

**Application by Highways England for an Order Granting Development Consent for A57 Link Roads**  
**The Examining Authority's draft first written questions and requests for information**

**Response on behalf of High Peak Borough Council**

Questions from the Examining Authority directed towards local authorities are copied below with High Peak Borough Council's response provided in red.

1.4

- a) Please provide an up-to-date position in respect of obtaining the necessary consents, licenses, and agreements.
- b) Is there any reason to believe that any relevant necessary consents, licenses, and agreements will not subsequently be granted?
- c) Where appropriate, can letters of no impediment be provided by the Environment Agency and Natural England?
- d) Please could a summary of progress in securing other consents be provided at each relevant Examination deadline?

No comment.

1.28

Should the undertaker be required to consult with the relevant planning authority prior to felling, lopping and/ or replacing any tree subject to a tree preservation order?

As a point of principle, consultation in such circumstances would be appropriate. However, the Borough Council is not aware of any protected trees in High Peak that are expected to be felled.

1.32

- a) Please identify where it would be helpful, for example to bring clarity or to help avoid any later misunderstandings, for specific provisions to be included in any Requirement for consultation or agreement to be required with relevant bodies.
- b) In each case, please explain why the provisions should be included.

Requirements 3, 4, 5, 6 and 10 already make satisfactory provision for consultation with the planning authority prior to the submission of documents to the Secretary of State.

1.33

- a) Should there be a requirement for consultation on the second iteration EMP with the local highway authorities and the Environment Agency, as well as with the relevant planning authority?
- b) To give certainty that the measures identified in the ES are secured, should the second iteration EMP be required to incorporate the measures for the construction stage referred to in the ES as being incorporated in the EMP?
- c) Should there be a requirement for the second iteration EMP to contain a record of the consents, commitments and permissions resulting from liaison with statutory bodies?

d) Should there be a requirement for the second iteration EMP to be kept up to date with any material changes during construction and for consultation to be required on those changes?

Provision for an optional second consultation should be made to allow consultees to comment on revisions if deemed necessary ahead of submission to the Secretary of State.

1.34

a) Please could the Applicant provide an explanation as to why each activity (i) to (ix) cannot be carried out during the specified working hours?

b) Should the following be added after Requirement 4(2)(c):

*“Provided that written notification of the extent, timing and duration of each activity is given to relevant local authorities in advance of any works that are to be undertaken outside of the specified hours, except for any emergency works, which are to be notified to the relevant local authorities as soon as is practicable.”*

*“Any other work carried out outside the specified working hours or any extension to the working hours will only be permitted if there has been prior written agreement of the relevant environmental health officer and provided that the activity does not give rise to any materially new or materially worse environmental effects in comparison with those reported in the environmental statement.”*

Prior notification would be welcome.

1.35

a) Should there be a requirement for the third iteration EMP to be submitted to and approved in writing by the Secretary of State?

b) Should there be a requirement for consultation on the third iteration EMP with relevant planning authorities, the local highway authorities and the Environment Agency?

c) To give certainty that the measures identified in the ES are secured, should the third iteration EMP be required to:

- be substantially in accordance with the measures for the management and operation stage first iteration EMP; and to
- incorporate the measures for the management and operation stage referred to in the ES as being incorporated in the EMP?

a) No comment.

b) If a third iteration is required, consultation with the LPAs would be welcome.

c) A consistent approach would be preferable.

1.36

a) Please could the Applicant advise whether “otherwise” should be deleted from the first sentence of requirement 5(1)?

- b) Should it be required for the landscaping scheme to be approved before any part of the authorised development commences?
- c) With reference to Requirement 5(3), should the landscaping scheme be required to include details of hard surfacing materials?

Please refer to comments from Derbyshire County Council.

1.37

Requirement 5(2) refers to an “*illustrative environmental masterplan*”.

- a) Please could that document be submitted to the Examination?
- b) Should a definition be added to Requirement 1?
- c) Should it be added to Schedule 10?

No comments.

1.38

Requirement 5(4) refers to “*other recognised codes of good practice*”. Should this be made more precise, to ensure that the appropriate standard of landscaping is delivered?

Please refer to comments from Derbyshire County Council.

1.41

Should there be a requirement for the relevant planning authority, local highway authority and/ or the Environment Agency to be consulted on written details of the surface and foul water drainage system?

Please refer to comments from Derbyshire County Council.

1.43

Should requirements be added for:

- a) any matters to be consulted and/ or agreed in writing with the Secretary of State or the County Archaeologist;
- b) any programme of archaeological reporting, post excavation and publication to be consulted on and/ or agreed in writing; and/ or for
- c) suitable resources and provisions for long term storage of any archaeological archives to be consulted on and/ or agreed in writing?

Please refer to comments from Derbyshire County Council.

1.44

Should a minimum period be specified for the “*consultation with another party*” and, if so, what period would be reasonable?

No comment.

1.48

Please could the local planning authorities and local highway authorities advise whether they:

- a) have reviewed the detailed contents of Parts 1-9 of Schedule 3 and provided their comments to the Applicant;
- b) are awaiting any responses from the Applicant and/ or is aware of any matters that have not been agreed with it;
- c) have any concerns about Parts 1-9 of Schedule 3?

High Peak Borough Council has not commented on Part 1-9 of Schedule 3 but would follow the advice of the highways authority in respect of such matters.

1.50

Please could the local planning authorities and local highway authorities Applicant advise whether they:

- a) have reviewed the detailed contents of Parts 1-3 of Schedule 4 and provided their comments to the Applicant;
- b) are awaiting any responses from the Applicant and/ or is aware of any matters that have not been agreed with it;
- c) have any concerns about Parts 1-3 of Schedule 4?

High Peak Borough Council has not commented on Part 1- 3 of schedule 4 but would follow the advice of the highways authority in respect of such matters.

1.55

Are the local planning authorities aware of any hedgerows or trees subject to a tree preservation order that are missing or incorrectly referenced in Schedule 8 and / or on the TPO and Hedgerows Plans?

There are no tree preservation orders missing from the plans within the red line boundary in High Peak.

2.1

ES paragraph 1.3.10 sets out the Applicant's list of relevant adopted plans.

- a) Does this constitute the full list of development plans and policies relevant to the Proposed Development? Please explain their relevance.
- b) Are there are emerging development plans? If so, please supply copies there any emerging development plans? If so, at what stage are these proposed plans?
- c) If there are emerging development plans, are there any policies in them which may be relevant? If so, please supply copies.
- d) Are there any non-statutory local policies which may be relevant? If so, please supply copies.

- a) The High Peak Local Plan (adopted 2016) is the only development plan within the local planning authority area of High Peak that is the responsibility of the Borough Council. This is referenced in the Environmental Statement. However, the ES only refers to Policies CF6 (Accessibility and Transport) and S5 (Glossopdale Sub-Area Strategy). It is considered that Local Plan policies EQ10 (Pollution Control and Unstable Ground), Policy EQ4 (Green Belt Development) and Policy EQ11 (Flood Risk Management) are also of relevance to the scheme. Derbyshire County Council is responsible for minerals and waste plans.
- b) High Peak Borough Council is in the early stages of undertaking a review of the Local Plan. This is currently focussed on evidence gathering only and there is no draft plan to take into account.
- c) N/A
- d) The Borough Council is in the process of developing a masterplan for the “Glossop Gateway” which covers the main corridors into Glossop and Hadfield from Woolley Bridge. The masterplan seeks to:
  - Promote the delivery of planned growth in the area and enhance business rate growth;
  - Unlock housing and employment growth, providing more certainty to developers of local residential schemes;
  - Identify proposals to address residual effects of the A57 Link Roads which may affect local quality of life, the environment, health and wellbeing;
  - Manage local environmental and connectivity improvements by ensuring that new development is framed by high quality green and active travel infrastructure;
  - Support the delivery of other Glossop and Hadfield town centre benefits; and
  - Guide balanced and sustainable development

Work on the masterplan is currently paused until the status and full implications of the A57 Link Roads scheme are clear.

