

**A30 Chiverton to Carland Cross  
TR010026**

**8.21 RESPONSES TO THE EXAMINING  
AUTHORITY'S SECOND WRITTEN  
QUESTIONS**

Volume 8

June 2019



## Table of Contents

	Pages
1 Introduction	1
1.1 Purpose of this document	1
2 Responses to the Examining Authority's Second Written Questions	2
Appendix A Question 2.2.3	i
Appendix B Question 2.3.1	ii

### Table of Tables

Table 2-1 Applicant's Response to the Examining Authority's Second Written Questions	2
--------------------------------------------------------------------------------------	---

# 1 Introduction

## 1.1 Purpose of this document

- 1.1.1 This document provides the Highways England (the Applicant) written responses to the Examining Authority's second written questions issued on 21 May 2019. It is submitted at Deadline 5 of the Examination of the A30 Chiverton to Carland Cross scheme. These can be found in **Table 2-1** overleaf.

## 2 Responses to the Examining Authority's Second Written Questions

Table 2-1 Applicant's Response to the Examining Authority's Second Written Questions

Number	Directed to	Question	Applicant's Response
<b>2. BIODIVERSITY, ECOLOGY AND NATURAL ENVIRONMENT</b>			
2.2.1	Applicant, NE	<p>The proposed 1.8m noise barrier (Cornish hedge) at the Chiverton Junction and 3m barrier (noise fencing) at Marazanvose would reduce noise levels for some bat roosts.</p> <p>a) Please identify which bat roosts would benefit from a reduced noise level?</p> <p>b) Would the proposed noise reduction measures avoid likely significant effects on bat roost receptor locations?</p>	<p>a) The proposed 2,190m of 1.8m high noise barrier (Cornish hedge) at Chiverton Junction would provide reduced noise level for Building 11A, a common pipistrelle maternity roost of 20 bats recorded, and Building 13, a common pipistrelle maternity roost of 8 bats recorded. The locations of the buildings are shown in <b>Appendix 8.19 Bat Roost Report</b> of the Environmental Statement (Document Reference 6.4) [APP-349].</p> <p>The proposed 670m of 3m high noise fencing to mitigate the noise levels for the Nancarrow wedding venue (Building 40 and adjacent buildings), would also provide a reduced noise level which would benefit bat roosts in: Building 36, which is a common pipistrelle and brown long-eared bat day / transitional roost of 2 bats of both species recorded; Building 37, which is a brown long-eared bat day / transitional and night roost of a single bat recorded; and Building 40, which is a common pipistrelle maternity roost of 9 bats recorded.</p> <p>b) Yes, the noise study and Draft Bat Licence determine no significant effects on bat roosts with outlined mitigation, including noise fencing. The 1.8m high noise barrier at Chiverton Junction would provide reduced noise level for roost Building 11A and 13 during operation. These roosts are over 50m from the main carriageway. As a result, the noise study (shown on <b>Figure 11.3 Operational Noise Difference Contour Map</b> (Document Reference 6.3) [APP-296 to APP-298]) demonstrated these buildings will see a change in operational noise of somewhere in the range of -0.9 to 0.9 dBA, i.e. a very minor change. <i>Negligible impact at the site level.</i></p> <p>Roost 11a and 13 are considered within the Draft Bat Licence, for which a Letter of No Impediment was received from Natural England; this is included at Appendix D of the <b>Statement of Common Ground with Natural England</b> (Document Reference 7.4.2) [REP2-018]. The conclusions within</p>

Number	Directed to	Question	Applicant's Response
			<p>the Draft Bat Licence state:</p> <p><i>“Buildings 11A and 13 – [both Maternity roosts for common pipistrelles (x20 and x8 respectively)]. These roosts are 31m and 41m respectively north of the proposed embankment required to make the new Chiverton Cross junction. The embankment will be built-up in layers with large rollers over a period of approximately one month. No vibrational noise anticipated. The works in this area will be from spring 2020 (early works), into 2021. Each of these roosts will be partially screened from construction activity by the gardens of the properties. Acoustic hoarding will also be installed along the redline boundary 25m and 33m respectively from each roost to screen the construction activity and dampen noise.”</i></p> <p>The 3m high noise fencing to mitigate the noise levels for the Nancarrow wedding venue would also provide a reduced noise level which will benefit bat roosts in Building 36, 37 and 40. The change in operational noise for Buildings 37 and 40 will be somewhere in the range of -0.9 to 0.9dBA, i.e. a very minor change. Building 36 – will see a decrease in traffic noise in the range of -2.9 to -1.0dBL. <i>Negligible impact at the site level for all bat species populations.</i></p> <p>Building 40 was considered within the Draft Bat Licence for which a Letter of No Impediment was received from Natural England; this is Appendix D of the <b>Statement of Common Ground with Natural England</b> (Document Reference 7.4.2) [REP2-018]. The conclusions within the Draft Bat Licence state:</p> <p><i>“Building 40 Nancarrow wedding venue – [Maternity roost common pipistrelle (x9)]. Temporary disturbance impacts from construction of attenuation pond 20m to the west of roost. This will be excavated with a bucket then rolled; these earthworks are expected to take no more than two weeks, i.e. temporary works only. Works to the main alignment in this area are over 100m away to the north.”</i></p>
2.2.2	Applicant	Chapter 8 of the ES (Document reference 6.2) [APP-061] refers to the Environmental Masterplan (provided	a) All proposed landscape, environmental and planning policy features shown on the <b>Figure 7.6(A) Environmental Masterplans</b> of the Environmental Statement) (Document Reference 6.3) [REP4-003] are to be treated as

Number	Directed to	Question	Applicant's Response
		<p>as 20 plans with a key (Document reference 6.3) [REP4-003]. Chapter 7 of the ES (Document reference 6.2) [APP-060] refers to the Environmental Masterplan including Landscape Elements (LE), Environmental Elements (E) and Planning Policy Features (P). Within the dDCO [REP3-007] the only reference to the Environmental Masterplan is in Schedule 2, Requirements, Article 5, Landscaping.</p> <p>a) Please confirm whether there are any components of the Environmental Masterplan which would not be treated as 'landscaping' as set out in the dDCO.</p> <p>b) If appropriate, please explain how other elements of the Environmental Masterplan would be treated.</p> <p>c) If appropriate, please explain how these elements would be secured in the dDCO?</p>	<p>landscaping and are secured by Requirement 5 of the <b>draft DCO</b> (Landscaping) (Document Reference 3.1(E)).</p> <p>Table 16-3 Record of environmental actions and commitments of the <b>Outline CEMP</b> (Document Reference 6.4(A)) [REP3-012] captures the six landscape Commitments L1 to L6. The implementation of the CEMP is secured in turn through Requirement 3 Construction Environmental Management Plan of the <b>draft DCO</b> (Document Reference 3.1(E)).</p> <p>b) All proposed elements of the Environmental Masterplans would be treated as landscaping; as such, this question is not relevant.</p> <p>c) As above.</p>
2.2.3	Applicant	Please provide a plan showing all the European designated sites which have been included within the assessment of European Sites.	A plan showing all European designated sites included within the assessment of European Sites is provided at <b>Appendix A</b> of this document.
2.2.4	Applicant	Paragraph 8.10.65 of ES Chapter 8 [APP-061] states that where instream works are unavoidable, consultation	As detailed in the response to Question 2.12.1, only one headwater stream with fish recorded would require in stream works, a tributary to the River Allen, located south east of Zelah (Site 12.1) as shown in <b>Appendix 8.10 – Fish</b>

Number	Directed to	Question	Applicant's Response
		with the appropriate conservation bodies should be ensured to minimise any impacts. Can the Applicant explain if the measures necessary to reduce impacts are agreed and detailed within the CEMP?	<p><b>Survey</b> Report of the Environmental Statement (Document Reference 6.4) [APP340].</p> <p>The measures necessary to reduce impacts are currently detailed within Annex H: Outline Pollution Prevention and Control Management Plan of the <b>Outline CEMP Annexes</b> (Document Reference 6.4(A)) [REP3-014] as updated at Deadline 3 (24 April 2019). Further details have been provided within the updated CEMP Annex H relating to instream pollution and sediment prevention and control, as stated below:</p> <p><i>“Through the preliminary pollution risk assessment, any construction activity which may result in a change of aquatic conditions downstream will be designed to include prevention and control measures. This will include all instream works but may also include works close to watercourses.</i></p> <p><i>Appropriate precautions will be taken when working instream, or adjacent to, watercourses; to appropriately manage the potential for deposition of silt or release of other forms of suspended material or pollution within the water column. All measures will be in line with the requirements set out within the EA’s General Guide to Prevention of Pollution (PPG1), Works and maintenance in or near water (PPG5) and Maintenance of structures over water (PPG23) and Control of water pollution from construction sites CIRIA 532.</i></p> <p><i>Instream prevention and control measure to reduce or avoid sediment ingress into the watercourse, include (but not exclusively):</i></p> <ul style="list-style-type: none"> <li>• <i>Avoiding instream activity during wet weather,</i></li> <li>• <i>Stilling ponds,</i></li> <li>• <i>Sediment absorbent matting, and</i></li> <li>• <i>Bank reinstatement / stabilisation.”</i> <p>At the detailed design stage, these prevention and control measures would be developed and agreed with the Environment Agency as part of the required consent for the works and in line with the CEMP under Requirement 3 of the <b>draft DCO</b> (Document Reference 3.1(E)). The relevant consent to be attained is stated as <i>“Consent(s) from the Environment Agency to catch fish (using means other than rod and line) pursuant to section 27a of the Salmon &amp; Freshwater Fisheries Act 1975”</i> in <b>Details of Other Consents and Licences</b> (Document Reference 7.2) [APP-046].</p> </li></ul>



