



Application by Highways England for an Order Granting Development Consent for A57 Link Roads The Examining Authority's second written questions and requests for information Issued on Wednesday 2 March 2022

This document sets out the Examining Authority's (ExA's) second written questions and requests for information.

Responses should be submitted for Deadline 6 on Wednesday 16 March 2022.

The Planning Inspectorate's document references in these questions [in square brackets] can be found on the National Infrastructure Planning website at: <http://infrastructure.planninginspectorate.gov.uk/document/TR010034-000603>

Please could all parties answer all questions directed to them or explain why the question is not relevant to them. If questions can be **fully** answered within another submission, then a reference to the relevant paragraph(s) of the submission will be enough.

When you are answering a question, please start your answer by quoting the question number.

If you are answering no more than 3 questions, responses in a letter format will suffice. If you are answering several questions, it will assist the ExA if you could use a table based on that used below. An editable version of this table, in Microsoft Word, is available on request from the Planning Inspectorate. Please email your request to: A57LinkRoads@planninginspectorate.gov.uk.

Abbreviations

AADT	Annual Average Daily Traffic	NO₂	Nitrogen Dioxide
dDCO	Draft Development Consent Order	NPPF	National Planning Policy Framework
DMRB	Design Manual for Roads and Bridges	NPSNN	National Policy Statement for National Networks
DPD	Development Plan Document	PAS 2080	Carbon Management in Infrastructure, published by BSI
EMP	Environmental Management Plan	PDNP	Peak District National Park
ES	Environmental Statement	PRoW	Public rights of way
ExA	Examining Authority	RIS	Road Investment Strategy
IAQM	Institute of Air Quality Management	SPA	Special Protection Area
IEMA	Institute of Environmental Management and Assessment		

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No	Question to	Reference	Question	TMBC Comments
1.	The draft Development Consent Order (dDCO) and other consents Reference is made to the dDCO submitted by the Applicant for Deadline 5 [REP5-006].			
	Parts 1 to 7			
1.3	Applicant Local authorities	Article 7(a) – Limits of deviation	<p>The Applicant [REP4-006 page 12] advised that the Environmental Statement (ES) has not fully considered the horizontal deviation of 5m that would be permitted by the dDCO [REP5-006]. It said that noise and air pollution concentration would be higher than considered in the ES if the roads moved towards receptors and lower if it moved away. The Applicant [REP4-008 Item 2n] said that noise levels could change by between around 1dB and 2dB for receptors closer that 40m to the alignment and considers that there would be unlikely to be any changes to the significance. Changes to air pollution have not been quantified.</p> <p>Noting the potential magnitude of change in noise and air quality arising from a 5m deviation, particularly in the vicinity of sensitive receptors, the ExA is concerned that the Rochdale Envelope does not appear to have included for the proposed limits of deviation and that a reasonable</p>	b) It is anticipated that the change in noise levels would be around 1 dB and 2dB which is unlikely to be that significant. If the deviation was to be greater then this would need re-assessing.

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			<p>worst-case scenario does not appear to have been assessed.</p> <p>a) Please could the Applicant advise on the implications of it being secured that the main carriageway would be permitted to deviate horizontally by up to 1m? How practical would it be for the limit of deviation to vary between 1m and 5m depending on the proximity to sensitive receptors?</p> <p>b) Please could the local authorities comment on the Applicant's consideration of a horizontal deviation of 5m and on whether that should be reduced to 1m in the vicinity of sensitive receptors?</p> <p>The Applicant [REP4-008] also states that landscape impacts in urban areas could have a change to significance of effects as a result of the limits of deviation. It said that this would be subject to a "not environmentally worse than" assessment.</p> <p>c) Please could the Applicant set out when this assessment would be undertaken and/ or how results would be reported?</p>	
1.6	Applicant Local authorities	Articles 14(6), 18(11), 19(8),	Please could the Applicant and the local authorities provide an update on discussions regarding the	This issue has been highlighted as part of the Tameside MBC Statement of Common Ground and

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		21(6) – Deemed consent	<p>addition of a provision for any application for consent to contain a statement drawing the street authority’s attention to the guillotine?</p> <p>If agreement is not reached then the ExA is minded to include this provision, for the reasons set out in the first written questions [PD-009 Q1.19, Q1.21, Q1.22 and Q1.24].</p>	discussions continue to take place to resolve this issue.
Schedules 1 and 2				
1.10	Applicant Local authorities	Requirement 4(1) and (2) - second iteration EMP	<p>The ExA [EV-016 EV-018] has raised concerns that key principles established for the first iteration EMP should not be lost or watered down in subsequent versions.</p> <p>The Applicant [REP4-006 page 17] has explained the process for the development of the second iteration of the EMP and explained that the second iteration would not follow the first iteration “<i>slavishly</i>”.</p> <p>The Applicant [REP4-006 page 17] said that the first iteration EMP [REP3-010 REP5-012] incorporates the measures for the construction stage referred to in the ES as being incorporated in the EMP. It said that the second iteration would be updated to reflect the finalised design and construction plans and would reflect the mitigation for the consented</p>	<p>b) Any agreed measures should be included in subsequent iterations.</p> <p>The question is noted. However, it refers to the second iteration EMP twice and therefore requires clarification.</p>

No	Question to	Reference	Question	TMBC Comments
			<p>scheme. The Applicant does not appear to be comfortable for the dDCO [REP5-006] to require that the measures for the construction stage referred to in the ES are included in the second iteration EMP. The second iteration is the version that would be used during construction.</p> <p>a) The ExA is considering whether it can rely on the measures for the construction stage referred to in the ES if their inclusion in the second iteration EMP is not secured in the dDCO [REP5-006]. Please could the Applicant comment? Can a firmer undertaking be secured regarding the mitigation referred to in the ES?</p> <p>The Applicant [REP4-006 page 17] said that the second iteration EMP would contain a record of the consents, commitments and permissions resulting from liaison with statutory bodies and be kept up to date with any material changes during construction and for consultation to be required on those changes. However, the Applicant does not appear to be comfortable for the dDCO [REP5-006] to include those requirements for the second iteration.</p>	

