



# The Planning Inspectorate

## **Planning Act 2008 – Sections 91, 92 and 93; and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 14**

### **Application by Highways England for an Order Granting Development Consent for the A57 Link Roads**

#### **Agenda and arrangements for Issue Specific Hearing 2**

In its letter dated 16 December 2021 the Examining Authority (ExA) notified the times, dates, and locations of hearings to be held from 8 to 11 February 2022:

<https://infrastructure.planninginspectorate.gov.uk/document/TR010034-000756>

The ExA has considered written submissions and requests to make oral representations. **The ExA did not receive requests to be heard at Open Floor Hearing 2 and Compulsory Acquisition Hearing 2 in accordance with the above letter and therefore those hearings will not be held during February 2022.**

This document provides the agenda for Issue Specific Hearing 2. The agenda is subject to change at the discretion of the ExA, although in making changes the ExA will be mindful of the need to provide opportunities for fair involvement to all.

The hearing will not cover all matters that the ExA is considering. If a topic is not included in a hearing it is because the ExA is satisfied that the issues can be fully considered through written submissions and responses to its written questions. The ExA will ensure that each party has a fair opportunity to put its case.

If you would like to observe the hearing in real time, then you will be able to access a public livestream on the National Infrastructure Planning website. A recording of the hearing will be published on the website as soon as is practicable:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-west/a57-link-roads-previously-known-as-trans-pennine-upgrade-programme>

Issue Specific Hearing 2 is being held for the ExA to examine specific issues relating to the application and to invite parties to make oral representations about those issues.

#### **Participation**

The following parties have registered to make an oral submission or are invited to participate by the ExA:

- The Applicant
- Tameside Metropolitan Borough Council
- Derbyshire County Council
- High Peak Borough Council
- Peak District National Park Authority
- Environment Agency
- Natural England

- The National Trust
- CPRE Peak District and South Yorkshire
- Sharefirst My Journey to School
- Andrew Boswell
- Anthony Rae
- Stephen Bagshaw
- Daniel Wimberley

An Arrangements Conferences will be held for parties that have registered to make an oral submission or that the ExA has invited to participate. Those parties should please join the Arrangements Conference promptly using the instructions that are sent to them.

The Arrangements Conference will be hosted by the Case Team and will cover housekeeping arrangements and allow for questions to be asked about the hearing arrangements. The ExA will not be present and there will not be a public livestream of the Arrangements Conference.

Subject to the ExA’s power of control over the conduct of the hearings, it will invite relevant parties to make an oral submission at the appropriate point in the agenda.

The hearing and Arrangements Conference are being held in Microsoft Teams. Information on how to participate is provided in Advice Note 8.6:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>

<b>AGENDA FOR ISSUE SPECIFIC HEARING 2</b>	
10.00am on Wednesday 9 February 2022, Thursday 10 February 2022 and, if required, Friday 11 February 2022. Arrangements conference from 9.30am.	
<b>Item 1</b>	<b>WELCOME, OPENING REMARKS, INTRODUCTIONS, AND HOUSEKEEPING</b>  The ExA will welcome participants, lead introductions, and go through some housekeeping matters.  The public livestream and recording will start.
<b>Item 2</b>	<b>NOISE AND VIBRATION</b>  <b>Study area, baseline conditions and overall assessment methodology</b>  <u>Footpaths</u>  The Applicant [ <a href="#">REP2-021</a> Q9.2] has identified changes in noise to public rights of way, but has not identified the effects or their significance.

- a) Please could **the Applicant** provide a noise impact assessment for public rights of way 50, 51, 52, 87, 88, 90 and 108? In each case, please set out the details of the assessment in accordance with methodology and identify the significance of any impact. In each case, please also set out changes in the perception of noise arising from changes to landscape or setting and how that has been considered in the assessment. Should the ES be updated accordingly?

#### Baseline noise levels

The Applicant [[REP2-021](#) Q9.3] said that it will undertake noise monitoring in the area of 18 and 50 Wooley Bridge.

- b) Please could **the Applicant** comment on the likelihood of the baseline noise levels being lower than currently assumed in the assessment, and the potential implications of that for the significance of effect? Should the monitoring be carried out during the Examination and the ES updated accordingly?

High Peak Borough Council [[REP2-053](#) Q7.8] raised concerns about the lack of baseline noise surveys within its area. The Applicant [[REP3-018](#) paragraphs 8.35 and 8.36] responded at Deadline 3.

- c) Does **High Peak Borough Council** have any outstanding concerns regarding baseline noise surveys?

#### **Construction phase**

##### Pre-commencement

Pre-commencement activities are those that are excluded from the definition of "*commence*" in Article 2 of the dDCO.

The Applicant [[REP2-021](#) Q9.11] said that there were unlikely to be significant effects during pre-commencement. It also appears to suggest that mitigation measures including a noise and vibration plan, Best Practicable Means and a noise and vibration complaints process during pre-commencement would not be required.

- d) Please could the **local authorities** comment?

##### Construction vehicle movement

The Applicant [[REP2-021](#) Q9.5] said that noise impacts associated with movement of construction vehicles to and from the temporary welfare and storage sites (excluding the main construction compound) has not been considered individually as the locations and movements are not available.

These movements appear to have the potential to result in significant effects, including in locations and to receptors that have not been identified.

- e) Please could **the Applicant** provide a reasonable worst-case scenario assessment?

##### Noise sources with distinctive characteristics

- f) Please could **the Applicant** set out what consideration has been given to any construction noise sources with distinctive tonal, impulsive, or

low frequency characteristics including, but not limited to, percussive piling?