Number	Directed to	Question	Applicant's Response
<b>3. COMPULSORY ACQUISITION AND / OR TEMPORARY POSSESSION</b>			
2.3.1	Applicant	<p>The Applicant has suggested a number of alterations to the DCO in response to matters arising through the course of the Examination. They have indicated that they believe these changes to be non-material changes [REP3-019].</p> <p>The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (The CA regulations) set out the procedures to be followed where it is proposed to include a provision in a DCO authorising the CA of additional land.</p> <p>“Additional land” means land proposed to be subject to Compulsory Acquisition (CA) and which was not identified in the Book of Reference (the BoR) submitted with the application as land.</p> <p>“Land” is defined by reference to s.159 of the Planning Act 2008 as including any interest or right over land.</p> <p>As a result, I consider that “additional land” for the purpose of the CA regulations includes the CA of a new right, even if the land itself was originally included in the BoR, and so within the Order limits.</p>	<p>a) Table 1-1 in <b>Appendix B</b> of this document provides the following details in the corresponding columns:</p> <ul style="list-style-type: none"> <li>• Plot numbers of those plots where amendments to the type of compulsory acquisition have been proposed</li> <li>• Rights originally proposed for acquisition in the application documents on 30 August</li> <li>• Rights now sought for acquisition as a result of the proposed amendments</li> <li>• Evidence of consultation with and any agreement received from relevant land interests</li> </ul> <p>b) The Applicant does not consider that there is sufficient time remaining within the examination timetable to allow the requirements of the CA Regulations to be fulfilled before the close of the examination.</p> <p>c) An unfortunate consequence of this interpretation of the CA Regulations is that the Applicant loses the ability to ‘downgrade’ the scope of compulsory acquisition from outright acquisition to the acquisition of permanent rights, even where it is satisfied that doing so is appropriate, unless every party with an interest in the land in question consents to that change. That means that a single party with an interest in the land (such as a statutory undertaker) can prevent a ‘lesser’ exercise of compulsory acquisition powers over the land simply by failing to respond to a request for consent, even if every other party with an interest in it (such as the freehold owner) agrees.</p> <p>In this case, as the ExA is aware, the Applicant has been in discussions with Everything Everywhere in relation to the relocation of its mast at Nanteague Farm. A new location for the mast was agreed following the submission of the DCO application and the Applicant has subsequently made changes to the dDCO to accommodate the relocation of that mast to the agreed position.</p> <p>The freehold owner of the land in question has not yet consented to the necessary changes.</p>

Number	Directed to	Question	Applicant's Response
		<p>a) Please provide a table indicating each affected plot number and providing the following information:</p> <ul style="list-style-type: none"> <li>i. the rights originally proposed;</li> <li>ii. the rights now sought;</li> <li>iii. the evidence of agreement from all affected persons in relation to the proposed alterations to the application.</li> </ul> <p>b) If there is no agreement from affected persons for any plot please indicate whether and how the Applicant could fulfil the requirements of the CA regulations.</p> <p>c) Legal submissions may be provided on the above matters.</p>	<p>The Applicant continues to engage with the freehold owner with a view to securing their consent to the changes before the end of the examination.</p>
<b>4. CULTURAL HERITAGE</b>			
2.4.1	Applicant, HBMCE	<p>Paragraph 6.12.1, Chapter 6 of the ES (Document reference 6.2) [APP-059], states that monitoring would be required during the construction phase to ensure that mitigation measures were applied as agreed with consultees.</p> <p>a) Which mitigation measures would require monitoring?</p> <p>b) How would this be monitored?</p> <p>c) How would such monitoring be secured?</p>	<p>In answer to parts a) and b) of this question, the mitigation measures that require monitoring and how these measures would be monitored is set out below.</p> <p><u>Mitigation for archaeological remains</u> Mitigation is required for archaeological remains and is detailed in paragraphs 6.10.5 and 6.10.6 of <b>Chapter 6 Cultural Heritage</b> of the Environmental Statement (Document Reference 6.2) [APP-059]. Paragraph 6.10.5 states <i>“Mitigation of direct impacts on archaeological remains would take the form of ‘preservation by record’, that is, the investigation of archaeological remains prior to construction, and the analysis of artefacts and publication of results following the construction of the scheme.”</i></p> <p>Cultural Heritage Commitment CH1 in Table 16-3 ‘Record of environmental actions and commitments’ in the <b>Outline CEMP</b> (Document Reference 6.4(A))</p>

Number	Directed to	Question	Applicant's Response
			<p>[REP3-012] secures this mitigation through Annex F: Outline Written Scheme of Investigation of the <b>Outline CEMP Annexes</b> (Document Reference 6.4(B)).</p> <p>Paragraph 2.2.1 of Annex F: Outline Written Scheme of Investigation states: <i>“All archaeological works shall be governed by a Written Scheme of Investigation (WSI). This will be produced and agreed with Historic England and the Senior Development Officer (Historic Environment) at Cornwall Council to manage the pre-construction archaeological investigations required as mitigation for the direct impacts of the scheme.”</i> This provides the framework through which archaeological mitigation would be managed and monitored.</p> <p>Paragraph 2.3.2 of Annex F: Outline Written Scheme of Investigation states: <i>“The Archaeologist consultant would be responsible for all liaisons with the Local Authority’s Archaeologist. They would notify when field work is due to commence and prepare monitoring reports.”</i></p> <p>Mitigation for archaeological remains would be secured through Requirement 9 of the <b>draft DCO</b> (Archaeology) (Document Reference 3.1(E)).</p> <p><u>Mitigation for milestones</u> Mitigation is required for milestones as noted in paragraph 6.10.7 of <b>Chapter 6 Cultural Heritage</b> of the Environmental Statement (Document Reference 6.2) [APP-059].</p> <p>Cultural Heritage Commitment CH2 in Table 16-3 ‘Record of environmental actions and commitments’ in the <b>Outline CEMP</b> (Document Reference 6.4) [REP3-012] secures this mitigation through Annex J: Methodology for the Milestone Protection Management Plan of <b>Outline CEMP Annexes</b> (Document Reference 6.4) [REP3-014] as submitted at Deadline 3. The implementation of Annex J is secured through Requirement 3 Construction Environmental Management Plan of the <b>draft DCO</b> (Document Reference 3.1(E))</p> <p>The movement of the milestones would be monitored by a suitable qualified archaeologist who will be employed by the contractor. Paragraph 2.3.4 of Annex J: Methodology for the Milestone Protection Management Plan states <i>“A suitable qualified archaeologist will be present throughout to ensure there is no damage to the stone.”</i></p>

Number	Directed to	Question	Applicant's Response
			<p><u>Mitigation for Scheduled Monuments</u> Mitigation is required for all scheduled monuments. Cultural Heritage Commitment CH3 in Table 16-3 'Record of environmental actions and commitments' in the <b>Outline CEMP</b> (Document Reference 6.4) [REP3-012] secures this mitigation through Annex R: Scheduled Monument Protection Plan of <b>Outline CEMP Annexes</b> (Document Reference 6.4(B)). The implementation of Annex R is secured through Requirement 3 of the <b>draft DCO</b> (Document Reference 3.1(E)).</p> <p>Paragraph 4.1.2 of Annex R: Scheduled Monument Protection Plan states "Archaeological exclusion zones will be inspected on a weekly basis by the environmental clerk of works, to ensure that all fencing is secure."</p> <p>In response to part c) of this question, paragraph 6.12.1 of <b>Chapter 6 Cultural Heritage</b> of the Environmental Statement (Document Reference 6.2) [APP-059] states "<i>Monitoring will be required during construction to ensure that mitigation measures are applied as agreed with the consultees.</i>" As set out above, monitoring is secured in the <b>Outline CEMP</b> (Document Reference 6.4) [REP3-012] and <b>Outline CEMP Annexes</b> (Document Reference 6.4) [REP3-014] which are in turn secured by Requirement 3 of the draft DCO (Document Reference 3.1(E)).</p>
2.4.2	Applicant, HBMCE	<p>The Trial Trenching Report [APP-323] states that 123 out of 161 trenches designed to investigate anomalies and test geophysically blank areas had been excavated.</p> <p>a) Please provide an update regarding excavation of the remaining 38 trenches.</p> <p>b) Have the findings from the additional trenches changed the conclusions of the ES?</p>	<p>a) The <b>Appendix 6.4 Trial Trenching Report</b> of the Environmental Statement (Document Reference 6.4) [APP-323] highlights that 38 trenches have not been excavated. It states that "<i>11 were abandoned due to a variety of reasons, including difficult terrain/vegetation and accessibility issues. The other 27 trenches were unavailable due to access issues</i>". The remaining trenches are not proposed to be excavated.</p> <p>b) Based on professional judgement, Highways England consider that the trenching undertaken was sufficient to characterise the nature and significance of archaeological remains that lie within the footprint of the scheme. This is based on the clarity of results from geophysical surveys, and the success from the explored trenches in identifying archaeology where the geophysical surveys suggested it would be, as reported in <b>Appendix 6.4</b></p>