No	Question to	Reference	Question	TMBC Comments
			b) Please could the local authorities comment?	
1.12	Applicant Local authorities	Requirement 4(4) and 4(5) – third iteration EMP	<p>The ExA [EV-016 EV-018] has raised concerns that key principles established for the first iteration EMP [REP3-010 REP5-012] should not be lost or watered down in subsequent versions.</p> <p>The Applicant [REP4-006 pages 18 to 19] has explained the process and legislative requirements for the development of the third iteration of the EMP and said that the third iteration EMP would be developed from the second iteration EMP, which is the version that would be used for construction. The Applicant does not appear to be comfortable for the dDCO [REP5-006] to require that the measures for the construction stage referred to in the ES are included in the second iteration EMP. The third iteration is the version that would be prepared at handover.</p> <p>a) There are no requirements for approval, or consultation on the third iteration EMP. Please could the local authorities comment?</p> <p>b) Noting that the second iteration EMP is for the construction phase, please could the Applicant advise</p>	<p>a) The Local Highway Authority would expect to be consulted on and their views sought on the EMP at whatever stage. The scheme is likely to have a significant impact on the local communities and local highway network.</p> <p>Although the Local Planning Authority acknowledges that no consultation or approval is required for the third iteration EMP, it would be helpful if the Applicant could share the third iteration of the EMP with the Council for comment prior to its publication.</p>

No	Question to	Reference	Question	TMBC Comments
			<p>whether it would reflect measures for the management and operation stage that are included in the first iteration? Is it necessary to ensure that the third iteration reflects measures in the first iteration?</p> <p>c) The ExA is considering whether it can rely on the measures for the management and operation stage referred to in the ES if their inclusion in the third iteration EMP is not secured in the dDCO [REP5-006]. Please could the Applicant comment? Can a firmer undertaking be secured regarding the mitigation referred to in the ES?</p>	
1.17	Environment Agency Lead Local Flood Authorities	Requirement 9(2) – Flood risk assessment	<p>Derbyshire County Council [REP4-010] said that the Lead Local Flood Authority would welcome consultation on any works that were not in accordance with an approved Flood Risk Assessment for clarity and certainty and for the opportunity to comment on or raise concerns about any works that may result in problems for flood risk in the wider area.</p> <p>The Environment Agency [REP3-037] recommended that they should be consulted in relation to works proposed in accordance with the flood risk assessment and</p>	b) No further concerns.

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			<p>otherwise in accordance with the flood risk assessment. They also stated that all works should be carried out in accordance with an approved flood risk assessment regardless of whether affected landowners accept any exceedances of flood levels. They said that the flood risk assessment must show that risks would not be increased elsewhere.</p> <p>The Applicant [REP4-006 pages 21 and 22] responded to the Environment Agency's concerns and updated the dDCO [REP5-006].</p> <p>a) Does the Environment Agency have any comments on the Applicant's updates to Requirement 9?</p> <p>b) Do the Environment Agency or the Lead Local Flood Authorities have any remaining concerns regarding dDCO [REP5-006] provisions in relation to flood risk assessment?</p>	
1.19	Applicant Local authorities	Requirement 12(1) Details of consultation – minimum period	Please provide an update on discussions regarding the consultation period, for which a period ranging from 14 days to 28 days have been suggested.	Due to the complexity of the scheme and the number/variety of potential officers and other organisations that may need to be involved a 28 days period would be felt appropriate. It may be possible to turn round some

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				consultations within a much shorter period though. Discussions will take place to resolve this issue as part of the Tameside MBC Statement of Common Ground.
Schedules 3 to 10				
1.20	Tameside Metropolitan Borough Council	Schedule 3, 4 and 5	Has Tameside Metropolitan Borough Council reviewed the latest versions? Does it have any further comments, please?	It has not been possible to review the latest schedules at this time.
2. General matters				
Legislation and policy				
2.1	Tameside Metropolitan Borough Council	Draft Places for Everyone: Joint Development Plan Document (DPD) for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan	Since the submission of the application the draft Places for Everyone: Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan has been published for consultation. a) What weight do you consider should be placed on the policies within the document? b) Please provide justification for why this weight is considered appropriate.	The Places for Everyone Joint Development Plan Document was published in August 2021. Subsequently it has been submitted to the Secretary of State in February 2022 and Inspectors are appointed to carry out an independent examination. It is a joint plan covering nine Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs. a) and b) Paragraph 48 in the NPPF states that local planning

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				<p>authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).</p> <p>Whilst Places for Everyone has been published, submitted and its content considered consistent with the NPPF, a number of representations have been received objecting to policies within it on both detailed and strategic matters, and so in accordance with paragraph 48 of the NPPF, it is considered that only very limited weight is able to be given to policies within the plan at this time.</p>
<p>3. Transport networks and traffic, alternatives, access, severance, walkers, cyclists, and horse riders</p>				

No	Question to	Reference	Question	TMBC Comments
	Traffic modelling			
3.2	Local highway authorities	Godley Green Development	<p>Reference has been made to a development at Godley Green for which it is understood that an application has now been made and registered. The Applicant has provided a response outlining their approach in dealing with this matter with regard to modelling [REP5-022].</p> <p>a) Are the local highway authorities satisfied with this approach?</p> <p>b) If not, what approach should be taken to the development in the modelling?</p>	a) TMBC are satisfied with this approach.
3.4	Applicant Local highway authorities	<p>Modal use assumptions.</p> <p>CPRE Peak District and South Yorkshire Branch Deadline 5 Submission - Responses to Deadline 4 submissions and comments on Issue Specific Hearing 2 [REP5-029]</p>	<p>There are concerns, expressed by CPRE Peak District and South Yorkshire Branch in [REP5-029 paragraphs 160 and 170] and elsewhere, that public transport and active travel modes have been under-represented in the model.</p> <p>a) Please provide comments on the issues raised.</p> <p>b) If these modes have been under-represented, what effect would this have on the case for the scheme?</p> <p>c) Do the local highway authorities have any comments in regard to this issue?</p>	c) TMBC have no additional comments in relation to this matter.