#### Night works and Section 61 consent

Paragraph 11.21 of ES Chapter 11 states that “*no night works are anticipated with the exception of traffic management*”? Please clarify what has been considered in the assessment. Requirement 4 of the dDCO lists potential activities outside normal working hours.

The Applicant [[REP2-021](#) Q9.7] said that Section 61 works would encompass all construction activities, including night time works in addition to those report in the ES.

The ExA needs to be satisfied that the assessment considers a reasonable worst-case scenario. The REAC [[REP1-037](#)] mentions the potential for Section 61 consent.

- g) Please could **the Applicant** and **local authorities** comment on the potential for Section 61 works to result in significant effects?
- h) Please could **the Applicant** clarify what night works have been considered in the assessment? Should some or all Section 61 works be included in the ES to ensure that the assessment represents a reasonable worst-case scenario? How can it be ensured that Section 61 consent would not give rise to any materially new or worse effects? Should the ES be updated?

#### Percussive piling

The Applicant [[REP2-021](#) Q9.9] said that a Supplementary Ground Report was being prepared to inform the Detailed Design but that the extent of percussive piling has not been finalised. It provided examples of the mitigation methods that could be applied and mentioned “*Giken method*” piling, which appears to have the potential to result in substantially lower impacts.

The ExA would like to ensure that suitable mitigation measures are in place, particularly in relation to the potential noise and vibration effects from percussive piling.

- i) Please could **the Applicant** advise on the potential for percussive piling to be used more widely than the minimum necessary? Is it feasible for percussive piling to only be used where rotary bored piling cannot be?
- j) Please could **the Applicant** advise on the implications of percussive piling not being permitted? Does the Applicant already have enough information on ground conditions for it to identify that percussive piling is not necessary? Could “*Giken method*” piling be used instead?
- k) Please could **the Applicant** consider how the examples of mitigation methods that it has suggested could be secured?

#### Mitigation

The Applicant [[REP2-021](#) Q9.12] referred to mitigation measures included in the REAC [[REP1-037](#)].

- l) Please could the **local authorities** comment on whether enough detail been provided of the mitigation measures at this stage, to ensure that

	<p>the assessed mitigation would all be delivered? Should more detail be provided of the need for the extent of monitoring to be consulted on and agreed and on any follow-up actions that might be necessary? Should more detail be set out on the complaints process and interfaces with the local authority?</p> <p><u>Noise insulation and temporary rehousing</u></p> <p>The Applicant [REP2-021 Q9.13] has advised that process and triggers set out in Section E.4 of BS 5228:2009 + A1:2014 'Code of practice for noise and vibration control on construction and open sites, Part 1: Noise' would be followed.</p> <p>m) Please could the Applicant update the REAC [REP1-037 reference NV1.5] accordingly? Please could the terms "<i>may be</i>" and "<i>as a last resort</i>" be replaced by more precise wording?</p> <p><b>Operational phase</b></p> <p><u>Modelled levels and limits of deviation</u></p> <p>n) Please could <b>the Applicant</b> advise whether the proposed carriageway levels have been used in the noise model?</p> <p>The Applicant [REP2-021 Q9.17] suggests that the limits of deviation may result in more significant effects being identified. This suggests that ignoring the vertical limits of deviation may not represent a reasonable worst-case scenario.</p> <p>o) Please could <b>the Applicant</b> clarify the implications of vertical limits of deviation for significant effects, including for noise sensitive receptors in proximity to the Mottram Moor Link Road, such as Four Lanes, Tollemache Close and Old Hall Lane?</p> <p><u>Noise barriers</u></p> <p>The Applicant [REP2-021 Q9.19] has advised that absorbent noise barriers have some potential to reduce noise levels at Mottram Moor Junction and to the west of the underpass.</p> <p>p) Please could <b>the Applicant</b> and the <b>local authorities</b> comment on whether absorbent noise barriers should be secured at one or both of those locations? Should criteria be secured for when the use of absorbent noise barriers would be required?</p> <p><u>Speed control measures</u></p> <p>The Applicant [REP2-021 Q9.20] said that speed control measures would be agreed and assessed following detailed design. The potential for significant effects remains unclear.</p> <p>q) Please could <b>the Applicant</b> provide a reasonable worst-case scenario assessment?</p> <p>The ExA may ask more questions or invite more oral submissions.</p>
	<p><b>Break</b></p>

**Item 3****TRANSPORT NETWORKS AND TRAFFIC, ALTERNATIVES, ACCESS, SEVERANCE, WALKERS, CYCLISTS, AND HORSE RIDERS****Traffic modelling**

- a) To what degree are the **Applicant, local highway authorities and interested parties** in agreement regarding the scope and detailing of the traffic model and what are the remaining areas of dispute?
- b) What level of detailed modelling is appropriate for Manchester and Sheffield?
- c) Would more detailed modelling of Manchester and Sheffield be appropriate. If so, why and if not, why not?
- d) To what extent has **the Applicant** considered policies aimed at traffic restraint (including encouraging routes that avoid the National Park), reducing reliance on motor vehicles and encouraging active travel within the traffic model, and any effects of the introduction of the Greater Manchester Clear Air Zone? Are these reflected in the model?
- e) Has **the Applicant** considered the effects of autonomous vehicles on congestion within the traffic modelling?
- f) What further implications, if any, would a change to the use of autonomous vehicles have for air quality and noise?
- g) Would a change to autonomous vehicles have any effects on the Case for the Scheme?
- h) Do the **above parties** have any comment on those matters above?
- i) Can **the Applicant** explain which routes traffic is moving from to provide the increase in traffic volume on the A57 Snake Pass?

**Traffic effects outside of the Order Limit**Effects within Glossop

Traffic flows within Glossop are predicted to increase as a result of the Do-Something scheme when compared to those under the Do-Minimum.