Number	Directed to	Question	Applicant's Response
			<p><b>Trial Trenching Report</b> of the Environmental Statement (Document Reference 6.4) [APP-323].</p> <p>Therefore, it is considered that further trenching would not change the conclusions of <b>Chapter 6 Cultural Heritage</b> of the Environmental Statement (Document Reference 6.2) [APP-059]. Further surveys may be carried out prior to the commencement of the scheme under Requirement 9 Archaeology of the <b>draft DCO</b> (Document Reference 3.1(E))</p>
<b>5. DRAFT DEVELOPMENT CONSENT ORDER (dDCO)</b>			
2.5.1	Applicant	<p>The responses to questions 1.5.24 and 1.5.27 are noted [REP2-020]. However, the effect of Article 33(8) is reliant on the power contained in Article 26. Article 26 does not reflect the drafting of the model provision which authorised the CA of rights. As a result, Article 33(8) of the dDCO would have a different effect to that of the equivalent drafting in the model provisions; it would allow the CA of undefined new rights in land described as being for temporary possession only in addition to the creation of the new rights defined in Schedule 5. The model provisions are no longer in force and, as the Planning Inspectorate's Advice Note Fifteen: Drafting Development Consent Orders makes clear, the ExA and SoS need to understand why each provision would be appropriate for the scheme applied for.</p> <p>a) If it is your intention to obtain a power to create undefined new rights in the land identified as</p>	<p>a) The justification for this provision is set out in the <b>Explanatory Memorandum</b> (Document Reference 3.2(B)) [REP2-015] and the Applicant's previous submissions. The Applicant notes that this wording has been included in every previously made Highways England / Highways Agency DCO and does not consider that there are clear reasons for departing from it in relation to this scheme. The scope of the rights that may be created over the plots identified in Schedule 7 is limited by the terms of Article 26(1) and would necessarily be closely linked to the purpose for which temporary possession may be taken and the relevant Work(s), as specified in Schedule 7. Although the Applicant is confident at this stage that it will not be necessary to create permanent rights over the plots listed in Schedule 7, Article 33(8) nonetheless provides important flexibility to the Applicant to do so should the creation of a permanent right prove to be necessary at a future stage, for example to secure the long-term maintenance of any part of the authorised development. In the event the Applicant did need to exercise this power then it would be liable to pay compensation to the parties affected by the creation of the right.</p> <p>b) All persons with an interest in the plots listed in Schedule 7 to the draft DCO have been notified of the DCO application in accordance with the relevant statutory requirements and have had the opportunity to join the examination as interested parties. Article 33(8) has been included in the draft DCO since the application was submitted. The Applicant is unable to comment on those parties' understanding of the draft DCO.</p> <p>c) There is no overlap between the plots listed in Schedule 5 and those listed in Schedule 7.</p>

Number	Directed to	Question	Applicant's Response
		<p>being for temporary possession, please provide justification for this.</p> <p>b) Please confirm that all persons with interests in the relevant plots have been consulted on this basis and understand the full nature of the powers you are seeking.</p> <p>c) If this is not your intention please provide alternative drafting to ensure that it is only CA of the new rights in Schedule 5 which are permitted in the land described as being for temporary possession in Schedule 7.</p>	
2.5.2	Applicant	Do you have any comments with regard to the matter raised in item 4 of the response by SPR [REP4-008]?	<p>Highways England has provided a response to the comments made by Scottish Power Renewables (SPR) [REP4-008] in <b>Comments on Interested Parties Submissions at Deadline 4</b> (Document Reference 8.19) submitted at Deadline 5. With regard specifically to item 4 of SPR's comments, the Highways England response states:</p> <p><i>"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 "a new roundabout north of the main carriageway of the new A30 with overrun area through the central island for Carland Cross windfarm". Both the draft DCO and the updated Work Plans are submitted at Deadline 5."</i></p>
2.5.3	Applicant	<p>Please respond to the comments raised in relation to Pennycomequick [REP4-009].</p> <p>a) Clarify the intention in relation to the land plots, indicating why that</p>	<p>Highways England met with the Harvey Family on 20 March and wrote to the Harvey Family on 15 May in order to reach a position on their outstanding objections. A further meeting was held with the Harvey Family on 10 June to discuss this position. Correspondence with the Harvey Family is included at Appendix A of the <b>Comments on Interested Party Submissions at Deadline 4</b> (Document Reference 8.19).</p>

Number	Directed to	Question	Applicant's Response
		<p>would be the appropriate use of the land in question.</p> <p>b) Clarify whether the dDCO would achieve that intention.</p>	<p>a) <b><u>Plots 8/2h, 8/2j and 8/2k</u></b>  As confirmed in the <b>Highways England Comments on Responses to Hearing Action Points</b> (Document Ref 8.17) [REP4-006], these plots are proposed for temporary possession only. As stated on page 64 of the <b>Statement of Reasons - Appendix A</b> (Document Reference 4.1(B)) [REP3-011], plots 8/2h and 8/2j are required for the construction of landscaping; plot 8/2k is required for the construction of a new private means of access to Pennycomequick and landscaping.</p> <p><b><u>Plots 8/2d 8/2e and 8/2f</u></b>  It is confirmed that these plots are proposed for temporary possession only. The purpose of the acquisition for each of these plots, as stated on page 64 of <b>Statement of Reasons - Appendix A</b> (Document Reference 4.1(B)) [REP3-011], is for the construction of a new private means of access to Pennycomequick and landscaping.</p> <p><b><u>Plot 8/2c</u></b>  This is proposed for acquisition of permanent rights. As stated on page 49 of <b>Statement of Reasons - Appendix A</b> (Document Reference 4.1(B)) [REP3-011], permanent rights were proposed in order to construct, use, protect, inspect and maintain drainage attenuation pond no. 14, associated drainage facilities, access and landscaping. This could include works to the existing watercourse and Cornish hedge during future maintenance.</p> <p>The Harvey Family submission at Deadline 4 [REP4-009] states: <i>"Given that there is no physical connection between the Pond Field and our Wild Flower Meadow, and the applicants are not seeking to amend the protection that the hedge and vegetation enjoy, and since the applicants are not seeking to enlarge the DEVELOPMENT CONSENT ORDER BOUNDARY / LIMITS OF ORDER LAND we believe that the stream cannot be of any use in construction, useage, protection, inspection, maintenance of the attenuation pond, drainage, access or landscaping."</i> It is understood that the stream is on the opposite side of the Cornish hedge to the proposed Pond 14, however, this could still be subject to works as part of the future maintenance of the access for Pond 14. It would be accessible from the proposed access track and area associated with Pond 14.</p>

Number	Directed to	Question	Applicant's Response
			<p>Following continued engagement with the Harvey Family Highways England has amended the description of the rights it is seeking over Plot 8/2c. The amended description is included in Schedule 5 to the <b>draft DCO</b> (Document Reference 3.1(E)) submitted at Deadline 5. Highways England's understanding is that the revised description is agreed with the Harvey Family.</p> <p>b) The proposed use of the Plots is as described in Schedules 5 and 7 to the <b>draft DCO</b> (Document Reference 3.1(E)). The proposed Works in respect of these Plots are described in Schedule 1 to the <b>draft DCO</b> and shown on Sheet 6 of the <b>Works Plans</b> (Document Reference 2.4(C)) [REP3-004].</p>
<b>7. LANDSCAPE AND VISUAL</b>			
2.7.1	Applicant	<p>In relation to visual operational effects paragraph 7.11.25 of ES Chapter 7 [APP-060] refers to moderate adverse insignificant effects at VP21, VP22 and VP31. This does not appear to correlate with the information in Table 7-13 or full assessment [APP-329].</p> <p>a) Please confirm that the correct assessments have been made with regard to these – and all other - residential receptors.</p> <p>b) Please confirm that the appropriate mitigation has been identified with regard to these – and all other - residential receptors.</p>	<p>a) It is assumed that the reference in this question is to paragraph 7.11.26 rather than 7.11.25.</p> <p>This paragraph is correct in that the effects would be moderate and adverse, but there is a typo in that it states that these would be <i>insignificant</i>. These effects would in fact be <i>significant</i></p> <p>Table 7-13 of <b>Chapter 7 Landscape</b> of the Environmental Statement [APP-060] does identify minor adverse change to these sensitive visual residential receptors (VPs 21, 22 and 31) leading to an assessment of Moderate adverse and <i>significant</i> residual effects. This assessment and the assessment for other residential receptors is correct.</p> <p>b) It is considered that appropriate mitigation has been included in the scheme to address these effects. In line with paragraph 5.149 of the National Policy Statement for National Networks:</p> <p><i>“the aim should be to avoid or minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.”</i></p> <p>For this scheme, as with other major infrastructure projects, it is often not reasonable or proportionate to completely mitigate all significant adverse effects to the extent that they become insignificant. Across the scheme a reasonable and proportionate level of landscape mitigation has been</p>