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3.5	<p>Applicant</p> <p>Local authorities</p> <p>Peak District National Park Authority</p> <p>Natural England</p>	Screening thresholds	<p>The Design Manual for Roads and Bridges (DMRB) provides screening criteria for traffic flows which are used to decide whether a detailed assessment is required with particular reference to biodiversity, noise, air quality, and in relation to the effects on the Peak District National Park.</p> <p>a) Please provide, for each relevant environmental topic, the screening threshold set out in the DMRB, providing the relevant paragraph reference in each case.</p> <p>b) Please identify any other recognised screening criteria (Institute of Environmental Management and Assessment (IEMA), Institute of Air Quality Management (IAQM), etc) that have been used or considered, providing the relevant paragraph reference in each case.</p> <p>c) Where there is a choice of DMRB or other screening criteria, please identify the criteria selected and the reasoning for that choice.</p> <p>d) Do the local authorities, Peak District National Park Authority and Natural England have any comments that they wish to make about this matter?</p>	d) TMBC have no additional comments in relation to this matter.

No	Question to	Reference	Question	TMBC Comments
Public transport				
3.18	Local authorities and local highway authorities	Modal Transference	<p>There are aspirations, both at local and national level, to transfer journeys to more sustainable transport modes.</p> <p>a) Do you consider that sufficient consideration been given during the assessment of the effects of the scheme to Public Transport networks?</p> <p>b) Is the design flexible enough to provide for any future increase in public transport usage and associated infrastructure?</p>	<p>a) TMBC consider that sufficient consideration has been given during the assessment of the effects of the scheme to Public Transport networks.</p> <p>b) TMBC consider that the scheme is flexible enough to provide for any future increase in public transport usage and associated infrastructure. The removal of the current high traffic flow though Mottram will make this route more attractive and easier for public transport. The Stagecoach 237 bus services currently travel via Backmoor avoiding Stalybridge Road and Mottram Moor though Mottram due to the high traffic flows on the A57 and the significant delays to services in Mottram; this only serves the centre of Mottram during the evenings. The scheme and the detrunking of the A57 will allow this service to travel through Mottram improving services to local residents.</p> <p>It would also allow service that currently terminate on John Kennedy Road to be extended to serve Mottram and potentially onto Glossop.</p> <p>The reduction of traffic on Woolley Lane following the opening of the</p>

No	Question to	Reference	Question	TMBC Comments
				scheme would allow services to be reintroduced on this section of the A57 improving public transport provision in Hollingworth and increasing the number of services to Glossop.
Design – transport networks, traffic, walkers, cyclists, and horse riders				
3.23	Applicant Local authorities Local highway authorities	First Written Questions [PD-009 Q3.23]	Please provide an update regarding discussions seeking to secure future maintenance of the relevant works.	These discussions are positive and ongoing; no final agreements have been made at this stage. The Local Highway Authority would maintain sections that are to be transferred to TMBC upon completion or that form part of the adopted highway network.
Remaining concerns				
3.24	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of transport networks, traffic, alternatives, access, severance, walkers, cyclists, or horse riders?	No outstanding concerns
4.	Peak District National Park			
5.	Other landscape and visual, design, Green Belt			
	Landscape and visual			

No	Question to	Reference	Question	TMBC Comments
5.4	<p>Applicant Tameside Metropolitan Borough Council Derbyshire County Council Peak District National Park Authority</p>	<p>Modelled levels and limits of deviation</p>	<p>The Applicant [REP2-021 Q5.5] said that the assessment was based on alignment overlain on existing ground levels plus 4.5m to simulate HGV and subsequently [REP4-008 Item 4h] added that the assessment acknowledged the presence of embankments, false cutting and landform generally. The Applicant [REP4-008 Item 4h] set out the level differences from existing ground level, which included carriageways at the following approximate heights above existing ground level:</p> <ul style="list-style-type: none"> • Section 3: 3-5m • Section 4: 6-10m • Section 8: 3-4m • Section 11: 3m • Section 12: 2-3m • Section 13: 5m • Section 14: 4-5m • Section 15: 2-2.5m <p>False cutting or bunds were noted at the following approximate heights above existing ground level:</p> <ul style="list-style-type: none"> • Section 4: 5m higher than proposed carriageway levels • Section 10: 1-4m • Section 11: up to 6m 	<p>d) As Local Highway Authority we do not have any comments to make on this. We are discussing this with the design team to alleviate any issues.</p> <p>d) As Local Planning Authority given that the ExA has raised a number of issues to which the Applicant is yet to respond the Council reserves the opportunity to comment once it has had sight of the Applicant's response.</p> <p>e) At this stage it is not clear whether both the height difference and environmental barriers will have an impact on the receptors, based on the assessment of effects.</p>

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			<p>Sections are provided in the Engineering Drawings and Sections drawing [REP5-005]. These indicate that some embankments, including Section 4, would be topped by 2.5m high environmental barriers.</p> <p>The Applicant [REP4-008 Item 4h] said that vertical limits of deviation were not considered likely to result in changes in levels of significance for landscape or visual receptors.</p> <p>a) Please could the Applicant provide more detailed clarification about how these departures from existing ground level were considered in the assessment? Given the scale of the height differences, how did it consider the potential for the Proposed Development to be visible from locations where existing ground levels would not be visible?</p> <p>b) Please could the Applicant clarify whether the photomontages [APP-099 to APP-107] and the drawings of the Zone of Theoretical Visibility [APP-095 and APP-096] are consistent with the levels identified [REP4-008 Item 4h]?</p> <p>c) How has the Applicant considered the height of the</p>	