The masterplan follows on from the Glossop Design and Place Making Supplementary Planning Document (adopted 2012) which identifies issues facing Glossop Town Centre and related design solutions. The approach to the town centre via and A57 Dinting Vale is identified as suffering from high volumes of traffic and congestion. Improvements to be considered for these key routes include improved surfacing materials, street lighting and other street furniture including signage, planting and street trees where appropriate and consistent quality boundary treatments. The SPD can be found on the Council’s website - [REDACTED]

## 2.2

The NPPF has been updated since the application was submitted.

- a) How do the revisions of the NPPF affect the Proposed Development and the ES?
- b) To what degree do you consider those development plan policies which you consider most relevant to the Proposed Development accord with the aims of the NPPF?
- c) Please could the Applicant comment on the implication of the following changes to the NPPF for the assessment of the Proposed Development:
  - Chapter 9 Promoting Sustainable Development – design of streets and transport elements should reflect current national guidance, including the National Design Guide and National Model Design Code.
  - Chapter 12 Achieving Well-designed Places – increased focus on making beautiful and sustainable places.

- a) The 2021 NPPF places a stronger emphasis on good design and climate change. This includes a requirement for tree lined streets as well as consideration of the National Model Design Guide and Code. The applicant could be asked to set out how the application responds to the requirements of the new Framework (as per 2.2c).
- b) The High Peak Local Plan was prepared and examined under the provisions of the 2012 NPPF. National policy has evolved since then but the policies in question are considered to be broadly consistent with the aims of the 2021 NPPF.

### 2.3

Paragraph 4.48 of the National Policy Statement for National Networks (NPSNN) refers to discharges or emissions which affect air quality, water quality, land quality or include noise and vibration. It notes that these may be subject to separate regulation under a pollution control framework or other consenting and licensing regime. Paragraph 4.55 refers to a need to ensure that the relevant pollution control authority is satisfied that potential releases can be adequately regulated and that the pollution effects would not be unacceptable.

Are the relevant authorities satisfied that:

- a) the potential discharges and emissions from the Proposed Development would be adequately regulated under the appropriate regime; and that
- b) the effects of existing sources of pollution are not such that the cumulative effects of pollution when the Proposed Development is added would make the development unacceptable, particularly in relation to statutory environmental quality limits?

- a) Environmental emission arising from construction (dust etc) can generally be controlled through additional environmental legislation ( e.g. Control of Pollution Act, 1974; Environmental Protection Act, 1990 Environmental Permitting Regulations, 2016). Operational emissions (Noise / AQ emissions) from vehicles using the road after construction cannot really be regulated effectively through existing legislation, other than adjusting the parameters of the road e.g restricting use to certain vehicle types etc – such as seen in a Clean Air Zone, or changing speeds etc.
- b) There are two existing AQMA's in HPBC, have been declared due to exceedances in AQ objectives for Nitrogen Dioxide (NO<sub>2</sub>). The primary contributor to NO<sub>2</sub> at both these locations is considered to be from the road sources therefore any significant increase in emission from road sources could make it harder to achieve compliance with AQ objectives. This would not necessarily mean that the development would be unacceptable, as mitigation could be implemented to offset this impact. Currently however, the actual impacts of the development on the AQMA (s) has not been evaluated, as it has been screened out based on the transport model predicting that the likely increase traffic on these roads being lower than the adopted screening criteria.

### 3.3

The Proposed Development is intended to provide benefits to the Strategic Route Network. The link road works are limited in extent and the length of new trunk road restricted to the dual carriageway section of the Proposed Development.

a) What contribution, if any, would the Proposed Development make to achieving the wider benefits identified in the Road Investment Strategy (RIS) for the strategic road network between Manchester, Sheffield and the M1?

b) Which other schemes, if any, identified in the RIS are needed to achieve the benefits identified for the scheme?

c) What delivery method has been identified for these schemes and how will they be secured?

- a) The scheme could contribute towards creating a more reliable network as per the vision of RIS.
- b) None known.
- c) N/A

### 3.5

The traffic data used within the modelling must be robust to properly assess the Proposed Development.

Are the local authorities and local highway authorities content with the study area used in relation to transport networks and traffic?

Please refer to comments from the highways authority.

### 3.6

The traffic data used within the modelling must be robust in order to properly assess the Proposed Development.

a) Are the local authorities and local highway authorities satisfied that the input data used in the modelling is appropriate to provide a basis for predicting future traffic flows, with particular regard to the assessment of committed development and future traffic growth?

b) Are the local authorities and local highway authorities satisfied that the effects of other works on the network have been suitably addressed within the model?

c) Please comment on the potential for additional trips to be attracted to the route in the “Do-Something” scenario compared with the “Do-Minimum” scenario and the implications for the assessment.

d) Do the local authorities and local highway authorities have any more comments regarding the Applicant’s consideration of baseline conditions and surveys?

Please refer to the Local Impact Report and comments from the local highways authority.

### 3.8

a) Have impacts on local transport networks and policies set out in local plans, including local policies on demand management been addressed sufficiently?

b) Has enough account has been taken of local models?

c) Have reasonable opportunities been taken to support other transport modes?

d) Is the detail in the local transport model for the assessment of impacts proportionate to the scale and consideration of the impact of uncertainty on project impacts?

e) Has there been a proportionate assessment of the transport impacts on other networks?

Whilst Local Plan Policy CF6 Accessibility and Transport is referenced in the Environmental Statement. It is not clear how its requirements in terms of demand management have been specifically considered.

Please refer to comments from the local highway authority and our joint Local Impact Report prepared with Derbyshire County Council for commentary regarding the suitability of transport modelling.

3.9

Do the local authorities and local highway authorities have any more comments regarding the Applicant's overall assessment methodology, growth assumptions or modelling techniques?

Please refer to comments from the local highway authority and our joint Local Impact Report prepared with Derbyshire County Council for commentary regarding the suitability of transport modelling.

3.15

The intention is stated to restrict use of the main carriageway of the scheme by walkers, cyclists, and horse riders.

- a) Would the Applicant please confirm the stretches of carriageway over which cycling will be prohibited and provide justification for the proposed restrictions.
- b) Would the Applicant explain how these restrictions will be delivered?
- c) If cycling provision is to be made outside the main carriageway, would the Applicant please explain what assessment has been made of likely levels of usage and potential for modal conflict.
- d) Please explain what design parameters, including, but not restricted to, width of route and design speed, have been used for off-carriageway routes and reasons for selecting those parameters.
- e) Do the local authorities and local highway authorities have any comments on the adequacy of this level of provision to cater for cycling demand on the local network and the support it provides for alternative modes of transport to the private car?

The scheme connect to the existing national cycle network and Trans-Pennine Trail at Brookfield. The Borough Council's forthcoming masterplan will explore further opportunities to support walking and cycling connections around Glossopdale and the scheme. Please refer to any comments from Derbyshire County Council in relation to the suitability of the design of cycling infrastructure.

3.16

The footway/bridleway link in the north-west quadrant of the junction provides a route to a controlled crossing point on the western arm of the proposed junction. A controlled crossing point is also provided on this arm closer to the junction, which would provide a shorter route for many journeys.

- a) Would the Applicant clarify the reasoning for the provision of both crossing points?
- b) Would the Applicant clarify what measures, if any, would prevent the establishment of an informal short cut to the crossing close to the junction from the new link road to the North?
- c) If such a route were established, do you foresee any implications for highway safety?
- d) What would these be, and would it be possible to design these out?



The link in question is outside of High Peak and is a matter for the relevant highway authority.

3.18

These documents provide conflicting information in regard to minimum overhead clearances.

- a) Would the Applicant please clarify which information is correct?
- b) Is the proposed overhead clearance to the Public Right of Way appropriate?

The Borough Council is not in a position to comment on this matter.