- j) What consideration has **the Applicant** given to mitigating any effect of this increase on severance and public transport?
- k) What consideration has been given by **the Applicant** to any effects on current levels of traffic passing through residential streets?
- l) Do the **local authorities** have any comments?

Effects in Tintwistle, Hollingworth/Hadfield

Derbyshire County Council [[REP2-051](#) Q3.21, Q3.22 and Q14.4] raise concerns that traffic may divert off the A628 through the residential areas, or that traffic levels will increase on Woolley Lane if vehicles turn left at the Gunn Inn Junction, rather than carry on to the Mottram Moor Junction.

- m) What consideration has **the Applicant** given to the potential effects of such movement through the residential areas or on the junction of Wooley Lane with Wooley Bridge and Hadfield Road?
- n) If necessary, how could these effects be addressed?
- o) Do the **local authorities** have any comments?

Effects within the National Park

- p) What consideration has **the Applicant** given to the effects of increases in traffic identified within the traffic modelling for the Do-Something scheme, when compared to those of the Do-Minimum scheme with reference to highway safety and severance?
- q) If necessary, how could these be addressed?
- r) Do the **local authorities** have any comments?

**Connectivity within the Order area**

Tameside Metropolitan Borough Council [[REP2-056](#) Q3.15] mention the possible provision of a link for walkers, cyclists and horse riders between the link road and Roe Road.

- s) What benefits/disbenefits would, in the view of **the Applicant** and the Local Highway Authorities, result from such provision, and would there be a connectivity to the bridleway provision from Old Hall Lane?
- t) Where footway linkage has not been finalised, such as at the Mottram Moor Junction, when will **the Applicant** determine this, and will the drawings be updated to show provision?
- u) If not determined prior to the end of the examination period, what implications would this have for the assessment of the proposed scheme?

Tameside Metropolitan Borough Council [[REP2-056](#) Q3.15] mention discussions regarding equestrian provision at Junction 4 of the M62, and that this is ongoing.

- v) What is **the Applicant's** current position?

**Wider transport effects on public transport**

Whether, or not, public transport uses the new link roads or remains on existing roads may affect journey times and passenger usage.

- w) Has **the Applicant** given any consideration to differences in potential benefit between shorter and longer journeys by public transport resulting from routing?
- x) Has **the Applicant** given any consideration to positioning of bus stops, for example at the Wooley Bridge Junction and their effect on junction capacity and delay?

The ExA may ask more questions or invite more oral submissions.

**Break**

	Item 4 will start no earlier than 1.30pm on Wednesday 9 February 2022
<b>Item 4</b>	<p><b>LANDSCAPE, VISUAL AND GREEN BELT</b></p> <p><b>Study area, baseline conditions; overall methodology and mitigation</b></p> <p><u>National Planning Policy Framework and local policy</u></p> <p>The Applicant [<a href="#">REP2-021</a> Q5.1] has set out its consideration of the July 2021 update to the National Planning Policy Statement.</p> <p>a) Are the <b>local authorities</b> satisfied with the Applicant’s explanation?</p> <p>Tameside Metropolitan Borough Council [<a href="#">REP2-056</a> Q5.7 and Q5.15] identified documents that the Applicant should consider in its assessment. The Applicant [<a href="#">REP3-021</a> pages 54 to 57] responded at Deadline 3.</p> <p>b) Is <b>Tameside Metropolitan Borough Council</b> satisfied that the Applicant has identified relevant local policy?</p> <p><u>Baseline</u></p> <p>Tameside Metropolitan Borough Council [<a href="#">REP2-056</a> Q5.7 and Q5.15] considers that the “<i>dense urban</i>” description in paragraph 7.5.2 of the ES [<a href="#">REP2-007</a>] is not appropriate and considers that existing landscape and townscape characteristics have not been described accurately. The Applicant [<a href="#">REP3-021</a> pages 54 to 57] responded at Deadline 3.</p> <p>c) Does <b>Tameside Metropolitan Borough Council</b> have any outstanding concerns about the Applicant description of the study area?</p> <p><u>Landscape and townscape characteristics</u></p> <p>Tameside Metropolitan Borough Council [<a href="#">REP2-056</a> Q5.15] raised concerns about the descriptions of SLLCA 3, SLTCA 5 and SLTCA 7. The Applicant [<a href="#">REP3-021</a> pages 56 to 57] responded at Deadline 3.</p> <p>d) Does <b>Tameside Metropolitan Borough Council</b> have any outstanding concerns about the descriptions?</p> <p><u>Viewpoints</u></p> <p>Tameside Metropolitan Borough Council [<a href="#">REP2-056</a> Q5.4 and Q5.15] raised concerns about the viewpoints selected for the night-time assessment and considers that the 2km study area for visual impact omits some key theoretical viewing points. The Applicant [<a href="#">REP3-021</a> page 54] responded at Deadline 3.</p> <p>e) Does <b>Tameside Metropolitan Borough Council</b> have any outstanding concerns about the selection of viewpoints?</p> <p>During its second Unaccompanied Site Inspection [<a href="#">EV-012</a>] the ExA noted the views of the area of the Proposed Development from the B6015 north of junction with Padfield Road adjacent to public access land.</p> <p>f) Please could <b>the Applicant, High Peak Borough Council</b> and <b>Peak District National Park Authority</b> comment on the value of views from</p>



that location? Should the Applicant provide an assessment of the visual impacts? Would it be helpful to have a night-time photomontage?

Modelled levels and limits of deviation

The Applicant [[REP2-021](#) Q5.5] has said that changes to existing ground levels have not been taken into account.