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			<p>construction plant and equipment relative to existing ground level, for example when plant is operating at the top of a new embankment?</p> <p>d) Please could Tameside Metropolitan Borough Council, Derbyshire County Council and Peak District National Park Authority comment?</p> <p>e) Are the authorities content that the height differences and the environmental barriers have been appropriately considered in the assessment of effects for landscape or visual receptors?</p>	
5.6	Tameside Metropolitan Borough Council High Peak Borough Council	Outline Landscape and Ecological Environmental Management and Monitoring Plan [REP5-018]	Please could Tameside Metropolitan Borough Council and High Peak Borough Council comment on the outline Landscape and Ecological Environmental Management and Monitoring Plan [REP5-018]? Does they share any of Derbyshire County Council's concerns [REP4-010 Item 4n]?	<p>The outline Landscape and Ecological Environmental Management and Monitoring Plan should be agreed with the LPAs. There are some remaining concerns about its current context and its suitability for the area.</p> <p>The indicative seed mixes, for example, do not appear to indicate that local ecological knowledge or information has been used. Many include species that are not locally native and/or not appropriate. In addition the mix listed for acid grassland is not actually for acid grassland and daffodil's should never be planted where they can escape into the wild as they are a</p>

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				garden plant; we do not get the native variety of daffodil in Tameside. The planting scheme does not therefore meet the objective of "using native species of local provenance (paragraph 5.2).
5.7	Applicant Local authorities	Management of new structures and the potential for vandalism	CPRE Peak District and South Yorkshire Branch [REP2-069] raised concerns about the management of new structures and the potential for vandalism. a) Please could the Applicant respond? b) Please could the local authorities comment?	b) The Local Highway Authority does not consider any of the proposed structures are likely to be more prone to vandalism. The Council has systems in place to remove offensive graffiti. We would accept similar arrangements/systems to be in place for structures not maintained by the Council. The Council would welcome proposals for the use of anti-vandalism coatings or the sympathetic treatment of surfaces to remove the 'blank canvas'.
Design				
5.9	Applicant Local authorities	Mitigation	The ExA is considering whether mitigation is firmly secured and therefore the extent to which it can be relied on. It is considering if it is necessary to add a Requirement to the dDCO [REP5-006]. The Applicant [REP4-008 Item 4v] said that the aesthetic appearance of the Proposed Development is	a) The Local Highway Authority is content with the existing approach of the applicant to discuss mitigations, aesthetics etc. as the detailed design is being progressed. Local Planning Authority - The draft DCO covers the point at schedule 2 part 1 5(1) Landscaping, which states that

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			<p>extremely important in the context of its visibility.</p> <p>Tameside Metropolitan Borough Council [REP5-031 Item 4v] said that aesthetics are very important for the landscape and it is particularly important that mitigations are fully discussed with and agreed with Tameside Metropolitan Borough Council during detailed design.</p> <p>The Applicant [REP4-008 Item 4y] said that:</p> <ul style="list-style-type: none"> • It agreed to prepare a Design Approach Document, and provided a contents list for that [REP5-001 Annex 1]. • A Design Champion could be appointed to take on the responsibility of achieving sustainable design across the project in an integrated manner, to take on the lead author responsibility of a design approach document that would identify approaches for all engineering and environmental design and ensure that delivery and objectives identified in the design approach document during the Detailed Design and Construction stages. 	<p>a scheme is to be submitted following consultation with the relevant planning authorities. 5(2) goes on to qualify the requirements in respect of mitigation. The Council is therefore satisfied with the draft DCO in this regard.</p>

No	Question to	Reference	Question	TMBC Comments
			<ul style="list-style-type: none"> • It agreed to a further Design Review by the Design Council to receive constructive comments on the Scheme design as it evolves into the Detailed Design stage prior to construction. • Close collaboration would proceed with external parties, in the Detailed Design and construction phases, working closely with Tameside Metropolitan Borough Council and Derbyshire County Council, for example, to agree Scheme proposals on the single carriageway section and junctions, and also with Transport for Greater Manchester in terms of the new junction design. • The mitigation measures would be secured through the LEMP, EMP and REAC, through Requirement 4 of the draft DCO Schedule of Requirements. <p>a) Please could the local authorities comment on the contents of the Design Approach Document [REP5-001 Annex 1]?</p>	

No	Question to	Reference	Question	TMBC Comments
			<p>b) Please could the Applicant discuss the Design Approach Document with the local authorities and submit an Outline Design Approach Document to the Examination?</p> <p>c) Please could the Applicant clarify whether the Outline Design Approach Document will be appended to the first iteration EMP [REP3-010 REP5-012]? If not, how will it be certified by the dDCO?</p> <p>d) Please could the Applicant suggest how the secured mitigation could be made firmer and more precise, and suggest wording for the dDCO?</p>	
5.10	Applicant Local authorities Peak District National Park Authority	Lighting	<p>a) Please could the Applicant set out the consideration given to design options for street lighting, including the height and spacing, whether it can be omitted, and how light pollution and glare could be mitigated.</p> <p>b) Please could the local authorities and Peak District National Park Authority comment?</p>	b) The Local Highway Authority expects that the link road to be adopted by TMBC should incorporate street lighting and be illuminated. The lighting levels of this stretch of road would be lower than in more built up urban areas. Existing highways at either end of the new road are illuminated. The new road also contains a footway, cycling and equestrian facilities.
	Green Belt			
5.11	Applicant	Openness	Paragraphs 5.170, 5.171 and 5.178 of the NPSNN deal with proposals in the Green Belt. There	b) Local Planning Authority - Given that the ExA has raised a number of issues to which the Applicant is