Number	Directed to	Question	Applicant's Response
			<p>provided. There are areas where large scale screen planting, which would be necessary to screen views of receptors with significant effects, would not be appropriate as it would for example block wider desirable views, be out of keeping with the character of the landscape and/or would require an unreasonable amount of land take to achieve.</p>
2.7.2	Applicant, CC	<p>The agreement on the lighting strategy [REP1-003] and the relevant matters under the Scheme Design referred to in Responses to the Examining Authority's Written Questions [REP2-020] are noted. Will the Lighting Strategy be formally submitted to the Examination?</p>	<p><b>Permanent Lighting</b></p> <p><b>Chapter 2 The Project</b> of the Environmental Statement (Document Reference 6.2) [APP-055] states in paragraph 2.6.51 that <i>"During operation, there will be no road lighting on the mainline A30 or at the three main side road junctions."</i></p> <p>Requirement 14(1) Highway lighting of the <b>draft DCO</b> (Document Reference 3.1(E)) states that <i>"No part of the authorised development is to commence until a written scheme of the proposed highway lighting to be provided for that part of the authorised development has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority and (in the case of proposed lighting for any highway for which the undertaker is not, or will not be following implementation of article (2), the highway authority) the local highway authority."</i></p> <p><b>Construction Lighting</b></p> <p>Environmental Statement Appendix 16.1 - Outline CEMP, Table 16-3 'Record of environmental actions and commitments' in the <b>Outline CEMP</b> (Document Reference 6.4(A)) [REP3-014] secures Commitment L6:</p> <p><i>"Production of a construction stage lighting strategy to limit the use of construction lighting and ensure all essential lighting is specified and designed to reduce light spill. This is to include locations of lighting and lighting levels details."</i></p> <p>This commitment is in turn secured by Requirement 3 of the <b>draft DCO</b> (Document Reference 3.1(E)).</p> <p>The construction stage lighting strategy will not be submitted as part of the examination. Construction stage lighting will be developed by the Principal</p>

Number	Directed to	Question	Applicant's Response
			Contractor as part of the detailed design, and the lighting strategy is secured in the Outline CEMP.
2.7.3	Applicant	Please respond to the comments raised in relation to the safety barrier height in the response by HMBCE [REP4-007].	<p>The HBMCE response to Deadline 4 [REP4-007] states <i>“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 should be adhered to.”</i></p> <p>The <b>draft DCO</b> (Document Reference 3.1(E)) in Article 8 Limits of deviation states that in this location the Scheme could: <i>“deviate vertically from the levels of the authorised development shown on the general arrangement and section plans to a maximum of 0.5 metres downwards.”</i></p> <p>Highways England have discussed with HBMCE that although the maximum allowable 0.5m lowering of the new A30 vertical alignment through the Carland Cross junction could have visible benefits, this would not change the current assessment reported in <b>Chapter 6 Cultural Heritage</b> of the Environmental Statement (Document Reference 6.4) [APP-059] and so would not be committed to at this stage.</p>
2.7.4	Applicant, CC	<p>a) Please respond to the comments raised in relation to Pennycomequick [REP4-009] regarding underpass design.</p> <p>b) How would the proposed design in this location fit with Local Plan policies regarding local distinctiveness and design?</p>	<p>a) The Harvey Family submission at Deadline 4 [REP4-009] states: <i>This is a sensitive site which intrudes into some beautiful Cornish countryside. Our pleas to the Applicant to design a beautiful structure have fallen on deaf ears. We previously quoted from HE’s Design Manual of Roads and Bridges and do so again now:</i></p> <p><i>“A commonly held but erroneous view is that a bridge which is attractive in appearance must be more expensive than one which is not. This is not necessarily so. In fact a good-looking bridge is likely to have had more thought devoted to all aspects of its design; it will probably be a more fully integrated design and therefore could even cost less to build. It may well have cost more to design, but this is a small part of the total cost and should be taken into account when the situation requires a sensitive design. There are sometimes situations where to do justice to a bridge and its site it is necessary to spend some extra money, and this is an important part of the environmental mitigation of schemes. Unless designer and client are willing to make and accept a case for the necessary spending, where it is really</i></p>

Number	Directed to	Question	Applicant's Response
			<p><i>justified, it is unlikely that they will have attractive bridges in those cases where it is not, because the <b><u>first essential to getting an attractive bridge is the feeling, on the part of the client and the designer, that it really matters</u></b></i>".</p> <p>The Highways England response to the Written Representation of the Harvey Family (see Document Reference 8.6) [REP2-022] 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 <b>Chapter 7 Landscape</b> 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><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>Highways England met with the Harvey Family on 20 March and wrote to the Harvey Family on 15 May in order to reach a position on their outstanding objections. A further meeting was held with the Harvey Family on 10 June to discuss this position. Correspondence with the Harvey Family is included at Appendix A of the Highways England <b>Comments on Interested Party Submissions at Deadline 4</b> (Document Reference 8.19). It is confirmed that there are no proposals beyond standard provision for the facing of the Pennycomequick underpass. The suitability of the design of the bridge is considered in the answer to part b) of this question below.</p> <p>b) The vertical and horizontal alignment of the main carriageway and the resulting Pennycomequick underpass has been designed to achieve an optimal solution taking into account: proximity to Pennycomequick and dwellings at Honeycombe Farm; cuttings and embankments to the east and west; visual and other environmental effects; and balanced with land take, cost and mitigation opportunities.</p>

Number	Directed to	Question	Applicant's Response
			<p>Mitigation included in the scheme to reduce the landscape and visual effects of the Pennycomequick underpass include: laneside Cornish hedgerows tying into the abutments; the narrowing and curving of the lane under it; the soft wildflower design to the verges either side of it; and tree and woodland planting around it.</p> <p>For this stage of the design process, it is considered that the proposed solution, comprising a simple precast concrete underbridge with mitigation designed to integrate it into the environment, offers the best balance between aesthetics and function. It is considered that that the principles of Policy 12 Design in the Cornwall Council Local Plan (Page 50-51), are met in respect of weighing up the aims of the following paragraphs:</p> <p>1a) Character and promoting local distinctiveness  1e) Community engagement  2) Protecting individuals and property from overlooking, overshadowing, and unreasonable noise and disturbance.</p>
<b>8. NOISE AND VIBRATION</b>			
2.8.1	Applicant	Please respond to the comments raised in relation to Pennycomequick [REP4-009] regarding traffic noise.	<p>The Highways England <b>Comments on Written Representations</b> (Document Reference 8.6) [REP2-022] 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 6.4) [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>It is noted that table 11-4 of <b>Chapter 11 Noise and Vibration</b> 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.</p> <p>It is not proposed to provide Cornish hedges or other noise screening in this section of the scheme to mitigate impacts from noise on the southernmost end of</p>

Number	Directed to	Question	Applicant's Response
			<p>Pennycomequick garden, due to its distance from the scheme. Noise screening is most effective when dwellings are in close proximity to the noise barrier. At greater distances, the noise barrier becomes less effective resulting in diminishing beneficial impacts.</p>
<b>11. TRANSPORT AND TRAFFIC</b>			
2.11.1	Applicant	<p>Please respond to the comments raised in relation to Pennycomequick [REP4-009] regarding road safety and traffic conflict.</p>	<p>The Harvey Family submission at Deadline 4 [REP4-009] states: <i>“Our concerns remain over the potential conflict between horses/riders, cyclists and pedestrians on the one hand and motorists who will be encouraged by better visibility over the improved section to drive more quickly. HE considers that there will not be a problem and refuses to do anything. We have to hope that they are correct and not negligent in their assumptions.”</i></p> <p>The improved visibility provided on the realigned section of Pennycomequick Lane (C0075) would also provide improved visibility for motorists to any walkers, cyclists and horse riders in this section. It is not considered that the realignment of this lane would increase the risk of any potential conflict.</p> <p>The Harvey Family submission at Deadline 4 [REP4-009] states that realigning the C0075 prior to the use of the compound <i>“would just as importantly reduce most of the conflicts between agricultural traffic (which would continue to use the existing lane) and construction plant and by taking the pressure off the existing blind corner, hopefully preventing the otherwise inevitable accidents that result.”</i></p> <p>To manage traffic during construction, a draft <b>Traffic Management Plan</b> is included in Appendix 2.1 of the Environmental Statement (Document Reference 6.4) [APP-300-309].</p> <p>Traffic management proposals for the construction of this section of the works are required to be further developed prior to the construction of the scheme in the Traffic Management Plan under Requirement 11 of the <b>draft DCO</b> (Document Reference 3.1(E)). Any proposals would be developed in consultation with Cornwall Council as the local highway authority.</p> <p>The proposed construction compound is located adjacent to the existing C0075. The compound has to be installed first to facilitate the construction of the</p>