3.19

Traffic flows crossing the Peak District on the A628 Woodhead Road and A57 Snake Road are anticipated to increase if the development proposal is implemented. Several Public Rights of Way cross these motor traffic routes.

- a) Has any statistical or other analysis of the comparison between the “Do-Minimum” and “Do Something” options of the distribution of acceptable gaps for pedestrians to cross the road been made?
- b) Do the local authorities and local highway authorities have any comments?

High Peak Borough Council is not the local planning authority in the Peak District National Park where rights of way such as the Trans-Pennine Trail and Pennine Way cross the identified highways. However, as a point of principle the safety of trail users should be considered and any arising issues should be addressed as part of the mitigation of impacts of the scheme.

3.20

The Applicant proposes that Hyde Road will be detrunked from the M67 Junction 4 to Mottram Back Moor Junction and traffic management and safety measures, including a reduced speed limit, will be introduced to encourage the use of the route by non-motorised users and improve connectivity. The route would remain open to through traffic.

- a) Please clarify any identified aims, if any, of such works?
- b) What discussion has there been regarding the feasibility of delivery of works, including any Traffic Regulation Orders (TROs) to achieve the above aims?
- c) How would the proposed speed limit be enforced?
- d) Would enforcement be effective?
- e) Would there be remain any perceived benefit to using this route for motorised vehicle journeys between the M67 Junction 4 and Mottram Back Moor Junction, rather than the route provided by the proposed link road?

Please refer to comments from the relevant highways authorities.

3.21

The Applicant proposes that safety measures and improvements, including a reduced speed limit, new cycling facilities and improved pedestrian crossings will be introduced on Wooley Lane to improve connectivity. The route would remain open to through traffic.

- a) Please clarify any identified aims, if any, of such works?
- b) What discussion has there been regarding the feasibility of delivery of works, including any Traffic Regulation Orders (TROs) to achieve the above aims?

- c) How would the proposed speed limit be enforced?
- d) Would enforcement be effective?
- e) Would there be remain any perceived benefit to using this route for motorised vehicle journeys between the Mottram Back Moor Junction and the junction of Wooley Lane with Wooley Bridge and Hadfield Road, rather than the route provided by the proposed link road.

Please refer to comments from the relevant highways authorities.

### 3.22

One of the stated aims of the scheme relates to reconnecting communities along the Trans-Pennine Route. The Case for the scheme refers to increased pedestrian and cycle provision at the Gunn Inn Junction (Market Street/Wooley Lane/Mottram Moor) and traffic management measures on Market Street and Mottram Moor to increase pedestrian safety and connectivity.

- a) Are any details of these proposals available?
- b) Have these been subject to safety audit, if so, at what stage?
- c) Do the local authorities and local highway authorities have any comments on the deliverability and effect of such proposals?

Please refer to comments from the relevant highways authorities.

### 3.23

Appropriate arrangements will need to be in place to make provision for the future maintenance of the works. It is proposed that Carrhouse Lane Underpass and River Etherow Bridge are to be maintained in their entirety by Tameside Metropolitan Borough Council, and that the surface of Roe Cross Road overbridge and the surface and surrounding landscaping of Mottram Underpass will be maintained by Tameside Metropolitan Borough Council. Other maintenance responsibilities are identified in the Outline EMP at Table 6.1

- a) How would the future maintenance arrangements be secured?
- b) Would the local authorities and local highway authorities please confirm that these arrangements are acceptable or, if not, what is needed to make them acceptable?

Please refer to comments from the relevant highways authorities.

### 3.24

Congestion on roads to either side of the development proposal may engender driver frustration, and this may encourage drivers to try to overtake if presented with free-flow.

- a) Would the two Link Roads provide safe overtaking opportunities?
- b) If not, what measures would be appropriate to prevent unsafe overtaking?
- c) How would these be delivered?

Please refer to comments from the relevant highways authorities.

### 3.25

The Proposed Development identifies an increase in accidents and casualties over the appraisal period. Reference is made to the pursuit of measures to minimise these impacts, with particular reference to Snake Pass.

- a) Have any measures to address this increase been identified, either on Snake Pass or elsewhere?
- b) Have any discussions taken place with the local authorities and/or local highway authorities with regard to the implementation of such schemes?
- c) Do the local authorities and local highway authorities have any comment on the likely success of any such schemes in delivering accident savings on a scale equivalent to the identified disbenefit resultant from the scheme?
- d) What delivery methods, if any, have been identified to secure any proposals?

Please refer to comments from the relevant highways authorities.

3.26

The Wooley Bridge junction at the eastern end of the scheme has been designed as a signal-controlled crossroads. The main traffic flows appear to be on the western and southern arms of the junction, with lower flows on the eastern and northern arms.

- a) Would the Applicant please provide a proposed turning flow summary and staging diagram for the proposed junction.
- b) Would the Applicant please explain what alternatives were considered for this junction and why was the solution proposed considered the correct one?
- c) Have the local authorities and local highway authorities any comments to make on the proposed layout of the junction?

Please refer to comments from the relevant highways authorities.

3.28

- a) Please could the Applicant summarise how travel patterns have been modelled during construction?
- b) What feedback from local authorities and local highway authorities has been incorporated?
- c) Please could the local authorities and local highway authorities comment?

Please refer to comments from the relevant highways authorities.

3.29

It is stated that operations of limited durations might take place outside of the core working hours, as defined in the dDCO due to safety requirements.

- a) Please could the Applicant:
  - justify the need for such working;
  - summarise the predicted impacts; and
  - clarify the mechanism for agreement of such exceptional working how this is secured through the dDCO?
- b) Please could the local authorities and local highway authorities comment?

It is noted that any works outside of the core hours would be agreed with the local environmental health officers.

3.30

It is stated that the A57 Trunk Road may, during the works, be used as a diversion route during other operations.

- a) What consultation would take place with local authorities, local highway authorities and other Interested Parties regarding such proposals?
- b) Please could the local authorities and local highway authorities comment?

Please refer to comments from the relevant highways authorities.

3.31

- a) How will the needs of vulnerable users traversing the works be assessed?
- b) Please could the local authorities and local highway authorities comment

Please refer to comments from the relevant highways authorities for technical feedback but as a point of principle the needs of vulnerable users should be properly assessed and taken into account with any works.

3.32

- a) Is any review process proposed to assess the effectiveness and safety of traffic management measures during the construction phase?
- b) If so, what arrangements will be put in place to amend traffic management?
- c) Please could the local authorities and local highway authorities comment?

Please refer to comments from the relevant highways authorities.

3.34

- a) Has any assessment been made of the impact of the proposed Outline Traffic Management Plan on bus services?
- b) Please could the local authorities and local highway authorities comment?

Bus services connecting Glossopdale with Greater Manchester are essential for residents who need to access healthcare, education and employment opportunities. Please refer to comments from the relevant highways authorities for technical feedback but as a matter of principle disruption to services should be minimised as far as possible.

3.35

Have the local authorities or local highway authorities any comments on:

- a) the practicability of the Outline Traffic Management Plan;
- b) measures that should be included in the Detailed Traffic Management Plan;
- c) the timing of the issue of the Detailed Traffic Management Plan; or
- d) the need for the Detailed Traffic Management Plan to be consulted on and/ or agreed with them?

Please refer to comments from the relevant highways authorities.

3.36

Do the local authorities have any more comments regarding the Applicant's assessment of construction traffic and temporary closures and diversions, including:

- a) the nature of likely effects on receptors;
- b) relevant mitigation measures secured by the dDCO, Outline Traffic Management Plan, and Outline EMP;
- c) whether any potential to worsen accessibility would be mitigated so far as reasonably possible;
- d) the sufficiency of consideration given to mitigation by way of the design, lay-out or construction methods for the Proposed Development;
- e) whether the mitigation measures are proportionate, reasonable and focussed on promoting sustainable development;
- f) whether the mitigation measures are enforceable, precise, sufficiently secured and likely to result in the identified residual impacts;
- g) the identification of all significant impacts; and
- h) road safety during construction?