No	Question to	Reference	Question	TMBC Comments
	Tameside Metropolitan Borough Council	NPSNN paragraphs 5.170, 5.171 and 5.178 NPPF paragraph 150(c)	<p>is a general presumption against inappropriate development in the Green Belt. Such development should not be approved except in very special circumstances. Applicants should determine whether any development within the Green Belt may be considered inappropriate development within the meaning of Green Belt policy in the NPPF. Paragraph 150(c) of the NPPF states that local transport infrastructure which can demonstrate a requirement for a Green Belt location is not inappropriate development if it preserves openness.</p> <p>The Applicant [REP2-016 paragraphs 7.5.36 to 7.5.40] has set out its consideration of openness, noting the uses of cuttings, false cuttings and embankments. It said that the Proposed Development had been designed to sit at a low level in the landscape.</p> <p>The Applicant [REP4-008 Item 4h and REP5-005] has provided Engineering Drawings and Sections drawings and set out the level differences from existing ground level, which included carriageways at up to 10m above existing ground level, bunds at up to 6m above carriageway levels, and</p>	yet to respond the Council reserves the opportunity to comment once it has had sight of the Applicant's response.

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			<p>environmental barriers up to 2.5m high.</p> <p>a) Please could the Applicant clarify in greater detail, having regard to the spatial and visual components of openness, why the elevated sections of carriageway, cuttings, false cuttings, embankments, bunds, structures, and signage would not affect openness?</p> <ul style="list-style-type: none"> • Which consideration has been given to receptors near those receptors? • Have any of the viewpoints have been prepared to show visual links between the wider green belt and how the Proposed Development would affect visual openness? • What are the spatial and visual effects on the Green Belt? • Would there be an effect on the openness of the Green Belt? • Would there be material harm to openness? <p>b) Please could Tameside Metropolitan Borough Council comment?</p>	
Remaining concerns				

No	Question to	Reference	Question	TMBC Comments
5.12	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of landscape, visual, design, or the Green Belt?	No further concerns at this stage depending upon the responses from the Applicant to the questions posed by the ExA.
6.	Other noise, vibration, and nuisance			
	Study area, baseline conditions and overall assessment methodology			
6.1	Local authorities	Public rights of way	<p>The Applicant [REP4-008 Item 2a] provided an assessment of noise impacts on public rights of way. The assessment suggests that some perceptible differences, including some exceedances of significant observed adverse effect level. The Applicant concludes that the effects are not significant due to transient nature of users and therefore the duration of the interaction with the Proposed Development.</p> <p>Do the local authorities have any comments on the assessment and the conclusion that there would be no significant effects?</p>	TMBC is content with the approach adopted and the conclusions reached; it is considered that the effects will not be significant.
	Construction phase			

No	Question to	Reference	Question	TMBC Comments
6.3	Local authorities	Noise sources with distinctive characteristics	<p>The Applicant [REP4-008 Item 2f] said that the assessment methodology does not require any special treatment or consideration for noise sources with distinctive tonal, impulsive or low frequency characteristics, although variation in spectral characteristics of specific construction plant has been considered.</p> <p>Are the local authorities content that the Applicant given enough consideration to distinctive tonal, impulsive, or low frequency characteristics including, but not limited to, percussive piling?</p>	<p>TMBC is content with the approach adopted and the conclusions reached. The Council is of the opinion that the applicant has given enough consideration to noise sources with distinctive characteristics. The Council will be monitoring noise levels during construction to ensure that they are with acceptable/agreed limits.</p>
6.6	Applicant Local authorities	Percussive piling	<p>The Applicant [REP4-008 Item 2i] said the intention is that percussive piling would only be used where rotary bored piling is not feasible. ES Chapter 11 [REP3-007] refers to significant adverse effects for piling and suggests that percussive piling would be likely to result in more adverse impacts than rotary bored piling.</p> <p>The ExA would like to ensure that appropriate mitigation is secured.</p> <p>a) Should restricting the use of percussive piling to when rotary bored piling is not feasible be secured as necessary mitigation?</p>	<p>a) TMBC would be satisfied if this was to be secured as necessary mitigation.</p> <p>b) TMBC would be satisfied if this was to be added to the plan</p>

No	Question to	Reference	Question	TMBC Comments
			<p>The Applicant [REP4-008 Item 2k] has listed other mitigation measures for percussive piling.</p> <p>b) Should those measures be added to the Outline Noise and Vibration Management Plan [REP3-010 Annex B2]?</p>	
6.7	<p>Applicant Tameside Metropolitan Borough Council High Peak Borough Council</p>	Mitigation	<p>Tameside Metropolitan Borough Council [REP5-031 Item 2I] said that details of the proposed complaints process should be provided together with how this will be managed. It also said that the scope and extent of monitoring to be implemented before works commence should be detailed.</p> <p>High Peak Borough Council [REP5-036 Item 2I] said that some of the commitments, notably monitoring, lack any real clarity or commitment and should be more focussed. It said that all environmental commitments made when undertaking the environmental assessments should be secured, for example a statement that Best Practicable Means will be adopted for all activities would be expected.</p> <p>a) Please could the Applicant comment?</p> <p>b) Please could the Applicant, Tameside Metropolitan Borough Council and High Peak Borough Council discuss the comments,</p>	<p>b) No additional comments to make from the original response. TMBC is minded to agree any amendments that High Peak Borough Council wish to make in relation to this matter.</p>