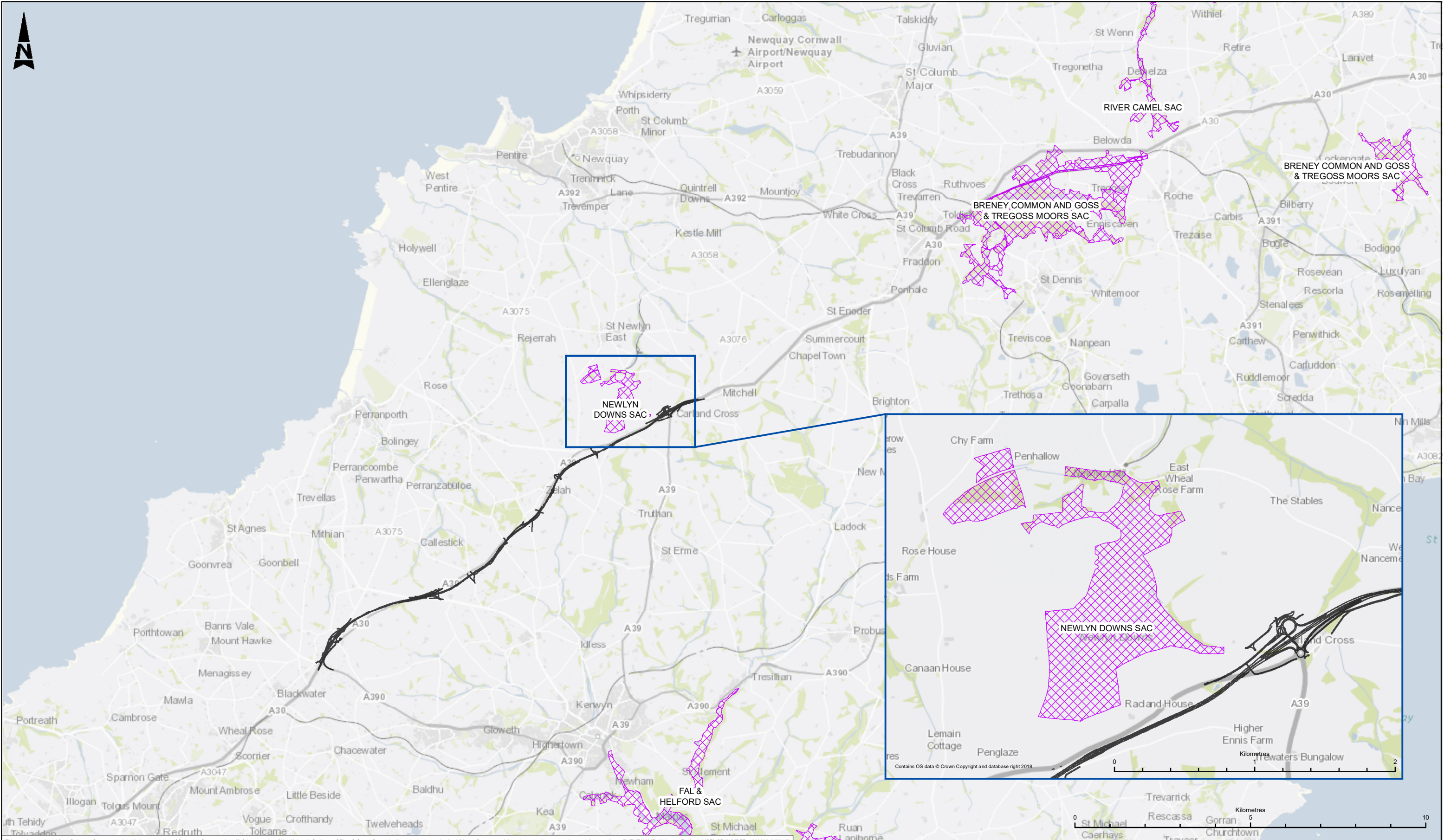
Number	Directed to	Question	Applicant's Response
			<p>realigned C0075. The Traffic Management Plan would seek to separate construction traffic and other traffic as much as possible.</p> <p>As part of installing the compound, the reduced visibility through the existing road corner adjacent to the proposed compound location would be improved to provide the required distance for safe visibility.</p>
<b>12. WATER ENVIRONMENT</b>			
2.12.1	Applicant, EA	<p>Details of Other Consents and Licences [APP-046] provides information regarding the DCO, licences, consents and permits which it is anticipated would be required. This indicates that consent would be sought from EA to catch and relocate fish.</p> <p>a) Where is it anticipated that fish would be caught?</p> <p>b) Where would they be relocated?</p>	<p>a) The watercourses are typical of small headwater streams which are often ephemeral and are sensitive to hydromorphological (and water quality) pressures. All watercourses surveyed had evidence of fluctuating flows with some sites thought to cease flowing during dry periods. This inconsistent and unpredictable flow is thought to be the main contributory factor limiting fish populations in the streams.</p> <p>Overall, the population densities of the three species recorded of conservation importance (bullhead, lamprey and brown trout) was poor (or unfavourable) with the exception of Site 12.1 and Site 12.3. Only 12.1, a tributary to the River Allen, located south east of Zelah, would require in stream works. No other streams with fish recorded would require in stream works (as detailed in <b>Appendix 8.10 Fish Survey Report</b> of the Environmental Statement (Document Ref 6.4) [APP-340]).</p> <p>This would be further reviewed during detailed design to ensure this is still the case.</p> <p>Fish would therefore be caught from Site 12.1, the tributary to the River Allen, south east of Zelah, using standard electric fishing equipment and best practice in accordance with the relevant British Standards BS EN 14011:2003, BS 6068-5.32:2003 water quality and sampling of fish with electricity.</p> <p>b) Site 12.1 is a small headwater stream which flows to the River Allen, south east of Zelah, as such it is currently considered that the fish will be caught from these upper reaches and moved downstream from the instream works. Controls measures will be put in place both for restricting fish return and avoiding sediment ingress into the watercourse. This methodology will be</p>

Number	Directed to	Question	Applicant's Response
			further detailed as part of the consent(s) from the Environment Agency to catch fish (using means other than rod and line) pursuant to section 27a of the Salmon & Freshwater Fisheries Act 1975, as referenced in <b>Details of other consents and licences</b> (Document Reference 7.2) [APP-046].

# Appendix A Question 2.2.3

## A.1 European designated sites which have been included within the assessment of European Sites





This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. CLIENT NAME: Highways England LICENCE NUMBER: 100030649 [2017]

LEGEND	
	PROPOSED ROUTE ALIGNMENT
	SPECIAL AREA OF CONSERVATION (SAC)

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION			
In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following significant residual risks (Reference shall also be made in the design hazard log)			
<b>Construction</b>			
NONE			
<b>Maintenance / Cleaning</b>			
NONE			
<b>Use</b>			
NONE			
<b>Decommission / Demolition</b>			
NONE			

Rev	Date	Description	By	Chk'd	App'd
P02	29/05/19	FIRST ISSUE	FG	AM	AL

Suitability: S3  
 Drawing Status: FIT FOR REVIEW AND COMMENT  
 Designer: ARUP  
 Client: highways england  
 European Union European Regional Development Fund

Project Title: A30 CHIVERTON TO CARLAND CROSS					
Drawing Title: EUROPEAN DESIGNATED SITES INCLUDED WITHIN THE HRA					
Scale: 1:100,000	Designed / Drawn: FG	Checked: AM	Approved: AL	Authorised: SW	
Original Size: A3	Date: 29/05/19	Date: 29/05/19	Date: 29/05/19	Date: 29/05/19	
Drawing Number: HA551502-ARP-EGN-SW-DR-LE-000145		Originator: Volume		Revision: P02	
Location	Type	Role	Number		