- g) Please could **the Applicant** set out the anticipated vertical differences between the proposed carriageway level and existing ground level. Should the differences be explicitly considered in the assessment?

The Applicant [[REP2-021](#) Q5.5] has referred to a table setting out the plant and equipment considered for the assessment of the height of construction activity above ground level. The table does not identify the height of the plant and equipment.

- h) Please could **the Applicant** set out the assumptions regarding the heights of the plant and equipment and their location relative to existing ground level? How has that been considered in the assessment?

Mitigation - planting

The Applicant [[REP2-021](#) Q5.5 and Q5.18] has said that the height and maturity of planting, screening during winter months and details of replacement trees to fill voids will be identified during detailed design.

- i) Please could **the Applicant** clarify what has been assumed in the assessment and how that mitigation is secured. Should the mitigation include commitments in relation to the mix of species, size, density and maintenance and in relation to the Environmental Masterplan [[APP-074](#) Figure 2.4]?

- j) Please could the **local authorities** comment?

Derbyshire County Council's Landscape Architect [[REP2-046](#) page 42 to 43] has suggested that the proposed planting could have the effect of drawing attention to the route rather than mitigating any adverse effects.

- k) Please could **the Applicant** respond?

- l) Does **Derbyshire County Council** consider that the Environmental Masterplan [[APP-074](#) Figure 2.4] should be updated during the Examination?

The Applicant submitted an outline Landscape and Environmental Management Plan [[REP3-022](#)] at Deadline 3.

- m) Do the **local authorities** have any initial comments on the plan, including in relation to the consideration and explanation of boundary treatments, the maintenance regime, monitoring, and remedial actions during operation? Does it provide enough detail at this stage to ensure that the assessed mitigation and benefits would all be delivered?

- n) Please could the **local authorities** provide written comments on the plan for Deadline 5, on Wednesday 23 February 2022?

**Peak District National Park (PDNP)**

### Receptors, baseline and assessment methodology

Peak District National Park Authority [[REP2-048](#) and [REP2-055](#)], the National Trust [[REP2-080](#)], the Campaign for National Parks [[REP2-049](#)] and CPRE Peak District and South Yorkshire [[REP3-031](#)] raised concerns about the Applicant's consideration of receptors, baseline and assessment methodology for PDNP, including for:

- the great weight to be given to conserving National Parks and their highest status of protection in the National Policy Statement for National Networks (NPSNN) for and the National Planning Policy Framework
- the Special Qualities of the PDNP
- the definition of landscape receptors
- the perceptual issues important to landscape character
- the wider aspects of tranquillity, in addition to noise
- the materiality of "slight effects" and the sensitivity of the PDNP
- the basis of professional judgement

The Applicant [[REP3-028](#) pages 41 to 44] responded to Peak District National Park Authority at Deadline 3.

- o) Please could **Peak District National Park Authority** outline any outstanding concerns that it has regarding the Applicant's consideration of receptors, the baseline and the assessment methodology for PDNP?
- p) Please could **the Applicant** respond?
- q) Please could **Peak District National Park Authority** provide a written response for Deadline 4, on Wednesday 16 February 2022?
- r) Please could **Natural England** comment?

### Effects

Peak District National Park Authority [[REP2-048](#) and [REP2-055](#)], the National Trust [[REP2-080](#)], the Campaign for National Parks [[REP2-049](#)] and CPRE Peak District and South Yorkshire [[REP3-031](#)] raised concerns about the Applicant's assessment of effects for PDNP, including in relation to:

- the increases in traffic on the A57 Snake Pass, whether they should be considered as a "slight increase" and whether that has led to an underestimation of indirect effects
- the effects on the Special Qualities of the PDNP
- the effects on the appreciation of dark skies from within the PDNP

The Applicant [[REP2-021](#), [REP3-028](#) pages 44 to 45] responded to Peak District National Park Authority at Deadline 3.

- s) Please could **Peak District National Park Authority** outline any outstanding concerns that it has regarding the Applicant's assessment of effects?
- t) Please could **the Applicant** respond?
- u) Please could **Peak District National Park Authority** provide a written response for Deadline 4, on Wednesday 16 February 2022?

## **Design**

### Key elements

The Applicant [[REP2-021](#) Q5.20 and Q6.2] has set out the principles of its approach for the design of key elements. In simplified terms the secured mitigation is for the detailed design to be consulted on with the local authorities.

- v) Please could **the Applicant** and the **local authorities** comment on the importance of the aesthetic appearance of the Proposed Development in the context of its visibility, including from residential and other receptors that currently overlook the Green Belt?
- w) Please could the **local authorities** comment on the secured mitigation? In principle, has enough detail been provided of the mitigation measures at this stage, to ensure that the assessed mitigation would all be delivered? Has enough consideration been given to opportunities for enhancement?

### Aspects to be adopted

The Applicant [[REP2-021](#) Q5.22] said that the measures needed to secure the design of details of finishes to the scheme, street furniture and other hard landscaping would be finalised during detailed design and are secured by Article 12 of the dDCO.

- x) Are the **local authorities** satisfied with the Applicant's approach?

### Mitigation

The Applicant [[REP2-021](#) Q5.23] has set out the process that led to the development of the current design, including the involvement of a Chartered Landscape Architect, the Design Council, National Highway's Design Panel and consultation with stakeholders.

- y) Please could **the Applicant** 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:
- 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.

