order to construct, use, protect, inspect and maintain the stream adjacent to</p>	<p>It is agreed that the Harvey Family accept the change in acquisition to permanent rights, on the basis that wording relating to the construction and maintenance of Pond No.14 has been removed, and rights are restricted to the protection, inspection and maintenance of the stream.</p>

Ref	Harvey Family matters raised in written representations and discussed at the meeting	Highways England Response	Final position
	pond. The vegetation between the wildflower meadow	<p>attenuation pond no. 14, associated drainage facilities, access and landscaping.</p> <p>This wording would limit works to the maintenance of the stream as discussed at the meeting on 20 June.</p>	
3.	Access to meadow from Pennycomequick Lane (C0075).	<p>Highways England has updated the relevant documents to include an access to the wildflower meadow opposite the proposed access to Pennycomequick residence:</p> <ul style="list-style-type: none"> • Sheet 6 of the Works Plans (Document Reference 2.4(B)) [REP2-006] • Sheet 6 of the Rights of Way and Access Plans (Doc Ref 2.5(B)) [REP2-011] • The Draft DCO (Doc Ref 3.1(C)) [REP2-012] • Appendix A of the Statement of Reasons (Doc Ref 4.1(A)) [AS-032] <p>These changes were submitted to the Planning Inspectorate for Deadline 3 of the Examination, on 24 April 2019.</p>	It is agreed that these changes resolve the concern raised by the Harvey Family.
4.	Boundary structures: confirmation was sought that the Cornish hedge would be provided on the full extent of the realigned lane.	It was confirmed that the Cornish hedge will extend to the full length of Pennycomequick Lane (C0075), from the junction of the C0075 with the existing A30 to the proposed underpass under the new A30, as shown on Sheet 15 of Environmental Masterplans,	This matter is agreed.

Ref	Harvey Family matters raised in written representations and discussed at the meeting	Highways England Response	Final position
		<p>Environmental Statement Figure 7.6 (Document Reference 6.2) [APP-195].</p>	
5.	<p>Concerns regarding the safety of the proposed realigned Pennycomequick Lane (C0075).</p>	<p>The Highways England response to the Written Representation of the Harvey Family states that:</p> <p><i>“Highways England does not consider the realignment of Pennycomequick Lane as part of the scheme to have any detrimental impact on the safety of this lane. The proposed design standards for the realignment have been agreed with the Local Highway Authority (Cornwall Council), as confirmed at reference 19.5 in Section 4 ‘Matters Agreed’ of the Statement of Common Ground with Cornwall Council (Document Reference 7.4(A)) [REP1-003] submitted at Deadline 1.”</i></p> <p>This matter was further discussed at the meeting on 10 June 2019. Highways England explained that the realigned Pennycomequick Lane has a design speed of 40 mph, as agreed with Cornwall Council. Highways England confirmed that the road would be a national speed limit road as agreed with Cornwall Council.</p>	<p>This explanation is noted by the Harvey Family in terms of the application of standards to the design of the road; clarification that the realigned lane will be a maximum of 4m wide (but wider within the underpass) is accepted by the Harvey Family.</p> <p>However, the Harvey Family do not agree that the road will be as safe or safer as it is currently, due to the likelihood of increased speeds on the realigned Pennycomequick Lane (C0075) and the consequent increased danger, particularly to non-motorized users.</p> <p>The Harvey Family do not accept the explanation regarding the design of the road given at the meeting on 10 June and continue to object to the proposed realignment of Pennycomequick Lane.</p> <p>Highways England commit to continue to work with the Harvey Family during detailed design to make amendments where possible.</p>
6.	<p>Works Compound. As stated in the Written Representation of the Harvey Family:</p> <p><i>There is to be a works compound to the south of Pennycomequick with access from the existing A30 via the C0075.</i></p>	<p>Highways England explained at the meeting on 20 March that the compound must be operational prior to the construction of the realigned Pennycomequick Lane (C0075), and therefore the existing lane will be used by construction traffic.</p>	<p>This explanation is accepted.</p> <p>However, for road safety reasons, the Harvey Family maintain a strong preference for the use of the realigned Pennycomequick Lane (C0075) by construction traffic, rather than the proposed use of the existing lane.</p>