## Appendix B Question 2.3.1

Plot number	Rights originally proposed in the application documents on 30 August	Rights now sought	Evidence of consultation with and any agreement received from relevant parties
<b>Everything Everywhere (“EE”) Telecommunications Mast</b>			
5/2m	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm.</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited.</p> <p>New right to construct, use, protect, inspect and maintain a new culvert and equipment.</p>	<p>New right to construct, operate, protect, inspect and maintain a telecommunications mast including a right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited.</p>	<p>Annex A – Letter to affected land interests sent with enclosures on 27 March 2019:</p> <ul style="list-style-type: none"> <li>• Mr Vivian George</li> <li>• British Telecommunications PLC</li> <li>• Environment Agency</li> <li>• Everything Everywhere Limited (EE Limited)</li> <li>• KS SPV 11 Limited</li> <li>• South West Water</li> <li>• Western Power Distribution (South West)</li> <li>• Wales and West Utilities Ltd</li> </ul>
5/2j	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm.</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited.</p> <p>New right to construct, use, protect, inspect and maintain a new culvert and equipment.</p>	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm.</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited.</p> <p>New right to construct, use, protect, inspect and maintain a new culvert and equipment.</p> <p>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited.</p>	<p>Annex B – Responses from land interests</p>

Plot number	Rights originally proposed in the application documents on 30 August	Rights now sought	Evidence of consultation with and any agreement received from relevant parties
5/2g	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm.</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited.</p> <p>New right to construct, use, protect, inspect and maintain a new culvert and equipment.</p>	<p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm.</p> <p>New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited.</p> <p>New right to construct, use, protect, inspect and maintain a new culvert and equipment.</p> <p>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited.</p>	
4/10f	<p>Acquisition of permanent rights</p> <p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm. New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited</p>	<p>Acquisition of permanent rights</p> <p>In addition to rights originally proposed:</p> <p>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited</p>	
4/10t	<p>Acquisition of permanent rights</p> <p>New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm. New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited</p>	<p>Acquisition of permanent rights</p> <p>In addition to rights originally proposed:</p> <p>New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited</p>	

Plot number	Rights originally proposed in the application documents on 30 August	Rights now sought	Evidence of consultation with and any agreement received from relevant parties
4/10r	Acquisition of permanent rights  New right to construct, use, protect, inspect and maintain a private access to Nanteague Farm. New right of access with or without vehicles plant and machinery for the benefit of KS SPV 11 Limited	Acquisition of permanent rights  In addition to rights originally proposed:  New right of access with or without vehicles plant and machinery for the benefit of Everything Everywhere Limited	
<b>Pennycomequick</b>			
8/2h	This was previously an area within plot 8/2b which was subject to permanent acquisition	This is a new plot proposed for temporary possession.	Appendix A of <b>Comments on Responses to Interested Party Submissions at Deadline 4</b> (Document Reference 8.19) – Letter to the Harvey Family 17 June 2019, confirms the change of acquisition from permanent to temporary acquisition for plots 8/2h, 8/2j, 8/2k, 8/2d, 8/2e, 8/2f, 8/2g. The letter confirms the change from permanent to acquisition of permanent rights in the case of plot 8/2c.
8/2j	This was previously an area within plot 8/2b which was subject to permanent acquisition	This is a new plot proposed for temporary possession.	
8/2k	This was previously an area within plot 8/2b which was subject to permanent acquisition	This is a new plot proposed for temporary possession.	
8/2c	Permanent acquisition	Acquisition of permanent rights (in respect of watercourse)	
8/2d	Temporary possession	Temporary possession	
8/2e	Temporary possession	Temporary possession	
8/2f	Temporary possession	Temporary possession	
8/2g	All interests and rights	This plot has been deleted due to the changes to the proposed acquisition	
<b>Elevated viewing area and footpath to existing open space land</b>			
9/2c	A right to construct, use, protect, inspect and maintain a water pipeline and equipment	No change	Annex C – Letter to affected land interests sent with enclosures on 17 May 2019: <ul style="list-style-type: none"><li>• Mr Frank Kempthorne Matthews</li><li>• Fisher German LLP on behalf of Defence Infrastructure</li></ul>
9/2d	This was previously an area within 9/2c proposed for acquisition of permanent rights	This is a new plot proposed for permanent acquisition	

Plot number	Rights originally proposed in the application documents on 30 August	Rights now sought	Evidence of consultation with and any agreement received from relevant parties
			Organisation (CLH Pipeline System) <ul style="list-style-type: none"> <li>• Global Crossing &amp; Level 3 Communications</li> <li>• Wales and West Utilities Ltd</li> <li>• Western Power Distribution</li> <li>• Highways England</li> </ul> Annex D – Responses from land interests
<b>Bridleway VV</b>			
9/1ac	This was previously an area within plot 9/1x which was proposed for permanent acquisition	This is a new plot proposed for permanent acquisition	Annex E – Letter to affected land interests sent with enclosures on 17 May 2019:
9/1ad	This was previously an area within plot 9/1z which was proposed for permanent acquisition	This is a new plot proposed for permanent acquisition	<ul style="list-style-type: none"> <li>• Mrs Betty Eugenie Sweet</li> <li>• Mr Ian Andrew Sweet</li> <li>• Highways England</li> <li>• BT Openreach</li> </ul>
9/1v	Permanent acquisition	Temporary acquisition	<ul style="list-style-type: none"> <li>• George Hugh Ninth Viscount Falmouth</li> </ul>
9/1x	Permanent acquisition	Temporary acquisition	<ul style="list-style-type: none"> <li>• Global Crossing &amp; Level 3 Communications</li> <li>• HSBC Bank PLC</li> <li>• Western Power Distribution (South West) PLC</li> <li>• South West Water</li> <li>• Vodafone</li> </ul>
9/1z	Permanent acquisition	Temporary acquisition	Annex F – Responses from land interests

## **B.1 Annex A – Letter to affected land interests sent with enclosures on 27 March 2019**

Dear Sir/Madam

**THE A30 CHIVERTON TO CARLAND CROSS DEVELOPMENT CONSENT ORDER (DCO): RELOCATION OF EE MAST AT NANTEAGUE FARM**

As you may be aware our application for the above named order was accepted by the Planning Inspectorate on 27 September 2018 and the examination of the application is currently underway.

We are proposing to make minor changes to the draft DCO and associated documents in order to remove the existing Everything Everywhere (“EE”) mast and install a new mast at Nanteague Farm. We are seeking your comments as you have an interest in the land affected by the proposed changes.

It is proposed that the mast will be removed from its current location within Plot 5/2k to a new Plot 5/2m, to be created within existing Plot 5/2j. This is a distance of approximately 60 metres. Rights over new Plot 5/2m will be granted to EE to construct, use and maintain the relocated mast. Rights of access for EE are proposed to be added to plots 5/2g, 4/10t, 4/10r and 4/10f. We are seeking your comments on the proposed changes to these plots.

The proposed changes do not require any new land beyond the existing Order limits and do not require the compulsory acquisition of any land that is not already identified for compulsory acquisition.

Enclosed with this letter are the following documents which show the proposed changes:

- Draft DCO (Document Reference 3.1(C))
- Book of Reference (Document Reference 4.3(A))
- Statement of Reasons (Document Reference 4.1(A))
- Sheet 4 of the Works Plans (Document Reference 2.4(B))
- Sheets 4 and 5 of the Land Plans (Document Reference 2.2(A))
- Sheet 4 of the Rights of Way and Access Plans (Document Reference 2.5(A))

We are seeking your comments on the proposed changes to these documents. We intend to submit the updated documents to the examination at Deadline 3 on 24 April 2019, so would be grateful to receive any comments you may have by no later than **Monday 22 April** so that they can be taken into account.

The relocation of the mast has been assessed by the authors of the relevant topic specific chapters within the Environmental Statement, who consider that it would not give rise to any new or significantly worse effects from those presented in the Environmental Statement. Specifically, it is considered that the new location for the mast would not change the results of the assessment of landscape and visual effects as stated in **Chapter 7 Landscape** of the Environmental Statement (Document Reference 6.2).

Please get in touch if you have any queries about the proposed changes.

Yours faithfully,



Josh Hodder  
Project Manager  
A30 Chiverton to Carland Cross

Enc.

Draft DCO (Document Reference 3.1(C))

Book of Reference (Document Reference 4.3(A))

Statement of Reasons (Document Reference 4.1(A))

Sheet 4 of the Works Plans (Document Reference 2.4(B))

Sheets 4 and 5 of the Land Plans (Document Reference 2.2(A))

Sheet 4 of the Rights of Way and Access Plans (Document Reference 2.5(A))



## **B.2 Annex B – Responses from land interests to letter sent on 27 March 2019**

**[RECEIVED 12 JUNE 2019 – Mr Buckland on behalf of Mr George]**

Dear All

I write further to the consultation documents dated the 27th March 2019 and as discussed at our meeting on Monday afternoon at our offices.

We have reviewed the proposal and and consulted with our client and are unable to support this proposal.

Our objection is based on the fact that the site will provide additional congestion within a “pinch-point” of the farm which will be reduced by the proposed rad scheme.

We have been supportive of the scheme the proposed mast currently provides and unworkable and impractical solution to our clients business.