Please refer to comments from the relevant highways authorities.

3.37

- a) Where a bus stop is to be removed, relocated or replaced would the applicant please provide a Figure showing:
  - the location of the bus stop to be removed, relocated, or replaced;
  - where a bus stop will be relocated or replaced, the proposed location of the bus stop and the distance between that and the position of the existing stop; and
  - where a bus stop is to be removed, the location of the nearest alternative bus stop and the distance between that and the position of the stop to be removed.
- b) What local requirements for public consultation or approvals (if any) exist to remove, relocate or replace a bus stop?

Do the local authorities or local highway authorities have any comments on proposed changes to bus stop locations?

Please refer to comments from the relevant highways authorities.

3.38

Table 3.6 identifies a request by the British Horse Society for the inclusion of a Pegasus crossing at M67 Junction 4. The applicant has reviewed the request and concluded that they are unable to accommodate the request due to land constraints.

- a) What modifications to the layout have been considered in seeking to provide for the crossing facility?
- b) What additional land would be required to provide the facility?
- c) Is this land in private ownership and, if so, is the landowner known?
- d) What would be the effect of the omission of such a facility on:

- Safety?

Connectivity?

Please refer to comments from the relevant highways authorities.

#### 4.1

Section 7.5 of the Case for the Scheme sets out the Applicants position regarding Green Belt policy implications of the Proposed Development.

a) Please set out whether you consider that all elements of the scheme (for both the construction and operation phases) do not constitute inappropriate development in the Green Belt. If this is not the case, please list all the elements that are considered inappropriate development.

b) Paragraphs 7.5.6 and 7.5.9 of the Case for the Scheme refer to paragraph 150 of the NPPF which sets out that certain developments are not inappropriate in the Green Belt provided they preserve its openness. Please explain in further detail the effect of the scheme on the openness of the Green Belt having regard to both visual and spatial aspects as well as submissions received that the scheme would cut the Green Belt in half.

c) Tameside Metropolitan Borough Council's comments are requested on the Applicant's Green Belt assessment. Where there are areas of disagreement, please explain why.

Whilst Paragraph 7.3.15 and Figure 7-1 of the Case for the Scheme appear to acknowledge that the scheme within the High Peak is also within the Green Belt, the subsequent consideration of Green Belt policy in Section 7.5 only references the Tameside UDP and NPPF. High Peak Local Plan Policy EQ4 (Green Belt Development) should also be addressed.

#### 5.4

Paragraph 7.3.66 sets out viewpoints used to aid the assessment of night-time effects arising from operational lighting.

Are the local authorities and Peak District National Park Authority content that the chosen viewpoints are representative?

Please refer to comments from Derbyshire County Council.

#### 5.6

Table 7.20 of ES Chapter 7 sets out criteria for different durations of change.

Durations are not set out in the ES Chapter 7 summary in Section 7.12. The term "Temporary" is used for some significant effects in ES Chapter 16, but no durations are identified for other significant effects.

Please could the duration of all significant effects be clarified in Section 7.12 of Chapter 7 and in ES Chapter 16?

Please refer to comments from Derbyshire County Council.

#### 5.7

a) Are the local authorities, Peak District National Park Authority and Natural England satisfied with the approach for landscape and visual with respect to:

- the study area and visibility;
- the receptors selected for the assessment and whether they are representative;
- the definitions of value, significance, sensitivity and magnitude of impact; and
- the criteria used to define significant effect?
- b) How should any outstanding concerns be addressed?

Please refer to comments from Derbyshire County Council.

5.9

Table 7.21 refers to National Character Area 54 having local importance and medium value, leading to it having medium value. Medium sensitivity is used in Table 7.26, whereas Table 7.27 considers it to have high sensitivity.

Please clarify the sensitivity used in the assessment, explain how it is in accordance with the methodology set out in paragraphs 7.3.49 to 7.3.53. and update ES Chapter 7 as appropriate.

Please refer to comments from Derbyshire County Council.

5.15

a) Do the local authorities, Peak District National Park Authority and Natural England have any outstanding concerns regarding:

- the landscape and townscape impact assessment;
- mitigation measures including the REAC and Environmental Masterplan;
- whether a draft Landscape and Ecological Management Plan should be submitted to the Examination;
- the maintenance regime, monitoring and remedial actions during operation; or
- compliance with policy?

b) Are there any reasons to question that there would be no significant effects on landscape or townscape character, other than the temporary effects identified in ES Chapter 16?

c) How should any outstanding concerns be addressed?

Please refer to comments from Derbyshire County Council.

5.19

a) Do the local authorities or Peak District National Park Authority and Natural England have any outstanding concerns regarding:

- the visual impact assessment;
- mitigation measures including the REAC and Environmental Masterplan;
- whether a draft Landscape and Ecological Management Plan should be submitted to the Examination;
- the maintenance regime, monitoring and remedial actions during operation; or
- compliance with policy?

b) Are there any reasons to question that there would be any significant visual effects other than those summarised in ES Chapter 16?

c) How should any outstanding concerns be addressed?

Please refer to comments from Derbyshire County Council.

5.21

- a) Are the measures set out in Section 7.8 of ES Chapter 7 sufficient to mitigate any adverse effects from the Proposed Development and enable the projects to satisfy the requirements of the NPSNN, the NPPF and local policies for visual amenity and landscape?
- b) Should any further measures be required?

Please refer to comments from Derbyshire County Council.

5.22

As above, the delivery of good design is an aspiration of the NPSNN and government.

- a) At what stage will details of finishes to the scheme, street furniture and other hard landscaping be provided?
- b) Should the proposed finishes and street furniture, etc. be agreed with the local authorities and local highway authorities?
- c) How would such agreement be reached?

The Borough Council would welcome the opportunity to review details as appropriate.

5.23

In the context of NPSNN Paragraphs 4.28-4.35 and 5.160 please explain how the design of Proposed Development meets the Design Principles for National Infrastructure in respect of Climate, Places, People and Value and the National Design Guide in respect of Climate, Character and Community in during construction and operation.

- a) Comment on the desirability of implementing the following measures to ensure that good quality sustainable design and integration of the Proposed Development into the landscape is

achieved in the detailed design, construction and operation of the Proposed Development.

- b) How might they be secured?

- c) Are any further measures appropriate?

- A “*design champion*” to advise on the quality of sustainable design and the spatial integration of the works;

- A “*design review panel*” to provide informed “*critical-friend*” comment on the developing sustainable design proposals;

- An approved “*design code*” or “*design approach document*” to set out the approach to delivering the detailed design specifications to achieve good quality sustainable design;

- An outline, including timeline, of the proposed design process, including consultation with stakeholders and a list of proposed consultees.

- d) In the opinion of the local authorities and other statutory agencies, would the implementation of any or all of the above measures assist in determining post-consent approvals (including the discharge of requirements) in relation to achieving good design?

Yes. The Borough Council would welcome the opportunity to review further details when available.



6.1

Table 6.2 sets out the criteria to determine the value of heritage assets. Do you have any comments regarding the values placed on the designated heritage assets in this table?

No comment.

6.4

When referring to designated heritage assets, the NPPF only identifies two levels of harm, substantial and less than substantial. Table 6.3, which sets out the factors in assessing the magnitude of impact, also identifies limited harm.

a) Applicant - Please set out whether limited harm should be qualified as less than substantial in terms of the NPPF tests? If not, please explain how limited harm should be considered against paragraph 199 of the NPPF which states that great weight should be given to an asset's conservation irrespective of whether any potential harm amounts to substantial, total loss or less than substantial harm to its significance.

b) Historic England, Derbyshire County Council, High Peak Borough Council and Tameside Metropolitan Borough Council – Do you have any comments on the use of limited harm given the tests sets out in the NPPF?