Derbyshire County Council [[REP2-051](#) Q5.23] have said that implementation of any or all of the measures would assist in determining post-consent approvals (including the discharge of requirements) in

	<p>relation to achieving good design. Tameside Metropolitan Borough Council [<a href="#">REP2-056</a> Q5.23] said that the measures would be useful.</p> <p>z) Please could <b>High Peak Borough Council</b> comment?</p> <p>aa) Do the <b>local authorities</b> consider that an outline “design code” or “design approach document” should be developed and agreed during the Examination? Please could <b>the Applicant</b> comment?</p> <p>bb) Please could <b>the Applicant</b> suggest how the measures might be secured?</p> <p><b>Green Belt</b></p> <p><u>Inappropriate development</u></p> <p>The Applicant [<a href="#">REP2-021</a> Q4.1] has set out its consideration of whether the temporary works could be considered inappropriate. With reference to Planning Policy Guidance, it has also set out its consideration of the impact of the proposal on the openness of the Green Belt.</p> <p>cc) Do the <b>local authorities</b> have any comments on the Applicant’s consideration of temporary works, openness, or whether the Proposed Development would constitute inappropriate development?</p> <p>The ExA may ask more questions or invite more oral submissions.</p>
	<p><b>Break</b></p>
<p><b>Item 5</b></p>	<p><b>BIODIVERSITY, ECOLOGICAL AND GEOLOGICAL CONSERVATION</b></p> <p><b>Opportunities for enhancement of biodiversity</b></p> <p>Derbyshire County Council [<a href="#">REP2-045</a> 19.3] suggests opportunities for biodiversity/habitat enhancement that would result from the substitution of features, including gritstone for walls, bridges and buildings and the use of drystone walls or mixed species hedges rather than fencing.</p> <p>a) Would <b>the Applicant</b> comment on the suitability of such material and the benefits/disbenefits that would result from their use?</p> <p><b>Increases in Traffic Volume within the Peak District National Park and Habitat Regulations Assessment</b></p> <p>The increase in traffic volumes on the A628 (T) Woodhead Pass and A57 Snake Pass are approaching 1000 vehicles Annual Average Daily Traffic (AADT).</p> <p>b) Would <b>the Applicant</b> provide a commentary on their approach to assessing the proposal with regard to air quality and its effects on habitat and fauna, considered against the confidence limits of the traffic modelling?</p> <p>c) It is noted that in December 2021 new Guidance on Decision-making Thresholds for Air Pollution was published by the Joint Nature Conservation Committee (JNCC), which provides an evidentiary basis for decision-making thresholds to inform the assessment of air quality</p>

	<p>impacts on designed sites. Please could <b>the Applicant</b> and <b>Natural England</b> provide any comments on the implications of the guidance for the assessment of air quality impacts as presented in the Habitat Regulations Assessment Report [<a href="#">REP2-004</a>].</p> <p>d) Why was a more cautious approach not taken with regard to biodiversity and habitat effects?</p> <p>e) Visual disturbance to Special Protection Area (SPA) qualifying bird features associated with increased traffic volumes has not been specifically considered within the Habitats Regulations Assessment Screening Report [<a href="#">REP2-004</a>]. Please would <b>the Applicant</b> provide further commentary on why this approach has been considered appropriate?</p> <p>f) In considering potential effects to the SPA qualifying bird features (i.e. ground breeding birds) from increased traffic leading to collision of vehicles and birds, the Applicant concluded in their Habitats Regulations Assessment Screening Report [<a href="#">REP2-004</a>] that the potential for likely significant effects could be excluded as suitable breeding habitats would be located away from the affected road network and that species would be habituated to existing roads. Would the <b>Peak District National Park Authority</b> and the <b>National Trust</b> comment on their concerns in the light of Natural England's representation?</p> <p>g) Would <b>Natural England</b> comment on the strength of evidence presented to screen out any effect on ground breeding birds?</p> <p>h) Would the <b>Peak District National Park Authority</b> and <b>Natural England</b> comment on the Applicant's responses [<a href="#">REP2-028</a>] in regard to concerns raised by the Peak District National Park Authority [<a href="#">REP2-048</a> 8.6.2] on the effect on the wider range of wider range of birds for which the Dark Peak Site of Special Scientific Interest qualifies, such as Curlew, Snipe and Dunlin, together with impacts on Mountain Hare?</p> <p>The ExA may ask more questions or invite more oral submissions.</p>
	<p><b>Break</b></p> <p>Item 6 will start no earlier than 10am on Thursday 10 February 2022</p>
<p><b>Item 6</b></p>	<p><b>CLIMATE CHANGE</b></p> <p><b>Overall assessment methodology and effects</b></p> <p><u>Indirect effects</u></p> <p>The Applicant [<a href="#">REP2-021</a> Q8.3] said that it has considered a single receptor (the atmosphere or global climate) on which the Proposed Development could have a direct impact.</p> <p>a) Please could <b>the Applicant</b> comment on whether consideration should be given to indirect effects on other receptors?</p> <p>b) Please could <b>the Applicant</b> comment on the consideration given to compliance with s5(2) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017?</p>

### Cumulative effects

The Department for Transport's [consultation letter](#) on the A38 Derby Junctions project raises matters in relation to cumulative effects that are relevant to the Proposed Development.

- c) Please could **the Applicant** provide its assessment of the cumulative effects of Greenhouse Gas emissions from the Proposed Development with other existing and/or approved projects on a local, regional and national level on a consistent geographical scale (for example an assessment of the cumulative effects of the Road Investment Strategy (RIS) 1 and RIS 2 at a national level)?

This should take account of both construction and operational effects; identify the baseline used at each local, regional and national level; and identify any relevant local, regional or national targets and budgets where they exist (including the carbon budgets, the 2050 net zero target under the Climate Change Act 2008, and the UK's Nationally Determined Contribution under the Paris Agreement). It should be accompanied by reasoning to explain the methodology adopted, any likely significant effects identified, any difficulties encountered in compiling the information, and how the assessment complies with the Environmental Impact Assessment Regulations.

