

A57 Link Roads

TR010034

**9.75 Applicant's written Summary of Issue
Specific Hearing 3**

Rule 8(1)(k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

April 2022

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

A57 Link Roads Development Consent Order 202[x]

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Rule Number:	Rule 8(1)(k)
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Author:	A57 Link Roads Project Team, National Highways and Atkins

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1. Introduction

- 1.1.1. This document summarises the case made orally by National Highways, as the promoter of the A57 Link Roads scheme (the Scheme), at the third Issue Specific Hearing (ISH3) which took place virtually on 5 April 2022, at 10:00 and continued on 6 April 2022.
- 1.1.2. Vicky Fowler and Richard Thurling of Gowling WLG represented National Highways and were supported by the following experts:
- Item 2 – Steve Katesmark
 - Item 3 - Graham Woodward
 - Item 5 – Susie Robinson
 - Item 6 – Liz Young
- 1.1.3. This document sets out National Highways submissions on the points raised following the agenda for the ISH3 as set out in the Examining Authority's (ExA) agenda published on the Planning Inspectorate website on 28 March 2022.

1.2. Agenda item 1 – Welcome, Introduction and arrangements

- 1.2.1. No questions of an introductory or preliminary nature were raised by the Applicant or by other attendees at the ISH3

2. Item 2 – Transport Networks and Traffic

Response reference:	Representation Issue	National Highways Response
9.75.1	<p>Modelling</p> <p><u>The Base Model</u></p> <p>Questions have been raised regarding the data input into the traffic model. The ExA is considering whether the baseline model is an appropriate reflection of baseline conditions.</p> <p>Issues have been raised by, amongst others, CPRE Peak District and South Yorkshire and Daniel Wimberley regarding perceived discrepancies in the data used in the model.</p> <p>a) Please would the Applicant explain the differences between Annual Average Daily Traffic (AADT) and Annual Average Weekday Traffic (AAWT), where each of these has been used to provide inputs, and how this would affect modelled levels of traffic with reference to numbers of heavy commercial vehicles.</p>	<p>a) AADT is average 24-hour daily traffic flow (all vehicles) across the whole of a year. AAWT is the average weekday traffic flow (all vehicles) across the whole of a year. No AADT or AAWT flow data has been used as an input into the traffic modelling for the Scheme as no recorded traffic data is input into the traffic model. Recorded hourly traffic data (including HGV proportions) is only used for calibration and validation of the traffic model. Please see National Highways' detailed response to Mr Wimberley (REP7-025, at 9.69.114).</p>
9.75.2	<p>b) Please would the Applicant comment on whether the use of one type of flow data over the other is more accurate in reflecting the environmental effects of the proposal?</p>	<p>b) Different traffic flow data is used to assess different environmental impacts in accordance with best practice guidance as set out below:</p> <ul style="list-style-type: none"> - Air quality: AADT and proportion heavy duty vehicles (HDVs) (DMRB LA 105) - Noise: 18hr (06:00 – 24:00) AAWT, proportion HDVs and average speeds (DMRB LA 111) - Road safety: AADT (DfT COBALT) - Severance: Average hourly flow during peak periods (Best practice) - Traffic delay: Average hourly flow during peak periods (Best practice) - NMU amenity: Average hourly flow during peak periods (Best practice)
9.75.3	<p>c) Please would the Applicant explain how peak hour flows are reflected in the model?</p>	<p>c) The traffic modelling uses the average hourly flow over three weekday time periods. These periods are AM peak between 07:00 and 10:00, the inter-peak between 10:00 and 16:00 and the PM peak between 16:00 and 19:00. Please also see National Highways' detailed response to Mr Wimberley (REP7-025, at 9.69.114).</p>
9.75.4	<p>d) Please would the Applicant clarify to what extent data gathered from traffic counts</p>	<p>d) No data collected during the Covid-19 pandemic has been used in the traffic modelling for the Scheme.</p>