No	Question to	Reference	Question	TMBC Comments
			seek to agree any further updates to the first iteration EMP [REP3-010 REP5-012], and confirm which matters have been agreed or not agreed?	
6.8	Applicant Local authorities	Noise insulation and temporary housing	The Applicant [REP2-021 Q9.13] said that the process and triggers for noise insulation or temporary housing set out in in Section E.4 of BS 5228:2009 Part 1 would be followed. The Applicant [REP4-008 Item 2m] said that threshold noise levels would be secured in the Noise and Vibration Management Plan. Should the process, triggers and example threshold noise levels for noise insulation and temporary housing set out in Section E.4 of BS 5228:2009 be secured?	These should be secured in the Noise and Vibration Management Plan.
Operational phase				
6.9	Applicant Local authorities	Speed control measures	The Applicant [REP4-008 Item 2q] said that there are no assessment methods within DMRB to consider the specific noise and vibration impacts from speed cushions or other similar traffic calming measures. a) Are assessment methods available elsewhere? b) What is the potential for significant noise or vibration impacts from speed cushions or	a) TMBC is unaware if there are assessment methods available elsewhere. b) TMBC would expect there to be minimal noise and vibration impacts from speed cushions or other similar traffic calming measures.

No	Question to	Reference	Question	TMBC Comments
			other similar traffic calming measures?	
Remaining concerns				
6.11	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of noise, vibration, common law nuisance or statutory nuisance?	TMBC has no remaining concerns
7. Air quality				
7.5	Applicant Tameside Metropolitan Borough Council High Peak Borough Council Peak District National Park Authority	Screening	The Applicant [REP4-008 Item 7dd and 7ee] has set out its approach to screening, the use of DMRB LA 105 guidance. It noted that lower thresholds are set out in Institute of Air Quality Management guidance, but that is specifically intended for residential and mixed used developments and highways schemes have their own set of criteria and thresholds to be used. a) Please could the Applicant provide the IAQM screening criteria, compare it with the DMRB LA 105 and provide reasoning why it considers that IAQM screening criteria are not appropriate? Is the Applicant suggesting that if the modelled	c) No further comment e) No further comment

No	Question to	Reference	Question	TMBC Comments
			<p>increases in traffic levels are the same then the type of project that led to the increase in traffic would make a difference to the receptors?</p> <p>b) Would a variation of the screening threshold be appropriate for links within the Air Quality Management Areas?</p> <p>c) Please could Tameside Metropolitan Borough Council, High Peak Borough Council and Peak District National Park Authority comment?</p> <p>The ExA [EV-015 Item 7ee] asked the Applicant to comment on how the screening is consistent with the potential for a very small increase in Nitrogen Dioxide (NO₂) to result in non-compliance with the Air Quality Directive / Air Quality Standards Regulations 2010? The Applicant responded [REP4-008 Item 7ee]. The Applicant is predicting increases in traffic, which the ExA understands is likely to result in increases in NO₂ emissions.</p> <p>The ExA is concerned whether enough consideration has been given for those increases to result in a non-compliance, even if the increases in traffic are below 1,000 AADT. It is also concerned about the consideration given to</p>	

No	Question to	Reference	Question	TMBC Comments
			<p>receptors within Air Quality Management Areas designated for NO₂ that are just outside the study area.</p> <p>d) Please could the Applicant comment?</p> <p>e) Please could Tameside Metropolitan Borough Council, High Peak Borough Council and Peak District National Park Authority comment?</p>	
Remaining concerns				
7.9	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of air quality?	TMBC has no remaining concerns.
8.	Climate change			
Overall assessment methodology				
8.2	Local authorities	Cumulative effects	In Issue Specific Hearing 2 [EV-015 Item 6c] the ExA requested that 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	The applicant defers all carbon emission requirements to a national level without reference to regional and local targets. Whilst these targets are not set locally through law they reflect the lead of central government and the national targets which are locally derived from BEIS data and the

No	Question to	Reference	Question	TMBC Comments
			<p>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). The Applicant [REP5-026] responded at Deadline 5.</p> <p>Please could the local authorities comment on the Applicant's response? Has appropriate consideration been given to local policies and local or regional carbon budgets?</p>	<p>recognition of the time-frame in which we are collaborating to achieve net zero.</p>
8.5	Local authorities Interested Parties	Significant effects - de minimis	<p>The Applicant [REP2-021 Q8.1d and REP4-008 Item 6g] refers to the case of R (Transport Action Network Limited) v Secretary of State for Transport and Highways England Company Limited (2021) EWHC 2095 (Admin). The Applicant suggests that the carbon emissions from the Proposed Development should not be considered significant if the assessment is to be consistent with that judgement.</p> <p>Please could the local authorities and Interested Parties comment?</p>	<p>It is noted that observance of PAS2080 alone does not guarantee success in delivering a genuinely low-carbon scheme.</p>
Construction materials, transport, and construction processes				
8.6	Local authorities Applicant	Mitigation measures	<p>The ExA is considering whether mitigation is firmly secured and therefore the extent to which it can be relied on. It is considering if it is necessary to add a</p>	<p>a) The applicants register of environmental actions/commitments is comprehensive. If observed prescriptively it is considered</p>

No	Question to	Reference	Question	TMBC Comments
			<p>Requirement to the dDCO [REP5-006].</p> <p>The Applicant has updated the Register of Environmental Actions and Commitments [REP5-012 C1.8] and provided an Outline Carbon Management Plan [REP5-023] which sets out the proposed use of Carbon Management in Infrastructure, published by BSI (PAS 2080).</p> <p>Derbyshire County Council [REP4-010 Items 6l and 6m] said that PAS 2080 should be included as a mitigation measure and independent verification of its use assured. It noted that PAS 2080 helps to guide mitigation measures but does not specifically identify them and so a detailed assessment of the impacts and measures to mitigate them is still needed, with PAS 2080 used as the overarching framework. It suggested that an outline strategy for the use of PAS 2080 should be developed and agreed during the Examination, in order to ensure the appropriate approach, language and framework is being applied.</p> <p>a) Please could the local authorities comment on the updated Register of Environmental Actions and Commitments [REP5-012 C1.8]</p>	<p>that this would mitigate climate change and environmental issues.</p> <p>d) Some detail is given in the document re: mitigation. It would be valuable to have the applicant and their principle contractor report periodically to the LA's on successes or otherwise on these target areas if and when scheme delivery commenced. This information should be agreed to be made public and shared regularly to reassure stakeholders.</p>