Please could the Applicant confirm that the response to all parts of this question has been prepared by a competent expert. Please provide all documents referenced, highlighting relevant paragraphs or sections, and their relevance fully explained.

- d) Please could **the Applicant** respond in writing? When does it anticipate that a response can be provided?

### Significant effects

The Applicant [[REP2-021](#) Q8.3] said that it has complied with DMRB LA 114 for the assessment of significant effects. This states that "*the assessment of projects on climate shall only report significant effects where increases in GHG emissions will have a material impact on the ability of Government to meet its carbon reduction targets*". The Applicant also said that there are no recognised thresholds for assessing level of significance in EIA.

Paragraph 5.18 of the NPSNN states that "*any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets*".

The ExA notes that the DMRB provides guidance, while the NPSNN is national policy.

- e) Please could **the Applicant** comment on whether the NPSNN sets the criteria for what should be considered a significant effect?
- f) Are the **local authorities** aware of any recognised thresholds for assessing level of significance?

g) The Applicant has stated [[REP1-019](#) paragraph 14.3.20] that professional judgement has been applied in determining significant effect. Please could **the Applicant** clarify its methodology for the assessment of significant effects, including the basis of any professional judgements?

Chapter 14 of the ES [[REP1-019](#)] states that the Proposed Development would release an additional 38,970 tCO<sub>2</sub>e into the atmosphere during construction, and 401,026 tCO<sub>2</sub>e over 60 years of operation.

h) In the context of net zero by 2050, please could **the Applicant** and the **local authorities** comment on whether, in EIA terms, it appears reasonable for the releases to be considered "*not significant*"? Is it reasonable for the planning balance? Should requirements for mitigation be on the basis that there are significant effects?

### **Construction materials, transport and construction processes**

#### Construction materials

Paragraph 5.19 of the NPSNN requires evidence of mitigation measures that are effective in ensuring that, "*... in relation to design and construction, the carbon footprint is not unnecessarily high*".

The Applicant [[REP2-021](#) Q8.6, Q.7 and Q8.11] said that the assessment is based on the use of conventional methods and materials. It said that all road schemes are invariably built to specified standards due to the need for safety, durability, consistency, and cost control and certainty. As such there is virtually no major variation in design and therefore carbon performance between schemes.

The Applicant [[REP2-021](#) Q8.11 and 8.12] then refers to opportunities for savings, including from "*build clever*", "*build efficiently*", potential for significant reductions due to the extensive use of relevant materials, e.g. recycled sub-base, warm asphalt, lower carbon concrete through alternative ingredients, and lower carbon steel from energy efficient production. An example is provided of "*Cemfree concrete*"; which results in the cost of the concrete increasing by approximately £1-2/m<sup>3</sup> compared to conventional materials but reduce CO<sub>2</sub> emissions by approximately 70% in the engineering elements where it could be applied. Reference is also made to potential savings from the use of electric or hybrid construction vehicles.

The Applicant [[REP2-021](#) Q8.8] suggests that the carbon footprint would be necessarily high for "*essential construction activity or structure, where the viability of all other engineering solutions, which would have lower carbon have been exhausted*".

i) Please could **the Applicant** clarify whether there are opportunities for carbon savings to the assessed scheme without compromising specified standards?

j) Please could **the Applicant** comment on how it will be ensured that for construction materials "*the carbon footprint is not unnecessarily high*"? Does that require commitments to take opportunities to make savings and (exhaustive?) consideration of the viability of other engineering solutions?

### Mitigation measures and PAS 2080: 2016

The Applicant [[REP2-021](#) Q8.10 and Q8.11] provided an overview of PAS 2080: 2016. It described a comprehensive process involving the pro-active participation of all stakeholders to a strategy defined by the asset owner. The process would require carbon to be quantified, reduced by applying a carbon reduction hierarchy, and managed by a Carbon Management Plan.

- k) Please could **the Applicant** outline its strategy for the use of PAS 2080: 2016? Would it involve setting targets for carbon savings and, if so, how would those targets be established? How would carbon savings be prioritised against cost and programme? How would the use of the process be independently verified? How would the outcomes of the process be reported?
- l) Please could the **local authorities** comment on the suitability of PAS: 2080: 2016 for mitigating carbon releases from the Proposed Development during the construction phase? Should its use be secured as necessary mitigation?
- m) Please could **the Applicant** comment on whether the use of PAS: 2080: 2016 should be mandated for all relevant parties? How should its use be secured?
- n) Do the **local authorities** consider that an outline of the Applicant's strategy for the use of PAS 2080: 2016 and outline Carbon Management Plan should be developed and agreed during the Examination? What role should the local authorities have? Please could **the Applicant** comment?

### **Operational phase**

#### Mitigation measures

Derbyshire County Council [[REP2-051](#) Q8.14] and Tameside Metropolitan Borough Council [[REP2-056](#) Q8.14] suggested that there were further opportunities to mitigate carbon during construction, including:

- creating a network of cycleways and footways that would encourage active travel and reduce the reliance on vehicle use
- potential for renewable energy installations and generation
- opportunities for habitat creation and protection in relation to offsetting and resilience
- behavioural change and cooperation between local authorities, residents and businesses to reduce carbon emissions

The Applicant [[REP3-021](#) page 16] responded to Derbyshire County Council at Deadline 3.

- o) Are the **local authorities** satisfied that appropriate carbon-reduction measures been secured for the operational phase? If not, what other measures should be secured? Could it be helpful for the Applicant to engage with a local behaviour change group during the Examination?

The ExA may ask more questions or invite more oral submissions.