It would be helpful if the terminology used in applicant's consideration of harm to heritage assets was consistent with the tests set out in the NPPF.

6.7

The excavation of the Mottram Underpass cutting would result in the partial truncation of the former grounds of Mottram Old Hall. Do you consider that the parkland contributes to the significance of this designated heritage asset?

The asset is outside of High Peak. No further comment.

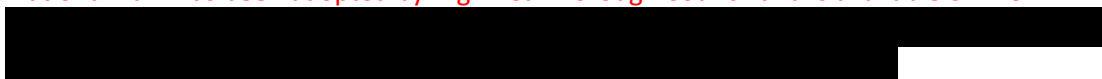
6.8

The Peak District National Park Authority identified in its RR that heritage assets are a part of the attraction of the PDNP and has raised concerns in relation to the impact on the Tintwistle Conservation Area and several heritage assets and their landscape setting.

a) Peak District National Park Authority – please set out whether you consider that the adverse impact on the experience of the TWA arising as a result of increased traffic would cause harm to the significance of the heritage asset. If A Conservation Area Appraisal is available, please can you submit this into the Examination.

b) Applicant - please comment on the Peak District National Park Authority's assertion that the increase in traffic within the Tintwistle Conservation Area would have an adverse impact on how the Conservation Area is experienced.

A Conservation Area Character Appraisal for the part of the Conservation Area outside of the National Park has been adopted by High Peak Borough Council and is available online -



### 7.3

Paragraph 5.4.5 of ES Chapter 5 [APP-061] states that the air quality model used in the assessment does not include terrain and that specific conditions such as valleys have been addressed through “*localised model validation zones*”.

- a) Please could the Applicant provide detail of the methodology and justify why it is appropriate for the terrain in the study area?
- b) Please could the local authorities comment?

It is not entirely clear what the applicant is referring too here. The choice and application of gradient in the localised model setup is not clear. The only noted gradient affect appears to have been applied to Glossop Road at the Dinting Vale junction. It is not clear if a gradient has been applied to the modelling through Tintwistle on the A628, where it is expected that slow moving HGVs travelling up the gradient are likely to contribute a large proportion of emissions to this area.

### 7.4

Paragraph 5.12.10 of ES Chapter 5 [APP-061] states that the Greater Manchester Clean Air Zone has not been considered in the traffic or air quality monitoring. It states that not including the assessment is a worst-case as the Clean Air Zone would bring about further improvements in concentration of annual mean NO2.

- a) Please could the Applicant provide further justification that the assessment represents a worst case for all receptors. Is there any potential for the introduction of the Clean Air Zone to result in changes in traffic patterns?
- b) Please could the local highway authorities comment?

As the Strategic Road Network (SRN) is currently exempt from the GMCAZ there may be a risk of “rat runs” being created through Glossop if the SRN offers a means for drivers to avoid a charge in Greater Manchester by diverting their route to join the SRN in High Peak.

### 7.6

Do the local authorities have any outstanding concerns regarding the study area, baseline conditions or the overall assessment methodology? How should any outstanding concerns be addressed?

#### Study Area:

Yes, neither of the AQMA’s within the HPBC were included in the study area.

The air quality study has been defined an Affected Road Network (ARN) which is determined by roads meeting the traffic screening criteria in the DMRB LA105 document. These criteria include ;

- Daily traffic flows (two way) will change by 1,000 annual average daily traffic (AADT) or more; or
- Heavy Duty Vehicle (HDV) flows (two way) will change by 200 AADT or more; or

The screening out of the AQMAs' occurred as the TA indicated that the location of the AQMA's did not meet the above criteria and is therefore, ultimately by the accuracy of this TA prediction.

A major assumption in this TA is that traffic along Dinting Vale will only increase by 300ADDT, meaning AQMA 2 (Dinting Vale) did not meet the screening criteria, despite the adjoining road (Brookfield south) meeting the criteria on the assumption that the "extra" traffic will use alternative routes (essentially Shaw lane)

With regard to AQMA 1: Tintwistle; TA data, indicates an increase of 950 ADDT, which is below the screening criteria (subject to the accuracy of this prediction). Nevertheless, part of this road was included in the study area and highly focused on (with 143 of the 181 modelled receptors in HPBC along this road) . However, it is not clear why, given this welcomed inclusion of the A628 in the ARN, that it did also not include AQMA 1, with the ARN stopping just short of this location (R573, receptor being the furthest east).

Baseline conditions & model verification:

"The assessment states that the annual mean NO<sub>2</sub> concentrations for the base year have been verified by means of comparison against available ratified monitoring data".

Ideally, a model predictions are verified against actual data collected in the same year (e.g 2018), as verification against adjusted data and multiple data sources adds further variability that will affect the reliability of the model.

In this instance, verification of the model was undertaken using 3 sets of data in the following order of hierarchy;

- Scheme specific TPU survey monitoring with data capture greater than 25% was used in preference to HPBC 2018 survey data
- HPBC High 2018 survey data was used in preference MMLR survey data (which was projected forward from 2015-2016)
- MMLR survey data was used in preference to TPU survey data where the data capture for the TPU survey data was 25% or less\*\*

\*\*It is presumed that the latter statement refers to sites outside of HPBC (or it is confusing)

However, the above noted, in the Air Quality Baseline report (appendix 5.4) it states that

"The 2019 data was bias adjusted and annualised to 2018 to use for model verification". ... "the 2019 survey data was used in preference to the 2018 survey data as the annual data capture was higher and more locations had been included in the survey".

Therefore, its is slightly unclear what actual data was used in model verification; annualised 2018 data (>25% data capture) or 2019 data that had been "back annualised" to provide 2018 data.

In addition, it appears that in the majority of cases, the 2018 “back annualised data (6.5 Environmental Statement Appendix 5.4 Air Quality Baseline Table A-2: TPU Monitoring Survey 2019 Raw Data) predicted a lower Annual Average NO<sub>2</sub> concentration than the actual collected 2019 data, indicating that NO<sub>2</sub> levels generally increased between 2018 – 2019.,

This is considered unusual and would appear contra to other statements within report (s) noting a general downward trend Annual Average NO<sub>2</sub> concentrations. It also does not follow the trend shown by the majority (\* the exception being HP27), of the HPBC data used in the model validation, which showed a decrease. E.g

<b>ID</b>	<b>2018</b>	<b>2019</b>
HP1	22.9	19.6
HP14	24.1	23.0
HP20	28.4	26.3
HP24	29.8	29.4
HP26	34.5	30.8
*HP27	32.7	33.8
HP29	30.7	27.3
HP30	28.3	27.3
HP31	37.8	35.9

\*\*This can be highlighted further by reference to HP25 (Dinting Vale junction), which was omitted from the model validation in preference to TPU1, TPU17, TPU16, and TPU20 which are all in a similar location (ES Statement fig 5.1). Data from both actual 2019 collected data (HPBC v TPU) in 2019 are comparable, whereas the “back annualised 2018 TPU data seems low compared to the collected HPBC data?

<b>ID</b>	<b>2018</b>	<b>2019</b>
HP25**	53.6	46.3
TPU1	43	45.1
TPU16	35.5	37.1
TPU17	43.5	44
TPU17	41.4	45.3

This needs to be clarified by the applicant as model verification against possibly lower than actual NO<sub>2</sub> levels could ultimately lead to an underprediction by the model.

The initial overall performance of the model was consider below the acceptable level (RMSE is 15.1 µg/m<sup>3</sup> or ±37%) and this was adjusted by the adoption of 9 different correction factors based on locations.

Whilst correction factors factors are a recognised and are appropriate, LAQM (TG16) also recommends that if the RMSE values are higher than ±25% , the model inputs and verification should be revisited in order to make improvements e.g.

- Checks on traffic data; speed, profile, numbers
- Consideration of source type, such as roads and street canyons;

- Checks on estimates of background concentrations; and
- Checks on the monitoring data

It is not clear if this occurred so further clarification on this would be beneficial.