Response reference:	Representation Issue	National Highways Response
	<p>taken during restrictions introduced in response to the Covid-19 pandemic has been used and what that data has been used for within the modelling?</p>	
9.75.5	<p>e) Please would the Applicant explain what influence, if any, this would have on the outputs from the model?</p>	<p>e) No data collected during the Covid-19 pandemic has been used in the traffic modelling for the Scheme.</p>
9.75.6	<p>f) Please would the Applicant clarify the relationships between the total vehicle trips within the Trans-Pennine South Regional Transport Model, the area of detailed modelling and the local study area regional model. Similarly, please clarify the relationships for total vehicle kilometres within each.</p>	<p>f) The changes in total vehicle kilometres by area due to the Scheme (Do-something vs Do-minimum) are as follows:</p> <ul style="list-style-type: none"> - Full Model Network: 0.0% (on approximately 240,000,000 daily veh-km in 2025) - Area of Detailed modelling: +0.7% (on approximately 12,000,000 daily veh-km in 2025) - Local Study Area: +9.5% (on approximately 410,000 daily veh-km in 2025) <p>Notwithstanding these changes in total vehicle kilometres, as set out in response to question dd) below, the scheme does not proportionally take traffic off the strategic road network and on to the local road network.</p>
9.75.7	<p>The Applicant has identified, in the Transport Assessment Report [APP-185] that traffic is likely to increase on existing roads through residential areas that provide alternative routes through Glossop and surrounding areas.</p> <p>g) Please would the Applicant clarify whether the links in these areas within the model reflect individual roads or general permeability through areas of side streets?</p>	<p>g) As set out in the response to dd) below, overall the project retains traffic on the Strategic Road Network. The links in the traffic model reflect individual roads with permeability. However, not every road is in the traffic model because not all roads have permeability. For example, residential roads that are generally used for local access only, rather than as through routes between modelled zones, are excluded.</p>
9.75.8	<p>h) Please would the Applicant explain how the characteristics of these routes have been reflected in the modelling input?</p>	<p>h) The parameters for links in the model reflect the type of road, that is, urban or rural, single or dual-carriageway, number of traffic lanes, speed limit, etc. Typical average speeds for the different types of roads are applied. However, for longer links, standard speed-flow relationships for the type of road are applied to provide link capacities and traffic speeds, which vary with the volume of modelled traffic. Road junctions are represented in the model to reflect their layout and operation, i.e., give-way, signal controlled, roundabout, grade separated etc.</p>
9.75.9	<p>i) Please would the Applicant explain what methods have been used to verify that model outputs from the baseline model accurately reflect journey times and flows?</p>	<p>i) The baseline traffic flow outputs are checked against recorded traffic flows on roads crossing defined cordons around the modelled area and screen lines across it (See figures below) to ensure good correlation and that the model is, therefore, representative of the operational performance of the existing road network. The baseline journey time outputs on key routes as shown in Figure 7.7 of the Transport Assessment Report (TAR) (APP-185) are compared to recorded journey times to ensure good correlation. As with the traffic flows, this verification approach provides an accurate representation of journey times and operation of the network. Where correlation of journey times does not meet the required standard, the base model is calibrated by adjusting relevant parameters in the traffic model until good correlation is achieved.</p>

Response reference:	Representation Issue	National Highways Response
		<p>TPU Calibration Count Locations</p> <ul style="list-style-type: none">● Calibration Counts— TPU Calibration Cordon: Inner Cordon— TPU Base Highway Network <p>www.openstreetmap.org © 2014 OpenStreetMap contributors, CC-BY-SA</p>