Ref	Harvey Family matters raised in written representations and discussed at the meeting	Highways England Response	Final position
	<p><i>There is a blind corner and any increase in the volume of vehicle movements could cause accidents. Contractor's vehicles will also be queued back onto the existing the A30. The new section of realigned lane must be built and brought into use before the compound.</i></p>	<p>Measures to manage traffic during construction are shown in the draft Traffic Management Plan, Appendix 2.1 of the Environmental Statement (Document Reference 6.4) [APP-300-309].</p> <p>At the meeting on 10 June, Highways England confirmed that the compound will be used for the construction of the underpass. Highways England confirmed that the arrangements for access and egress to the compound would have to be agreed with Cornwall Council and committed to consulting with the Harvey Family during detailed design as part of this. Highways England confirmed that the Principal Contractor would avoid the use of the existing A30 where possible.</p>	
7.	<p>Design of the underpass at Pennycomequick Lane (C0075). As stated in the Written Representation of the Harvey Family:</p> <p><i>This is a sensitive site which intrudes into some beautiful Cornish countryside. We implore the Applicant to design a beautiful structure.</i></p>	<p>The Highways England response to the Written Representation of the Harvey Family states that:</p> <p><i>"The presence of an underpass structure at Pennycomequick, as part of the scheme, has been taken account of in the assessment of landscape and visual effects in Chapter 7 Landscape of the Environmental Statement (Document Reference 6.2) [APP-060]. Based on preliminary design information for this assessment, it was assumed that all proposed underpasses, including the one at Pennycomequick, would be simple precast concrete underbridges.</i></p>	<p>Highways England maintain that the provision of a stone clad underpass is not justified in light of the environmental assessment.</p> <p>This explanation is not accepted. The Harvey Family continue to request a well-designed, beautiful structure, to minimise the impact on the environment.</p>

Ref	Harvey Family matters raised in written representations and discussed at the meeting	Highways England Response	Final position
		<p><i>The detailed design of the form and finish of this this structure will be carried out during the implementation of the scheme, subject to Requirement 12 of the draft DCO (Document Reference 3.1(C)).</i></p> <p>This was discussed at the meetings on 20 March and 10 June 2019. It was confirmed that there are no proposals beyond standard provision for the facing of the underpass.</p> <p>Highways England have provided Mr Harvey with the potential cost of stone-cladding of the underpass.</p>	
8.	Mitigation during construction works: Double Glazing during construction has been requested.	Highways England have committed to providing double glazing in a separate letter to the Harvey Family.	This matter is agreed.
9.	<p>Noise: as stated in the Written Representation of the Harvey Family:</p> <p><i>As a result of the Scheme, previously quiet areas in the garden will now be blighted by traffic noise. There will be no escape, from noise or from pollution.</i></p>	<p>The Highways England response to the Written Representation of the Harvey Family states that:</p> <p><i>“Around the house itself at Pennycomequick, noise levels would reduce, as shown on Figure 11.3 Operational Noise Difference Contour Map – Future Assessment Year (2038) Sheet 2 of 3 of the Environmental Statement (Document Reference 6.3) [APP-297]. This is because the noise contribution from the existing A30 would be reduced as a result of lower traffic flows. Figure 11.3 shows that noise increases from the proposed A30 alignment to the south, would occur at the southernmost end of the garden at Pennycomequick.”</i></p>	<p>This matter is not agreed, and the Harvey Family maintain concerns regarding the projected noise levels, their calculation and the resulting effects of noise on the Pennycomequick garden. They feel this could be mitigated by a length of high stone hedging or walling beside the new A30, particularly on top of the Pennycomequick underpass.</p> <p>In light of the results of the assessment Highways England does not consider that there is a need for additional mitigation.</p>

Ref	Harvey Family matters raised in written representations and discussed at the meeting	Highways England Response	Final position
		Table 11-4 of Chapter 11 of the Environmental Statement (Document Reference 6.2) [APP-064] states that the Pennycomequick residence would experience major beneficial effects as a result of the scheme.	

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