As noted earlier, the assessment states that the air quality model used in the assessment does not include terrain and that specific conditions such as valleys have been addressed through “localised model validation zones”.

It would be beneficial to understand the model inputs and verification were revisited prior to the application of the correction factors (e.g. are the correction factors essentially the localised model validation zones). should be revisited if these were applied pre or post the initial model verification process and were consistent with the 9 different correction factors.

Once the correction factors were applied the overall performance the RMSE of the model was 4.81 ( $\pm 12\%$ ) which is a big improvement but still slightly above the ideal RMSE of 4 (10%) of the air quality objective LAQM (TG16).

Given that 9 different correction factors were applied though it would also be useful to present the RMSE of the 9 different correction factors used, to see if the model varied in accuracy between localised model validation zones).

#### Background

The assessment states that the comparison between modelled and monitored for NO<sub>2</sub> and PM10 concentrations were within 30% of the monitored concentrations and no adjustment was applied. If background concentrations are underpredicted by up to 30% then the verification factor is likely to be high. This will then affect the results of the assessment.

## 7.8

ES Chapter 5 [APP-061] and ES Appendix 4.1 [APP-152] do not explain whether the scoping out of a quantitative assessment of emissions from construction phase traffic has been discussed with relevant local authority environmental health officers, as requested in the Scoping Opinion [APP-152].

Do the local authorities have any concerns about the scoping out of a quantitative assessment of emissions from construction phase traffic?

The assessment of construction phase traffic states that ‘expected numbers of construction vehicles’ have been screened against the DMRB LA 105 criteria. There is no confirmation that changes in speed bands have been included in the screening exercise. Also, no information is provided in the air quality chapter as to the number of additional construction vehicles predicted to be on the road.

The chapter describes additional construction vehicles on the road network and the re-routing of existing vehicles due to traffic management measures. Both screening assessments conclude that the DMRB LA 105 criteria was not exceeded; however, confirmation would be required that both additional construction vehicles and traffic management measures were screened together as part of an overall construction phase assessment.

#### 7.10

- a) To ensure that air quality is managed properly during pre-commencement activities, should Table 2.1 of the REAC include actions for controlling dust during construction and set out a process for dealing with air quality complaints?
- b) Should reference be made to following Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction?

Agreed

#### 7.11

- a) Should reference be made to following Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction? If not, please could the Applicant set out any differences with its proposed approach?
- b) The list of dust control measures that may be included is high level and brief. Should more detail be provided to ensure consistency with the Environmental Statement, and should additional measures be identified for high-risk locations, including near sensitive receptors?
- c) Should actions be added for the control of emissions from construction vehicles and plant?
- d) Should actions be added for air quality monitoring and for a process for dealing with air quality complaints?

Agreed

#### 7.12

- a) Do the local authorities or Natural England have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring, or compliance with policy for the construction phase? How should any outstanding concerns be addressed?
- b) With the secured mitigation measures in place, do the local authorities or Natural England consider that it is likely or unlikely that there would be any significant air quality effects during the construction phase?

The construction phase dust assessment concludes that the scheme has a 'large' dust risk potential and therefore the sensitivity of the receiving environment is 'high'. According to Table 2.58b of the DMRB LA 105, the sensitivity of the receiving environment is only considered to be 'high' for receptors within 100 m of the works and 'low' for receptors within 100 to 200 m of the works.

The Melandra Castle and Railway LWS is located within 200 m of the site boundary and has not been considered in the construction dust assessment.

Monitoring during the construction phase is discussed in paragraph 5.8.1 which states that, if necessary, 'monitoring parameters and a programme will be

established.’ However, in Section 5.11 Monitoring, it contradicts this and states that ‘given the scheme is not expected to have any significant adverse effects on air quality during the construction or operation, no further air quality monitoring is required.’ It is recommended that monitoring is discussed with the local authority at high risk sites during the construction phase and that locations of higher risk are identified by the applicant.

The chapter states that it is expected that standard industry best practice would mitigate the risk of construction dust in the majority of cases. It is recommended that additional mitigation measures are consulted upon with HPBC and agreed for high-risk areas. The applicant should identify where these may be.

7.14

- a) Do the local authorities or Natural England have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring, or compliance with policy for the operational phase? How should any outstanding concerns be addressed?
- b) With the secured mitigation measures in place, do the local authorities or Natural England consider that it is likely or unlikely that there would be any significant air quality effects during the operational phase?

See response for 7.6. No mitigation for operational phase has been proposed.

7.20

The European Union Air Quality Directive implemented through the European Union (Withdrawal Agreement) Act 2020.

Do the local authorities:

- a) have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring or compliance with policy with respect to AQD compliances and AQMAs;
- b) consider that the Proposed Development would, or would not, result in any area which is currently reported as being compliant with the Air Quality Directive becoming non-compliant;
- c) consider that the Proposed Development would, or would not, affect the ability of any non-compliant area to achieve compliance within the most recent reported timescales?

Qualifying features for the compliance assessment and receptors considered in the local air quality assessment along the A57 Brookfield are expected to show a large increase in NO<sub>2</sub> concentrations in the opening year. The qualifying features for the compliance assessment are not labelled on Figure 5.4.

8.1

Section 14.2 of ES Chapter 14 [REP1-019] sets out relevant international, national, and local policies, the UK’s carbon reduction targets and carbon budgets, and the Applicant’s commentary on the requirements and implications for the Proposed Development.

- a) Are there any other key matters that should be added to the Applicant's commentaries on the legislation and policies?
- b) Is there any other important or relevant legislation or policy that the ExA should consider?
- c) Are there any other carbon reduction targets or carbon budgets that are relevant to the Proposed Development and for which there is a clear legal or policy basis for them to be considered?
- d) Should any UK case law/ court judgements be identified?
- e) Do National Highways have any carbon reduction targets that have not been published and/ or that it intends to apply on the Proposed Development?

When responding please, where possible, explain why your comments relevant to the Proposed Development and to the ExA's consideration of it.

The ES refers to the references to climate change in the High Peak Borough Council Corporate Plan. It could also reference the Council's declaration of a climate emergency which includes a pledge to "make High Peak Borough Council carbon neutral in its internal operations and the services it delivers by 2030, and work with partners to achieve this target across High Peak<sup>1</sup>." A Part 1 Action Plan which sets out how the Council's own operations will achieve this has been agreed<sup>2</sup>. A Part 2 Action Plan on how we will work with others is in preparation.

8.11

Item C1.8 of the REAC [REP1-037] states that:

*"A comprehensive Carbon Management Plan would be implemented from the Detailed Design stage and through construction. This would follow a data collection and analysis methodology which adheres to the requirements of the PAS 2080. This would assess carbon use for the whole lifecycle of the project and promote embodied carbon management and commit to achieving carbon reductions."*

The ExA wishes to ensure that the mitigation measures are enforceable and precise and will result in mitigation being delivered.

- a) Please could more detail be provided on the Carbon Management Plan and how it would be enforced?
- b) How can the precision be improved to clarify that carbon emissions would be reduced?
- c) To be precise, should the reduction be quantified?
- d) How will the mitigation ensure that the carbon footprint is not unnecessarily high?
- e) Who should be consulted with, how should it be approved, and what monitoring measures are appropriate?

Please could the local authorities and the Environment Agency comment?

Please refer to comments from Derbyshire County Council.

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[REDACTED]



#### 8.14

Paragraph 14.13.1 of ES Chapter 14 [REP1-019] states that “...mitigation measures have been embedded into the Scheme design (Section 14.9) to reduce emissions as far as possible.”

Have appropriate carbon-reduction measures been secured for the operational phase, including but not limited to:

- reducing traffic;
- increasing the use of other transport modes;
- behavioural change;
- the use of energy, including for lighting;
- the use of trees or other plants in the soft landscaping to absorb carbon dioxide;
- carbon offsetting;
- any other measures.