Response reference:	Representation Issue	National Highways Response
		<p>TPU Stage 3 Screenlines</p> <ul style="list-style-type: none"> ADM Cordon A61 Cordon M1 Screenline Inner Cordon Trans-Pennine Western Screenline Trans-Pennine Screenline
9.75.10	<p>j) Given the levels of on-street parking, would the Applicant comment on what effect, if any, increases in flow, including any increases in numbers of heavy commercial vehicles, would have on journey times, noise and air quality through residential streets and others with on-street parking?</p>	<p>j) Junction delay is generally the most dominant factor in journey times across the modelled road network, rather than average speeds along roads. Journey times in the base model on key routes have been calibrated against observed journey times, therefore the impact of any on-street parking on traffic flows will inherently have been accounted for in the model. Consequently, the presence of on-street parking is not anticipated to result in any significant change in modelled journey times or effects on noise and air quality even with the forecast increases in traffic flows due to the Scheme (including any increases in the number of HGVs). In addition, heavy goods vehicles are accounted for in the model in equivalent passenger car units (pcus), with HGVs being given a pcu value of 2.4. This is to reflect the greater impact that HGVs have on the operation of the road network in terms of road space, acceleration/deceleration and manoeuvrability (two and a half times that of a car). HGVs also have much higher operating costs than cars and are, therefore, much less likely to alter their routes in response to changes in journey times on competing alternative routes, as journey length is comparatively a more important factor. (For completeness, it is confirmed that the much greater impacts of HGVs (compared to cars) on noise and air quality are fully reflected in the appraisal).</p>

Response reference:	Representation Issue	National Highways Response
9.75.11	<p>k) Increased traffic through these routes has potential to increase the number of accidents in the area. Would the Applicant explain how the existing accident history of the areas around the routes has been assessed and reflected in the modelling?</p>	<p>k) Forecasts of changes to future accident numbers resulting from the scheme are driven by two factors. The first is changes to the road network and the second is changes in traffic flow. In areas such as the routes referred to, no road network changes will be applied and so the number of forecast future accidents will only change in direct proportion to the forecast change in traffic flow. The current underlying rate of accidents per vehicle km through Glossop has been determined using accident data collected from the Statement of Administrative Sources (STATS19) Road Safety Database, which includes all recorded road traffic accidents by severity. The data used represented the most recent 5-year period available. Accident records used in this analysis for Glossop reflected accidents occurring along the A57, including those at junctions with this route. Other roads through Glossop have very low accident numbers recorded (mostly either zero or one in five years) and so use of this data would not represent a long-term average rate. Instead, national average rates by accident severity, for the relevant types of roads have been applied, and these have been used along with forecast traffic flows to predict future accident numbers in both the Do-minimum and Do-something cases.</p>
9.75.12	<p><u>Policy</u></p> <p>Both locally and nationally there is an aspiration to change travel habits in favour of more sustainable travel and policy reflects this. For instance Transport For Greater Manchester sets out an aim in the Greater Manchester Transport Strategy 2040 for 50% of all journeys in Greater Manchester to be made by walking, cycling and public transport by 2040. The Government's Transport Decarbonisation Plan seeks to deliver carbon reduction in transport.</p> <p>The scheme lies within Greater Manchester and many of the trips within the area modelled are trips originating or arriving in Greater Manchester, travelling to local settlements.</p> <p>l) Please would the Applicant explain whether the scheme supports the aims of the Greater Manchester Transport Strategy 2040 and / or the Government's Transport Decarbonisation Plan? If so, how? If not, why not?</p>	<p>l) The A57 Link Roads scheme aligns with the Greater Manchester Transport Strategy 2040 (the "Strategy") policy objectives and is expressly identified on page 92 as part of the planned investment in Greater Manchester's Strategic Road Network which is described as critical to the delivery of a more reliable northern highways network and forms part of the measures to deliver improved City-to-City highways connectivity. The Strategy identifies the Memorandum of Understanding signed between Highways England and Transport for Greater Manchester to establish a complimentary highways network and more closely integrate the operation of the Strategic Road and Key Route Networks and deal with existing and potential bottlenecks on key highway links.</p> <p>It is important to record that the "Right Mix" vision within the Strategy, sets out how modal trips are to be allocated using spatial themes, to secure an overall vision of 50% of trips to be made by sustainable modes. In relation to City-to-City trips, the Strategy acknowledges that active travel is not a realistic alternative and is targeting a 5% reduction in car mode share (page 84) from 87% currently to 82% by 2040. The data supporting the Right Mix vision is presented in the Technical Note, which is appended to the Strategy and relevant extracts relating to City-to-City trips are provided below.</p> <p>In relation to the Decarbonisation Plan (the "Plan") as noted in the Foreword, "the plan is not about stopping people doing things. it is about doing the same things differently". It observes that "we will still drive on improved roads but increasingly in zero emission cars". It is further noted "Our ambitious roads programme reflects – and will continue to reflect – that in any imaginable circumstances the clear majority of longer journeys, passenger, and freight, will be made by road; and that rural, remote areas will always depend more heavily on roads. That is why our plan to decarbonise motor transport, the most ambitious of any major country, is so vital". The A57 Link Roads scheme is part of that ambitious roads programme. Road transport remains the central focus of policy and will continue to require appropriate infrastructure.</p> <p>The Decarbonisation plan acknowledges that "for most of us, changing how we travel may be a blend, not a binary – it's about using cars less, not giving them up completely. You'll still keep a car for some journeys particularly if your commute isn't possible public transport but innovation may make it easier to car share thereby increasing car occupancy" (Page 7). In that context, "Continued high investment in our roads is therefore, and will remain, as necessary as ever to ensure the functioning of the nation and to reduce the congestion which is a major source of carbon" (Page 103).</p> <p>In addition, the scheme also supports the aims in the Strategy and the Plan in terms of creating opportunities for walking and cycling. The Scheme will provide new and improved facilities for pedestrians, cyclists and horse riders throughout the route, including:</p> <ul style="list-style-type: none"> • Improved pedestrian and cyclist crossing facilities at the M67 junction 4, and all new junctions created by the scheme