No	Question to	Reference	Question	TMBC Comments
			<p>and on the Outline Carbon Management Plan [REP5-023]?</p> <p>b) Please could the Applicant respond to Derbyshire County Council's comments?</p> <p>c) Please could the Applicant clarify whether the Outline Carbon Management Plan will be appended to the first iteration EMP [REP3-010 REP5-012]? If not, how will it be certified for the dDCO?</p> <p>d) Should firm mitigation measures, such as the use of specific low carbon construction methods or materials, be identified? Should targets for reduction be set against the emissions which assume the use of conventional construction methods and materials in the ES Chapter 14 Climate [REP1-019]? Should measures be added to require independent review of the use of the process and the mitigation that is identified? Should there be independent verification that the mitigation is delivered? What role should the local authorities have?</p>	
Remaining concerns				

No	Question to	Reference	Question	TMBC Comments
8.9	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of climate change?	TMBC notes the declaration of climate emergency made by the LA and reiterates that all best endeavours should be made not only to maintain carbon emissions at or near current levels but to seek to reduce carbon emissions, both direct and indirect, as appropriate.
9.	The historic environment			
	Policy and methodology			
9.1	Applicant Local authorities	Non-designated heritage assets for which the Applicant is unable to identify the significance of effect	The Applicant [REP2-021 Q6.3] said that it was confident that the assets would be characterised at a future stage and that the residual effects would be unlikely to exceed slight adverse and would therefore not be significant. a) Is the Applicant able to secure a firm undertaking that the assets would be characterised at a future stage? b) Do the local authorities have any comments on the Applicant's approach or on the Applicant's advice that the significant effects would be unlikely to be significant?	b) No further comments from TMBC given the outstanding question from the ExA covering this matter. The Council notes the response from the Applicant [REP2-021 Q6.3] that identifies the future involvement of GMAAS in agreeing the Archaeological Management and Mitigation Strategy.
9.2	Tameside Metropolitan Borough Council	Limited harm and the NPPF tests	Tameside Metropolitan Borough Council [REP2-056 Q6.4] and High Peak Borough Council [REP2-053 Q6.4] raised concerns about the	a) TMBC notes the clarification by the Applicant in relation to the use of the term "limited harm" and has no further comment and is

No	Question to	Reference	Question	TMBC Comments
	<p>High Peak Borough Council</p> <p>Applicant</p>		<p>Applicant's use of the term "<i>limited harm</i>" and the whether the NPPF tests have been addressed correctly.</p> <p>The Applicant [REP2-021 Q6.3 and REP3-021 pages 15, 28 and 59] said that "<i>limited harm</i>" [REP1-015 Table 6-3] is considered to fall at the lower end of the spectrum of less than substantial harm.</p> <p>a) Do Tameside Metropolitan Borough Council or High Peak Borough Council have any remaining concerns about the definition of "<i>limited harm</i>" or whether the NPPF tests have been addressed correctly?</p> <p>b) Please could the Applicant update the ES to include the explanation and clarify how the NPPF tests have been addressed?</p>	<p>satisfied that the NPPF tests have been addressed correctly.</p>
9.3	<p>Local authorities</p> <p>Peak District National Park Authority</p> <p>Applicant</p>	<p>Magnitude of adverse effects equivalence to level of harm and the NPPF tests</p>	<p>The Applicant [REP2-021 Q6.5] said that "<i>major adverse magnitude of impact</i>" [REP1-015 Table 6-3] equates to substantial harm, while lesser magnitudes of impact equate to less than substantial harm.</p> <p>a) Do the local authorities or Peak District National Park Authority have any concerns about the equivalence of magnitude of adverse effect to level of harm</p>	<p>a) TMBC notes the clarification by the Applicant in relation to the use of the term "<i>major adverse magnitude of impact</i>" identified in [REP1-015], it would be helpful for the level of NPPF harm to be set out as an additional component of Table 6-3.</p> <p>TMBC is satisfied that the NPPF tests have been addressed correctly.</p>

No	Question to	Reference	Question	TMBC Comments
			<p>or whether the NPPF tests have been addressed correctly?</p> <p>b) Please could the Applicant update the ES to include the explanation and clarify how the NPPF tests have been addressed?</p>	
Designated heritage assets				
9.4	Local authorities	Melandra Castle Roman Fort	<p>The Applicant [REP3-018 pages 26 and 27] responded to concerns raised by Derbyshire County Council [REP2-045 Paragraphs 9.19 to 9.22] about the consideration given to the setting of Melandra Castle Roman Fort, how much harm would be done to it, and the mitigation of long term impacts.</p> <p>a) Does Derbyshire County Council have any remaining concerns about the assessment, the level of harm, or about the secured mitigation measures?</p> <p>b) Have the local authorities identified other mitigation measures that they consider should be provided and, if so, what is the justification them to be secured?</p>	b) TMBC has not identified other mitigation measures that should be provided.
9.5	Tameside Metropolitan Borough Council	Mottram Old Hall	The Applicant [REP3-021 page 60] responded to Tameside Metropolitan Borough Council's request [REP2-056 Q6.7] for	TMBC notes the clarification provided by the applicant. However, the scale of impact on the setting of Mottram Old Hall is

No	Question to	Reference	Question	TMBC Comments
		Contribution of parklands to significance of asset	clarification of the extent of "former grounds" and "parkland" considered in the assessment. Does Tameside Metropolitan Borough Council have any remaining concerns about the assessment or about the Applicant's conclusion that there would be less than substantial harm on Mottram Old Hall?	considered by the Council to be substantial. The introduction of road infrastructure will further degrade the landscape setting of the Hall. However, the Council considers that the substantial harm as a result of the proposal is necessary to achieve substantial public benefits that outweigh that harm as per the approach set out in the NPPF at paragraph 201.
Remaining concerns				
9.8	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of the historic environment?	No further concerns at this stage depending upon the responses from the Applicant to the questions posed by the ExA.
10.	Soils, ground conditions, material assets and waste			
Remaining concerns				
10.2	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of soils, ground conditions, material assets or waste?	TMBC has no remaining concerns.