Please refer to comments from Derbyshire County Council.

#### 8.16

Do the local authorities or the Environment Agency have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring, or compliance with policy with respect to climate change?

Please refer to comments from Derbyshire County Council.

#### 9.1

What existing noise issues associated with Noise Important Areas have been identified and has the Proposed Development taken opportunities to address them?

Noise important areas were identified by Defra, via strategic noise mapping. The source of the noise associated with Noise Important Areas identified in HPBC assessment was road traffic.

#### 9.4

Are the local authorities satisfied with the approach with respect to:

- a) the study area;
- b) the receptors selected for the assessment and whether they are considered representative;
- c) the baseline noise surveys;
- d) the definitions of LOAEL and SOAEL;
- e) the definitions of magnitudes of impact; and
- f) the criteria used to define significance of impact?

How should any outstanding concerns be addressed?

Baseline surveys have been undertaken at nine locations considered representative of noise sensitive receptors across the scheme. To enable the assessment of construction noise, baseline noise levels have been identified at each of the key receptor locations using the baseline noise survey data and Defra strategic noise mapping for locations not covered by the baseline noise survey.

It is noted that no baseline noise surveys were undertaken with the HPBC area. Table 1-6 'Summary of consultation' of the ES Chapter 1 states 'monitoring is only to inform the construction noise assessment rather than operation and the locations proposed are designed to obtain a representative of the baseline noise in areas where construction noise has the potential to be significant.' However four sample construction receptors are located within the HPBC area, two of which (18 and 54 Woolley Bridge) have been assigned a SOAEL of 75 dB LAeq,T for daytime based on the daytime baseline noise levels derived from Defra strategic mapping. It is recommended that further monitoring is undertaken to confirm the existing baseline noise levels as part of the EMP for the scheme to ensure that sensitive receptors in the HPBC area are correctly assigned construction noise limit values.

## 9.7

ES Chapter 11 and the REAC refer to the potential for later seeking Section 61 consent for some or all the construction works.

- a) How can it be ensured that this will not give rise to any materially new or materially worse environmental effects in comparison with those reported in the environmental statement?
- b) The assessment states that "*no night works are anticipated with the exception of traffic management*". Should Section 61 consent be required for any night time works apart from traffic management?

Please refer to question 1.34 regarding working hours.

- a) In principle a Section 61 (COPA, 1974) consent should not give rise to any additional negative effects. A Section 61 consent is often sought to carry out works, which are likely to have a significant impact on the neighbourhood due to its generation of noise and vibration. A section 61 application should outline the works which are planned to take place, the working hours of the site, monitoring, and a plan to mitigate potential noise and vibration impact which should be inline with best practical means (BPM).
- b) It is hoped that night time work is not required but it would be anticipated that the applicant would apply for Section 61 (demonstrating adherence to BPM) should a compelling need arise.

## 9.11

To ensure that noise and vibration are managed properly during pre-commencement activities, should Table 2.1 of the REAC include for:

- a) a pre-commencement noise and vibration plan;
- b) Best Practicable Means, noise insulation and temporary re-housing;
- c) the application of vibration management guidance and protection of buildings from disturbance or damage;
- d) noise and vibration monitoring; and

e) a noise and vibration complaints process?

Agreed.

9.12

To ensure that noise and vibration are managed properly during the construction phase, should Table 2.1 of the REAC include for:

- a) the application of vibration management guidance and protection of buildings from disturbance or damage;
- b) noise and vibration monitoring; and
- c) a noise and vibration complaints process?

Agreed.

9.16

Do the local authorities have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring, or compliance with policy for the construction phase? How should any outstanding concerns be addressed?

See response to 9.4.

9.21

Do the local authorities have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring, or compliance with policy for the operational phase? How should any outstanding concerns be addressed?

The ES states the operational noise assessment has been undertaken in accordance with DMRB LA 111. Appendix 11.4 states that the 'worst affected façade and floor of the noise sensitive properties was the one where the least beneficial change in noise levels were predicted'. This was the guidance in the now superseded version of DMRB HD 213/11. The guidance in paragraph 3.53 of DMRB LA 111 states the façade used to calculate the noise change shall be chosen as that with the greatest magnitude of noise change. Therefore, clarification is required to confirm the method used to select the façade point used in the assessment.

Table 11.35 of the ES has been used to identify the number of properties which are predicted to experience significant adverse effects. The total number of properties predicted to experience operational significant adverse effects within the HPBC area is not clear.

With regards to the operational wider study area, it is not clear where the 'perceptible' increases in road traffic noise are located or if any of these fall within the HPBC area. There is no assessment or statement within the ES regarding whether any of these perceptible increases in the wider study area are classified as significant effects.

#### 10.4

Table 10.4 identifies a target for use of recycled aggregates of 30%.

- a) Have potential sources of recycled aggregates been identified?
- b) If not, what degree of certainty is there that this proportion of aggregate supply for the scheme can be secured?
- c) Would the local authorities comment on availability of suitable recycled aggregates?

Please refer to comments from Derbyshire County Council.

#### 10.5

Please comment on:

- a) The ability of the local waste infrastructure to satisfactorily deal with waste from the Proposed Development?
- b) Whether any adverse effect is anticipated on the capacity of existing waste management facilities to deal with other waste arisings in the area?

Please refer to comments from Derbyshire County Council.

#### 10.6

- a) With reference to the NPSNN, are the relevant pollution control authorities satisfied that potential releases can be adequately regulated under the pollution control framework?
- b) Is it considered that the effects of existing sources of pollution in and around the project are not such that the cumulative effects of pollution when the Proposed Development is added would make that development unacceptable?
- c) Is there any good reason to believe that any relevant necessary operational pollution control permits, or licences or other consents will not subsequently be granted?

Please refer to comments from Derbyshire County Council.

#### 10.8

Are there any other comments with respect to waste management?

Please refer to comments from Derbyshire County Council.

#### 11.12

The REAC identifies a number of permits required, amongst other things, but not limited to, the control the discharge, or extraction of water and control pollution.

- d) With reference to the NPSNN, are the relevant pollution control authorities satisfied that potential releases can be adequately regulated under the pollution control framework?

e) Is it considered that the effects of existing sources of pollution in and around the project are not such that the cumulative effects of pollution when the Proposed Development is added would make that development unacceptable?

f) Is there any good reason to believe that any relevant necessary operational pollution control permits, or licences or other consents will not subsequently be granted?

Please refer to comments from Derbyshire County Council.

11.13

Appropriate arrangements will need to be in place to make provision for the future maintenance of the works. Maintenance responsibilities, including those for drainage infrastructure, are identified in the Outline EMP at Table 6.1. These include, amongst other things, areas of land which would be planted.

How would the future maintenance arrangements be secured? Would the local authorities and local highway authorities please confirm that these arrangements are acceptable or, if not, what is needed to make them acceptable?

Please refer to comments from Derbyshire County Council.

11.17

NPSNN paragraph 5.115 states that *“Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities can be taken to lower flood risk by improving flow routes, flood storage capacity and using SuDS.”*

Does the Proposed Development take the opportunities identified in the NPSNN? Is there anything else that could be reasonably achieved?

Please refer to comments from Derbyshire County Council.

12.20

Various mitigation measures are proposed by the Applicant. These include, but are not limited to, the provision of structures to shelter bats, a new badger sett, new watercourses, hedgerow and tree planting and crossings of the proposed works for various species.

a) At what point during the construction phase would each of these mitigation measures be constructed?

b) Please could the Applicant explain how long these measures would take to establish before they would provide mitigation?

c) What evidence is there that such measures provide effective mitigation?

d) What measures would be provided to mitigate the effects of the scheme should these measures prove ineffective and how would these be secured?

No comment.

### 13.1

- a) In the context of NPSNN Paragraphs 5.168 to 5.176 please explain how the Applicant has sought to minimise impacts on soil quality.
- b) Please summarise the consideration given to how current agricultural practices contribute to the quality and character of the environment or the local economy.