	<p><b>Break</b></p>
<p><b>Item 7</b></p>	<p><b>AIR QUALITY</b></p> <p><b>Study area, baseline conditions and overall methodology</b></p> <p><u>Climate change implications for air quality</u></p> <p>The Applicant [<a href="#">REP2-021</a> Q7.2] considers that adverse changes would be outweighed by a beneficial shift to electric vehicles.</p> <p>r) Are the <b>local authorities</b> satisfied that is a reasonable approach?</p> <p><u>Terrain</u></p> <p>The Applicant [<a href="#">REP2-021</a> Q7.3] has said that adjustments for terrain have been made in accordance with DEFRA guidance. It noted that adjustments were applied when the difference between modelling and monitoring was greater than 25%.</p> <p>s) Please could the <b>Applicant</b> explain the basis for 25% variance being considered acceptable?</p> <p>t) Are the <b>local authorities</b> satisfied with the consideration of terrain, including for heavy duty vehicles travelling uphill?</p> <p><u>Modelling and methodology</u></p> <p>High Peak Borough Council [<a href="#">REP2-053</a> Q7.6] raised concerns about modelling and methodology. The Applicant [<a href="#">REP3-021</a> pages 29 to 33] responded at Deadline 3.</p> <p>u) Except for Air Quality Management Areas, does <b>High Peak Borough Council</b> have any outstanding concerns regarding the air quality modelling and assessment methodology?</p> <p><b>Construction phase</b></p> <p><u>Quantitative assessment of construction traffic scoped out</u></p> <p>High Peak Borough Council [<a href="#">REP2-046</a> and <a href="#">REP2-053</a> Q7.8] raised concerns about screening. The Applicant [<a href="#">REP3-021</a> page 20] responded at Deadline 3.</p> <p>v) Does <b>High Peak Borough Council</b> have any outstanding concerns regarding the screening?</p> <p><u>Pre-commencement</u></p> <p>Pre-commencement activities are those that are excluded from the definition of “commence” in Article 2 of the dDCO.</p> <p>The Applicant [<a href="#">REP2-021</a> Q7.10] said that there were unlikely to be significant effects during pre-commencement and that complaint response procedures and Community Engagement Plan would be prepared and implemented prior to construction.</p>

- w) Please could **the Applicant** clarify whether that mitigation should apply to the pre-commencement activities?
- x) Please could the **local authorities** comment?

#### Dust mitigation and monitoring

The Applicant submitted an outline Nuisance Mitigation Plan [[REP3-010](#) Annex B7] at Deadline 3.

- y) The Applicant [[REP2-021](#) Q7.11] has noted that DMRB LA105 does not follow Institute of Air Quality Management guidance. Do the **local authorities** have a view on whether DMRB LA105 dust mitigation measures are appropriate or whether the mitigation should be in accordance with Institute of Air Quality Management guidance? Should any other recognised guidance be included in the plan?
- z) Do the **local authorities** have any general comments on provisions for dust mitigation and monitoring in the plan? Does it provide enough detail at this stage?
- aa) Please could the **local authorities** provide written comments on the plan for Deadline 5, on Wednesday 23 February 2022?

#### Monitoring

High Peak Borough Council [[REP2-046](#) and [REP2-053](#) Q7.12] raised concerns about monitoring at high-risk sites. The Applicant [[REP3-021](#) pages 19 and 20] responded at Deadline 3.

- bb) Does **High Peak Borough Council** have any outstanding concerns regarding monitoring during construction?

#### **Operational phase**

##### Assessment for the design year of 2040

The Applicant [[REP2-021](#) Q7.13] said that the opening year of 2025 is expected to be the worst case rather than 2040, because increases in traffic between 2025 and 2040 would be more than offset by a shift to electric vehicles.

- cc) Are the **local authorities** satisfied that is a reasonable approach?

#### **Air Quality Management Areas (AQMAs)**

##### Tintwistle AQMA

The Applicant [[REP2-021](#) Q7.15] explained that no receptors have been assessed in the Tintwistle AQMA as they were screened out in accordance with DMRB LA 105. Changes in traffic of 960 AADT being below the threshold of 1,000 AADT.

- dd) Please could **the Applicant** set out the level of confidence in 960 AADT and the potential for changes in traffic to exceed the threshold?
- ee) Please could **the Applicant** comment on how the screening is consistent with the potential for a very small increase in NO<sub>2</sub> to result in

	<p>non-compliance with the Air Quality Directive / Air Quality Standards Regulations 2010?</p> <p>ff) Noting the predicted increase in traffic levels, how does <b>the Applicant</b> advise the ExA to consider compliance with the Air Quality Directive / Air Quality Standards Regulations 2010? Should representative receptors be identified in the Tintwistle AQMA and the assessment updated accordingly?</p> <p>gg) Do <b>High Peak District Council</b> or <b>Peak District National Park Authority</b> have any comments?</p> <p><u>Dinting Vale / Glossop AQMA</u></p> <p>A single receptor has been considered in the Dinting Vale / Glossop AQMA, and assessed as having a worsening in air quality due to the Proposed Development.</p> <p>hh) Please could <b>the Applicant</b> set out whether the worsening in air quality indicates that the Proposed Development would affect the ability of a non-compliant area to achieve compliance within the most recently reported timescales?</p> <p>The Applicant [<a href="#">REP2-021</a> Q7.18] appears to suggest that no receptors in the Dinting Vale / Glossop AQMA are expected to exceed the limit value.</p> <p>ii) Please could <b>the Applicant</b> clarify whether that is on the basis of DEFRA or DMRB LA 105 methodology? With reference to paragraph 5.7.26 of the ES and paragraph 2.75.1 of DMRB LA 105, should the assessment be in accordance with DMRB LA 105 methodology?</p> <p>The single receptor is within 25m of a junction, which means that it cannot be considered as a qualifying feature for compliance with the Air Quality Directive / Air Quality Standards Regulations 2010.</p> <p>jj) Noting the predicted increases in traffic levels and that a qualifying feature has not been assessed, how does <b>the Applicant</b> advise the ExA to consider compliance with the Air Quality Directive / Air Quality Standards Regulations 2010? Should representative receptors be identified in the Dinting Vale / Glossop AQMA and the assessment updated accordingly?</p> <p>kk) Do <b>High Peak District Council</b> or <b>Peak District National Park Authority</b> have any comments?</p> <p>The ExA may ask more questions or invite more oral submissions.</p>
	<p><b>Break</b></p>
<p><b>Item 8</b></p>	<p><b>OTHER SPECIFIC ISSUES</b></p> <p><b>Soils, ground conditions, material assets and waste</b></p> <p><u>Availability of comments from Tameside Metropolitan Borough Council</u></p> <p>a) It is noted that comments are awaited from Tameside Metropolitan Borough Council with regard to the contents of ES Chapter 10 [<a href="#">APP-</a></p>