No	Question to	Reference	Question	TMBC Comments
11.	The water environment, drainage, flood risk assessment, Water Frameworks Directive			
	Baseline information			
11.3	Environment Agency Lead Local Flood Authorities	Environment Agency's representation at Deadline 4 [REP4-019] National Highways Response to Representations made at Deadline 4 [REP5-022] River Etherow modelling	As above, it is noted that the modelling of the River Etherow has not yet been agreed with the Environment Agency. The Applicant has responded to the concerns of the Environment Agency [REP5-022] stating the intention to address this matter at Detailed Design Stage. a) Do the Environment Agency or the Lead Local Flood Authorities have any comments on the Applicant's response? b) What issues remain outstanding? c) Is this approach acceptable to the Environment Agency and the Lead Local Flood Authorities?	a) TMBC support the views of the Environment Agency on this issue and have no comments to make on the Applicants response to their concerns. b) TMBC is still awaiting an update from the applicants/designer. c) This approach is acceptable to the Council
	Flood risk and drainage			
11.6	Environment Agency Lead Local Flood Authorities	Environment Agency's Representation at Deadline 4 [REP4-019] National Highways Response to Representations	As above, there are concerns that the Flood Risk assessment has not been updated to reflect the latest fluvial climate change allowances that were introduced in 2021. The Applicant has responded to the concerns of the Environment Agency [REP5-022] stating the	a) TMBC support the views of the Environment Agency on this issue and have no comments to make on the Applicants response to their concerns. b) TMBC is still awaiting an update from the applicants/designer.

No	Question to	Reference	Question	TMBC Comments
		made at Deadline 4 [REP5-022]	intention to address this matter at Detailed Design Stage. a) Does the Environment Agency or the Lead Local Flood Authorities have any comments on the Applicant's response? b) What issues remain outstanding? c) Is this approach acceptable to the Environment Agency and the Lead Local Flood Authorities?	c) This approach is acceptable to the Council
11.7	Environment Agency Lead Local Flood Authorities	Environment Agency's Representation at Deadline 4 [REP4-019]	The Environment Agency is concerned that it has not yet seen a proposed surface water drainage strategy. The Applicant has provided a Drainage Design Strategy Report [APP-188]. a) Is this sufficient for the Environment Agency to comment on? b) If not, what further information is needed? c) Are the Lead Local Flood Authorities satisfied with the information supplied? d) If not do they have any comments?	c) TMBC are waiting on a further submission to review
11.9	Applicant Local authorities Local highway authorities	First Written Questions [PD-009 Q11.13]	Please provide an update regarding discussions seeking to secure future maintenance of the relevant works.	Discussions are positive and ongoing with regards to maintenance/ responsibility of the scheme as a whole. No final agreements have yet been made.

No	Question to	Reference	Question	TMBC Comments
				The Local Authority however, will not be adopting or maintaining the drainage on Carrhouse Lane. Carrhouse lane is to remain unadopted.
Remaining concerns				
11.1	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of the water environment, drainage, flood risk assessment, or the Water Frameworks Directive?	<p>TMBC still have outstanding issues with the designer about flood risk and hydraulic design.</p> <p>Several questions have been raised and we are awaiting more information, area take offs, strategy details etc.</p> <p>TMBC need this information to understand better what the design was intended to accommodate and whether that submission would be sufficient. TMBC are still waiting on those requests.</p>
12.	Biodiversity, ecological and geological conservation, Habitat Regulation Assessment			
Remaining concerns				
12.15	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of biodiversity, ecological and	No further concerns at this stage depending upon the responses from the Applicant to the questions posed by the ExA.

No	Question to	Reference	Question	TMBC Comments
			geological conservation, or the Habitat Regulation Assessment?	
13.	Land use, social and economic, human health			
	Remaining concerns			
13.3	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of land use, social and economic, or human health?	TMBC has no further concerns relating to land use, social and economic, and human health issues.
14.	Other environmental topics			
	Remaining concerns			
14.2	Tameside Metropolitan Borough Council	Remaining concerns	Apart from the issues covered elsewhere in these second written questions, please could Tameside Metropolitan Borough Council summarise any remaining concerns that it has about the Applicant's consideration of the utility infrastructure, transboundary effects, security, major accidents and disasters, civil and military aviation and defence, decommissioning, cumulative and combined effects, or other	TMBC has no remaining concerns.

No	Question to	Reference	Question	TMBC Comments
			important and relevant considerations?	
15.	Compulsory Acquisition, Temporary Possession, Statutory Undertakers, and funding			
	Other matters			
15.3	Applicant Tameside Metropolitan Borough Council	L.S. Lowry statue / Plot 8/2	The Book of Reference [REP5-009] includes for the compulsory acquisition of the L.S. Lowry statue in plot 8/2. Please could the Applicant and Tameside Metropolitan Borough Council comment on the importance of this statue and whether it would or should be relocated?	The statue is considered by TMBC to be an important and significant work of art. The Local Highway Authority has been assured that the statute will remain in its current location. The applicant has informed the Local Highway Authority that it is seeking additional funds to enhance and improve the area around the statute in the forms of a Designated Funds application. The Local Highway Authority welcomes this commitment.