On the above grounds we OBJECT to the consultation.

If you wish to discuss this further then please do not hesitate to contact us.

Yours faithfully

**Edward Buckland MRICS FAAV**  
RICS Registered Valuer

**EDWARD BUCKLAND Chartered Surveyors, Auctioneers, Valuers & Land Agents**  
Crusader House,  
Newham Road,  
Truro,  
Cornwall. TR1 2DP  
Tel: 01872 306090  
[REDACTED]

[www.edwardbuckland.co.uk](http://www.edwardbuckland.co.uk)

Regulated by RICS

Our main source of business is referrals, and we really appreciate them, so please let your friends and business contacts know about us. We are Chartered Surveyors, Valuers, Land Agents and Machinery Auctioneers. We specialise in the Valuation and Auction of Rural and Business Assets throughout Devon and Cornwall.

Edward Buckland is a trading name of Edward Buckland Ltd

[RECEIVED 31 May 2019 – BT Openreach]

Rhys

Our apparatus will be affected by these changes.

The EE mast is already taken into account in our C4 submission which you hold.

The realignment of Bridleway VV will require the removal of our apparatus into the realigned bridleway at Highways England's expense and this will be catered for in the updated C4 response you have recently requested.

Regards

**Phil Ovey**

Network Rearrangement Complex Engineer  
Openreach

Telephone: 0117 302 5785

[REDACTED]

eFax: 01332 822690

Web: [openreach.co.uk](http://openreach.co.uk)

We build and maintain the digital network that enables more than 600 providers to deliver broadband to homes, hospitals, schools and businesses large and small. Our engineers work in every community, every day, because we believe everyone deserves decent and reliable broadband.

This email contains Openreach information, which may be privileged or confidential. It's meant only for the individual(s) or entity named above. If you're not the intended recipient, note that disclosing, copying, distributing or using this information is prohibited. If you've received this email in error, please let me know immediately on the email address above. We monitor our email system and may record your emails.

**Openreach Limited**

Registered Office: Kelvin House, 123 Judd Street, London WC1H 9NP  
Registered in England and Wales no. 10690039

**[RECEIVED 07 June 2019 – South West Water]**

Hi Rhys

Apologies for the late reply.

After reviewing the documentation and plans, I can confirm that in terms of this project (the water main diversions) I see no issue with the changes proposed.

Kind regards

**Ben Platt** Project Coordinator & WaterAid Treasurer



**South West Water**

Tel: 01392 443050

Peninsula House, Rydon Lane, Exeter, Devon, EX2 7HR

[www.southwestwater.co.uk](http://www.southwestwater.co.uk)



---

**[RECEIVED 09 June 2019 – Wales and West Utilities]**

Rhys,

I can confirm that we accept the proposed changes

regards

Martin

**[RECEIVED 10 June 2019 – Environment Agency]**

---

**From:** Pritchard, Shaun <[REDACTED]>  
**Sent:** 10 June 2019 11:27 AM  
**To:** Tamsin Sealy <[REDACTED]>  
**Subject:** [External] RE: A30 Chiverton to Carland Cross Development Consent Order Scheme - Proposed Amendments

Hello,

Would an email be acceptable? We have no issue with the changes.

Regards

Shaun

---

**From:** Tamsin Sealy [REDACTED]  
**Sent:** 10 June 2019 11:24  
**To:** Pritchard, Shaun <[REDACTED]>  
**Cc:** Michael Baker <[REDACTED]>  
**Subject:** RE: A30 Chiverton to Carland Cross Development Consent Order Scheme - Proposed Amendments

Dear Mr Pritchard

I am just contacting you to follow up on the email below regarding the A30 Chiverton to Carland Cross scheme.

As stated, we do require a written response to confirm whether you consent to the changes proposed. Please could you confirm in writing whether you agree to the changes, or alternatively, if you have any queries please do let myself or my colleague Michael Baker (cc'd) know.

Kind regards

**Tamsin Sealy** | Stakeholders, Land and Consents

**Arup**  
63 St Thomas Street, Bristol, BS1 6JZ  
d + [REDACTED]  
[www.arup.com](http://www.arup.com)

**Working on behalf of Highways England**

### **B.3 Annex C – Letter to affected land interests sent with enclosures on 17 May 2019 regarding Plot 9/2c**

### B.3.1 Letter to affected landowner

Dear Mr Matthews

#### **THE A30 CHIVERTON TO CARLAND CROSS DEVELOPMENT CONSENT ORDER (DCO): PROPOSED CHANGE TO LAND ACQUISITION AT PLOT 9/2c**

As you may be aware our application for the above named order was accepted by the Planning Inspectorate on 27 September 2018 and the examination of the application is currently underway.

We are proposing to make minor changes to the draft DCO and associated documents in order to create a footpath within plot 9/2c, which would provide access to existing open access land that would otherwise be severed by the proposed new dual carriageway. This would also provide access to an elevated viewing area which is being proposed, following discussions with Historic England, to mitigate the effects of the scheme on the historic landscape.

Currently, it is proposed that the land comprising plot 9/2c would be used temporarily and that permanent rights would also be created over it. Under the proposed changes, a small corner portion of plot 9/2c would instead be acquired permanently by Highways England. The proposed change is illustrated on the enclosed plans. There would be no changes to the remainder of plot 9/2c.

We are seeking your comments on the proposed changes and your consent to the change in status for this small part of plot 9/2c from the acquisition of permanent rights to outright acquisition.

Enclosed with this letter are the following documents which show the proposed changes:

- Sheet 18 of the Environmental Masterplans (Figure 7.4(A))
- Plan 1: indicative plan of footpath superimposed on to the current land plans.

We intend to submit the updated documents to the examination at Deadline 5 on 18 June 2019, so would be grateful to receive your consent to the change to outright acquisition, as well as any comments you may have, by no later than **14 June 2019**.

The following documents will be updated to show this change:

- Draft DCO (Document Reference 3.1(D))
- Book of Reference (Document Reference 4.3(A))
- Statement of Reasons (Document Reference 4.1(B))
- Sheet 8 of the Works Plans (Document Reference 2.4(C))
- Sheet 9 of the Land Plans (Document Reference 2.2(B))
- Sheet 8 of the Rights of Way and Access Plans (Document Reference 2.5(C))
- Sheet 8 of the General Arrangement and Section Plans (Document Reference 2.6(A))

These documents will be submitted to the Planning Inspectorate for Deadline 5 of the Examination on 18 June 2019.

Please get in touch if you have any queries about the proposed changes. We look forward to hearing from you.

Yours faithfully,



Josh Hodder  
Project Manager  
A30 Chiverton to Carland Cross

Enc.

Sheet 18 of the Environmental Masterplans (Figure 7.4(A))  
Plan 1: indicative plan of footpath superimposed on to the current land plans



### B.3.2 Letter to affected statutory undertakers

Dear [name]

#### **THE A30 CHIVERTON TO CARLAND CROSS DEVELOPMENT CONSENT ORDER (DCO): PROPOSED CHANGE TO LAND ACQUISITION AT PLOT 9/2c**

As you may be aware our application for the above named order was accepted by the Planning Inspectorate on 27 September 2018 and the examination of the application is currently underway.

We are proposing to make minor changes to the draft DCO and associated documents in order to create a footpath within plot 9/2c, which would provide access to existing open access land that would otherwise be severed by the proposed new dual carriageway. This would also provide access to an elevated viewing area which is being proposed, following discussions with Historic England, to mitigate the effects of the scheme on the historic landscape.

Currently, it is proposed that the land comprising plot 9/2c would be used temporarily and that permanent rights would also be created over it. Under the proposed changes, a small corner portion of plot 9/2c would instead be acquired permanently by Highways England. The proposed change is illustrated on the enclosed plans. There would be no changes to the remainder of plot 9/2c.

It is our understanding that you, along with a number of other statutory undertakers, have an interest in plot 9/2c. We can confirm that the proposed changes will have no material effect on your apparatus compared to the current proposals for this area, as the land in question is already subject to compulsory acquisition for the Scheme.

We are seeking your comments on the proposed changes and your consent to the change in status for this small part of plot 9/2c from the acquisition of permanent rights to outright acquisition.

Enclosed with this letter are the following documents which show the proposed changes:

- Sheet 18 of the Environmental Masterplans (Figure 7.4(A))
- Plan 1: indicative plan of footpath superimposed on to the current land plans

We intend to submit the updated documents to the examination at Deadline 5 on 18 June 2019, so would be grateful to receive your consent to the change to outright acquisition, as well as any comments you may have, by no later than **14 June 2019**.

The following documents will be updated to show this change:

- Draft DCO (Document Reference 3.1(D))
- Book of Reference (Document Reference 4.3(A))
- Statement of Reasons (Document Reference 4.1(B))
- Sheet 8 of the Works Plans (Document Reference 2.4(C))
- Sheet 9 of the Land Plans (Document Reference 2.2(B))
- Sheet 8 of the Rights of Way and Access Plans (Document Reference 2.5(C))
- Sheet 8 of the General Arrangement and Section Plans (Document Reference 2.6 (A))

These documents will be submitted to the Planning Inspectorate for Deadline 5 of the Examination on 18 June 2019.