066]. When will **Tameside Metropolitan Borough Council** make these be available to be published?

### **The water environment, drainage, flood risk assessment, Water Frameworks Directive**

#### Baseline Information

The Applicant submitted a Hydrogeological Risk Assessment [[REP3-025](#)].

- b) Please could the **Environment Agency, local authorities** and other **Interested Parties** provide comments on this document for Deadline 4, on Wednesday 16 February 2022?

#### Flood Risk and Drainage

- c) The Environment Agency [[REP2-052](#) Q11.8] notes that the Flood Risk Assessment needs to be updated to reflect the latest climate change allowances, which were published in July 2021. Would **the Applicant** confirm whether, or not, this has been carried out within the Flood Risk Assessment [[REP3-005](#)]?

#### The Water Framework Directive and the Water Environment (Water Framework Directive) Regulations 2017

The Environment Agency, [[REP2-052](#) Q1.39] recommend that alternative arrangements are sought for the disposal of pumping test waters due to elevated concentrations of specific substances with an Environmental Quality Statement being present in the groundwater.

- d) Would **the Applicant** comment on what alternatives, if any, they have considered and if these are practicable?
- e) Does **the Environment Agency** have any comments?

#### Water Habitat

The Environment Agency [[REP2-026](#) Q11.16] said that road salt or grit may potentially have implications on the water quality of watercourses and consider that the applicant will need to assess this within Chapter 13 Road Drainage and Water Environment

- f) Will **the Applicant** be amending Chapter 13 in accordance with this and, if not, would they provide a commentary on their reasoning?

### **Land use, social and economic, human health**

#### Local social and economic impacts

Concerns have been raised regarding the effect of increased traffic volumes on Snake Pass affecting land stability on the route, and that this could lead to disruption of the business of the National Trust and its tenants.

Similarly, concerns have been raised of the potential for increased traffic volumes on Snake Pass to increase the risk of wildfires. The Applicant has sought to address these concerns in their response at Deadline 3.

- g) Would the **National Trust, High Peak National Park Authority** and **Derbyshire County Council** submit any comments that they wish to

	<p>make in the light of the Applicant's response for Deadline 4, on Wednesday 23 February 2022?</p> <p>Derbyshire County Council [REP2-045] identify potential added benefits for the scheme were it to deliver active travel routes for school routes through industrial estates (Paragraph 15.15).</p> <p>h) Would the <b>local authorities</b> and the <b>Environment Agency</b> please provide comments on each of these by Deadline 4?</p> <p>Would <b>Derbyshire County Council</b> provide further details of the location of these putative routes?</p> <p>i) How would these routes be secured and delivered?</p> <p>j) Does <b>the Applicant</b> have any comments?</p> <p>Tameside Metropolitan Borough Council [REP2-056 Q13.6] identify that the impact on and loss of agricultural land does not appear to have been included in the ES.</p> <p>k) Does <b>the Applicant</b> have any comments on this matter?</p> <p><u>Other environmental topics</u></p> <p>The Applicant [REP3-029 Annexes B1 to B7] has submitted the following outline management plans: -</p> <ul style="list-style-type: none"> <li>• Outline Soil Resource Plan</li> <li>• Outline Noise and Vibration Management Plan</li> <li>• Outline Construction Water Management Plan</li> <li>• Outline Site Waste Management Plan</li> <li>• Outline Materials Management Plan</li> <li>• Outline Community Engagement Plan</li> <li>• Outline Nuisance Management Plan</li> </ul> <p>l) Would the <b>local authorities</b> and the <b>Environment Agency</b> please provide comments on each of these outline management plans for Deadline 5, on Wednesday 23 February 2022?</p> <p>The ExA may ask more questions or invite more oral submissions.</p>
<p><b>Item 8</b></p>	<p><b>OTHER MATTERS</b></p> <p>Please could <b>the Applicant</b> provide a written summary of its responses for Deadline 4, on Wednesday 16 February 2022?</p> <p>Time permitting, and at its discretion, the ExA may invite other oral submissions.</p>
<p><b>Item 9</b></p>	<p><b>ANY OTHER BUSINESS AND CLOSE OF ISSUE SPECIFIC HEARING 2</b></p>

Issue Specific Hearing 2 may be completed on Thursday 10 February 2022. If it is then notification that Friday 11 February 2022 is no longer required will be provided during the hearing before it closes and published as soon as is practicable on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/north-west/a57-link-roads-previously-known-as-trans-pennine-upgrade-programme>