No comment.

### 13.2

Concerns have been raised about the loss of the Mottram Agricultural show (e.g. [RR-0259]). Table 3 of The Case for the Scheme states that the Mottram show has acquired a new larger showground to mitigate this effect.  
Is the new showground likely to be operational prior to the loss of the former showground?

No comment.

### 13.4

Paragraphs 5.165 to 5.167 of the NPSNN state that existing open space, sports and recreational buildings and land should not be developed unless the land is surplus to requirements or the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

- a) The Proposed Development would result in the permanent loss of land and amenity impacts on the public park/garden (communal yard behind 2 to 15 Old Road) and open space (Land adjacent to Mottram Moor Farm). Should the loss of this land be considered against paragraphs 5.165 to 5.167 of NNNPS?
- b) The Council's comments are requested on the loss of this land.
- c) What certainty is there that the cricket ground is unused, and is there any evidence to demonstrate how long it would be affected?

No comment.

### 13.6

Do the local authorities have any comments on the Economic Assessment that has been carried out in respect of the Scheme?

The economic assessment should consider the local economic impacts in more detail. Our Local Impact Report identifies the likelihood that businesses that are dependant on local travel within Glossopdale are likely to suffer from increased delays and journey times due to the additional traffic arising from the scheme. Conversely, businesses that are focused more on connections to Greater Manchester and the strategic road network may benefit from reduced journey times overall.

13.8

a) Is there any evidence of environmental factors that are likely to be affected by the Proposed Development contributing to lower life expectancy in Hadfield North or Hadfield South than for England?

b) Please could the Applicant advise how has this been considered in the assessment?

There is no strong evidence to support a singular causation for differences in life expectancy. The applicant notes that deaths for all ages and all persons from respiratory disease in Hadfield North is worse, though not significantly so to Derbyshire and England, while in Hadfield South it is marginally better. It is notable that in both Hadfield North and Hadfield South, behavioural risk factors such as smoking is lower than England. Decreases in Air Quality as a result of the development could have a negative affect on health. Human health is also considered in our Local Impact Report.

13.9

The ES identifies several significant adverse effects resulting from the Proposed Development, amongst others the permanent loss/demolition of 25 residential properties and displacement of residents, and effects resulting from construction operations.

Such effects have potential to result in stress and affect the wellbeing of persons experiencing them.

a) What measures will be put in place for persons to raise concerns about the effects of the works upon them during the lead up to any implementation of the Proposed Development?

b) Comment on the desirability of implementing the following measures to provide effective communications between the Applicant and the wider community and to address any items of concern.

c) How might they be secured?

d) Are any further measures appropriate?

- The early appointment of the proposed Community Relations Manager?
- The early establishment of the proposed National Highways and/or a Principal Contractor Customer Contact Centre?
- The development and publication of the Community Engagement Plan and annexing this to the Environmental Management Plan (First iteration)?
- In the opinion of the local authorities, would the implementation of any or all of the above measures assist in addressing community and others' concerns/problems during the pre-construction period?
- Would there be any benefit in retaining such measures for a period following implementation? If so, for how long?

Please refer to comments from Derbyshire County Council.

13.13

Do the local authorities have any comment with regard to the effects of the Proposed Development on human health?

Please refer to our Local Impact Report.

13.16

Are there any other comments with respect to:

- agricultural land or soils;
- local social and economic impacts;
- human health;
- mitigation and opportunities for enhancement; and
- any other policy and factual issues?

Please refer to our Local Impact Report.

14.1

The Applicant identifies the potential for the Proposed Development to create statutory nuisance in relation to smoke emitted from premises, dust, steam or effluvia arising on business premises, artificial light emitted from premises, noise emitted from premises and noise emitted from or caused by a vehicle, machinery or equipment in a street. It then states that with the mitigation measures secured by the EMP and REAC, Traffic management Plan and DCO, none of the statutory nuisances are predicted to arise. The ES predicts significant noise and vibration effects during construction and operation.

- a) Are there any comments regarding the assessment of the potential for statutory nuisance?
- b) Are the dDCO provisions for defence to proceeding in respect of statutory nuisance necessary and appropriate?

Complying with best practical means contained within a DCO or Section 61 consent is an established defence for prosecution of Environmental Protection Act 1990 an established defence to prosecution

14.2

The Applicant has identified the major utilities works and temporary connections required during construction.

- a) Are any other major diversion or relocation works anticipated within the boundary of the Proposed Development?
- b) Are any other works proposed through permitted development rights likely to affect the Proposed Development?
- c) Is there any reason to suggest that any of those works would be likely to cause an impediment to the planned delivery of the Proposed Development?

Please refer to comments from Derbyshire County Council.

14.3



- a) With reference to NPSNN, please could the Applicant summarise the steps taken to identify any potential effects on civil or military aviation and/or other defence assets and whether it considers that any are likely to be affected?
- b) If any may be affected, please could the Applicant summarise the consultations with the Ministry of Defence, Civil Aviation Authority, National Air Traffic Services and any aerodrome – licensed or otherwise – likely to be affected, and the proposed mitigation measures?
- c) Are the Local Authorities aware of any civil or military aviation and/or other defence assets that might be affected?

The scheme is understood to fall within the Manchester Airport Consultation Zone relating to the flight path for aircraft.

14.4

- a) Are there any comments about whether enough opportunities been taken to improve road safety, including introducing the most modern and effective safety measures where proportionate?
- b) Should any other opportunities be considered or taken? If so, what?

Please refer to comments from Derbyshire County Council.

14.7

Are there any other comments with respect to:

- common law nuisance and statutory nuisance
- utility infrastructure
- civil and military aviation and defence
- safety, security and major accidents and disasters
- cumulative and combined effects; and
- any other policy and factual issues?

No comment.

15.3

Are any Affected Persons or Interested Parties aware of any inaccuracies in the Book of Reference [REP1-011], Statement of Reasons [REP1-010] or Land Plans [APP-007]?

No comment.

15.6

Paragraph 4.27 of the NPSNN states that all projects should also be subject to an options appraisal, which should consider viable modal alternatives. It goes on to advise that national road schemes will have been subject to a proportionate options appraisal as part of the investment decision making process. Further, that it is not necessary for the ExA to reconsider that process if it is satisfied that the assessment has been undertaken. Paragraph 2.21 also advises that relying solely on alternatives such as demand management and modal shift *“is not viable or desirable as a means of managing need”*.

Do the local planning authorities or local highway authorities have any concerns about whether a proportionate options appraisal, including the consideration

Please refer to comments from Derbyshire County Council.

15.7

Are the local planning authorities or local highway authorities aware of:

- a) any reasonable alternatives to any compulsory acquisition or temporary possession sought by the Applicant; or
- b) any areas of land or rights that the Applicant is seeking the powers to acquire that they consider are not needed?

No.

15.15

Paragraph 7.2.3 of the Statement of Reasons [REP1-010] states that Special Parliamentary Procedure is not required for the acquisition of six open space plots as the plots *“are required for the widening or drainage of an existing highway and the giving of land in exchange is unnecessary”*.

Please could the Applicant justify that statement with reference to s131(5) and s132(5) of the PA2008:

- a) what uses are proposed for the plots;
- b) are there any reasonable alternatives; and
- c) could the giving of other land in exchange be required *“in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public”*?

Please could the local planning authorities comment?

The plots in question are understood to lie within Tameside. No further comment.

15.16

Table 7.1 of the Statement of Reasons [REP1-010] identifies various land plots within the Order limits as open space.

Does any other land within the Order limits comprise land forming part of a common, open space or fuel or field garden allotment?

None known.

15.19

a) Have potential impediments to the development been properly identified and addressed?

b) Are there concerns that any matters either within or outside the scope of the dDCO for the development to become operational may not be satisfactorily resolved, including acquisitions, consents, resources or other agreements?

a) No comment

b) None known.