Please get in touch if you have any queries about the proposed changes. We look forward to hearing from you.

Yours faithfully,



Josh Hodder  
Project Manager  
A30 Chiverton to Carland Cross

Enc.

Sheet 18 of the Environmental Masterplans (Figure 7.4(A))  
Plan 1: indicative plan of footpath superimposed on to the current land plans

## **B.4 Annex D – Responses from land interests to letter sent 17 May 2019 regarding Plot 9/2c**

**[RECEIVED 09 June 2019 – Wales and West Utilities]**

Rhys,

I can confirm that we accept the proposed changes

regards

Martin

---

**[RECEIVED 06 June 2019 – Fisher German/CLH Pipeline System]**

Dear Sirs/Madam

CLH Pipeline System (CLH-PS) Ltd ('CLH-PS') - Not Affected Response

Thank you for your correspondence enclosing details of your proposals as listed below.

Your Ref: A30 Chiverton to Carland Cross Development Consent Order scheme made on 31-05-2019.

Our client, CLH-PS, does not have apparatus situated within the vicinity of your proposed works, and as such do not have any further comments to make.

Whilst we try to ensure the information we provide is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

Please note that all enquiries relating to CLH Pipeline System should be forwarded to [CLHPipelinesystem@fishergerman.co.uk](mailto:CLHPipelinesystem@fishergerman.co.uk)

Yours faithfully

For and on behalf of Fisher German LLP  
(CLH-PS Authorised Agent)

Kind Regards,

CLH Pipeline System Ltd

---

**[RECEIVED 06 June 2019 – Global Crossing/Century Link/Instalcom]**

Rhys,

On behalf of CenturyLink, we have no objections to the changes to the land acquisition at the locations mentioned in the letters that we have received. These changes will not impact on the final position of the network.

Regards

**Gordon Thompson**  
Project Delivery Manager

Instalcom Limited  
Borehamwood Ind Park  
Rowley Lane  
Borehamwood  
WD6 5PZ

Office: +44 (0)208 731 4600

Fax: +44 (0)208 731 4601

Web: <http://www.instalcom.co.uk>

**INSTALCOM LTD**

---

**[RECEIVED 04 June 2019 – Highways England]**

Hi Rhys

Not sure if this is needed, but for the record;

I confirm I consent to the changes set out within the proposals.

No further comments.

**Josh Hodder, Project Manager, Major Projects South West**

Highways England | Temple Quay House | 2 The Square, Temple Quay | Bristol | BS1 6HA

## **B.5 Annex E – Letter to affected land interests sent with enclosures on 17 May 2019 regarding Bridleway VV**

Dear [name]

## **THE A30 CHIVERTON TO CARLAND CROSS DEVELOPMENT CONSENT ORDER (DCO): PROPOSED CHANGE TO BRIDLEWAY VV**

As you may be aware our application for the above named order was accepted by the Planning Inspectorate on 27 September 2018 and the examination of the application is currently underway.

We are proposing to make minor changes to the draft DCO and associated documents in order to amend the route of Bridleway VV which would connect Carland Cross to Mitchell. This amendment is being proposed due to the stopped-up status of the highway opposite the Toyota Garage, which would inhibit access to the bridleway under the current design of the scheme.

The proposed amendment would realign the route of Bridleway VV to the north of its current position, so that it would follow the route of the existing A30 westbound, which is to be stopped up as part of the scheme. It is considered that this amendment maintains access for walkers, cyclists and horse-riders from Carland Cross to Mitchell. It is not considered that the amendment would give rise to any new or significantly worse effects from those presented in the Environmental Statement.

Currently, it is proposed that the land comprising plots 9/1v, 9/1x, 9/1z, would be acquired permanently. Under the proposed changes, these plots would be only used temporarily. The proposed change is illustrated on the enclosed plans.

We are seeking your comments on the proposed changes to status of plots 9/1v, 9/1x, 9/1z from permanent acquisition to temporary use; as this land will be returned to the landowner it is considered the proposed amendment would be of benefit. We are also seeking comments on the amended proposal for Bridleway VV.

Enclosed with this letter are the following documents which show the proposed changes:

- Sheet 19 of the Environmental Masterplans (Figure 7.4(A))
- Updated Sheet 9 of the Land Plans (Document Reference 2.2(B))
- Sheet 8 of the Rights of Way and Access Plans (Document Reference 2.5(C))

We intend to submit the updated documents to the examination at Deadline 5 on 18 June 2019, so would be grateful to receive your comments on the proposed amendments, by no later than **14 June 2019**.

The following documents will also be updated to show this change:

- Draft DCO (Document Reference 3.1(D))
- Book of Reference (Document Reference 4.3(A))
- Statement of Reasons (Document Reference 4.1(B))
- Sheet 8 of the Works Plans (Document Reference 2.4(C))
- Sheet 8 of the General Arrangement and Section Plans (Document Reference 2.6(A))

These documents will be submitted to the Planning Inspectorate for Deadline 5 of the Examination on 18 June 2019.

Please get in touch if you have any queries about the proposed changes.

Yours faithfully,



Josh Hodder  
Project Manager  
A30 Chiverton to Carland Cross

Enc.

Sheet 19 of the Environmental Masterplans (Figure 7.4(A))  
Updated Sheet 9 of the Land Plans (Document Reference 2.2(B))  
Sheet 8 of the Rights of Way and Access Plans (Document Reference 2.5(C))



## **B.6 Annex F – Responses from land interests to letter sent 17 May 2019 regarding Bridleway VV**

**[RECEIVED 31 May 2019 – BT Openreach]**

Rhys

Our apparatus will be affected by these changes.

The EE mast is already taken into account in our C4 submission which you hold.

The realignment of Bridleway VV will require the removal of our apparatus into the realigned bridleway at Highways England's expense and this will be catered for in the updated C4 response you have recently requested.

Regards

**Phil Ovey**

Network Rearrangement Complex Engineer

Openreach

Telephone: 0117 302 5785

eFax: 01332 822690

Web: [openreach.co.uk](http://openreach.co.uk)

We build and maintain the digital network that enables more than 600 providers to deliver broadband to homes, hospitals, schools and businesses large and small. Our engineers work in every community, every day, because we believe everyone deserves decent and reliable broadband.

This email contains Openreach information, which may be privileged or confidential. It's meant only for the individual(s) or entity named above. If you're not the intended recipient, note that disclosing, copying, distributing or using this information is prohibited. If you've received this email in error, please let me know immediately on the email address above. We monitor our email system and may record your emails.

Openreach Limited

Registered Office: Kelvin House, 123 Judd Street, London WC1H 9NP

Registered in England and Wales no. 10690039

---

**[RECEIVED 07 June 2019 – South West Water]**

Hi Rhys

Apologies for the late reply.

After reviewing the documentation and plans, I can confirm that in terms of this project (the water main diversions) I see no issue with the changes proposed.

Kind regards

**Ben Platt** Project Coordinator & WaterAid Treasurer



South West Water

Tel: 01392 443050

Peninsula House, Rydon Lane, Exeter, Devon, EX2 7HR

[www.southwestwater.co.uk](http://www.southwestwater.co.uk)



**[RECEIVED 06 June 2019 – Global Crossing/Century Link/Instalcom]**

Rhys,

On behalf of CenturyLink, we have no objections to the changes to the land acquisition at the locations mentioned in the letters that we have received. These changes will not impact on the final position of the network.

Regards

**Gordon Thompson**  
Project Delivery Manager

Instalcom Limited  
Borehamwood Ind Park  
Rowley Lane  
Borehamwood  
WD6 5PZ

Office: +44 (0)208 731 4600

Fax: +44 (0)208 731 4601

Web: <http://www.instalcom.co.uk>

**INSTALCOM LTD**

---

**[RECEIVED 04 June 2019 – Highways England]**

Hi Rhys

Not sure if this is needed, but for the record;

I confirm I consent to the changes set out within the proposals.

No further comments.

**Josh Hodder, Project Manager, Major Projects South West**

Highways England | Temple Quay House | 2 The Square, Temple Quay | Bristol | BS1 6HA

**[RECEIVED 06 June 2019 – Vodafone]**

Rhys

Following on from our call.

I can agree that I have no objections to the changes to the Bridleway near Carland Cross; and that we will have use and access to the new line as agreed.

Regards



**Paul Griffin**

Senior Planner

NETWORKS

Vodafone Limited

Email: [paulx.griffin@vodafone.com](mailto:paulx.griffin@vodafone.com)

Vodafone HQ, The Connection, Newbury, Berkshire, RG14 2FN, Registered in England No 1471587

[vodafone.co.uk](http://vodafone.co.uk)



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