Response reference:	Representation Issue	National Highways Response
		<ul style="list-style-type: none"> • Crossing at the Mottram Moor junction will be quicker and easier with the new crossroads design. The scheme is also adding more cycling and pedestrian crossings • Replacement connections for the existing footpaths severed by the scheme • A combined footway and cycleway along the new A57 Link Road between Mottram Moor and Woolley Bridge, creating a route to link Mottram to the Trans-Pennine Trail (National Cycle Network route 62) <p>These proposals have been integrated with other cycling schemes being delivered by Tameside MBC and existing facilities.</p> <p>The Scheme is also expected to help public transport be more reliable where it currently gets delayed, making its use a more attractive option to the public</p> <p>-----</p> <p>Supporting information:</p> <p>Page 84 Greater Manchester Transport Strategy, targeting a 5% reduction in car mode share:</p> <div data-bbox="934 1079 1837 1251" style="border: 1px solid black; padding: 5px;"> <p>When it comes to the 'Right Mix' for City to City trips, we are targeting a 5% reduction in car mode-share, achieved through improvements to inter-urban public transport. Many City to City trips include journeys that neither start nor end in a city centre, and there is little potential for these to be made by public transport. However, we expect the major proposed improvements to inter-urban public transport to substantially reduce car use for trips that do involve travel to and from a major city centre.</p> </div> <p>Pages 8 & 9 Appendix 1 Right Mix Technical Note to the Greater Manchester Transport Strategy 2040), identifying the City-to-City spatial theme and Right Mix percentage change from 87% to 82% for car mode share:</p>


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		<p>Table V1: Allocation of trips to the spatial themes defined in the 2040 Transport Strategy</p> <table border="1"> <thead> <tr> <th>Spatial Theme</th> <th>Includes</th> <th>Except</th> </tr> </thead> <tbody> <tr> <td>Neighbourhood</td> <td>Trips less than 2km (straight line) with at least one end within Greater Manchester</td> <td> <ul style="list-style-type: none"> Trips with a non-work attraction end at Manchester Airport and surrounding developments Trips with an end within the Regional Centre </td> </tr> <tr> <td>Wider City Region</td> <td>Trips with at least one end in Greater Manchester, and both ends no more than 10km outside the Greater Manchester boundary</td> <td> <ul style="list-style-type: none"> Trips with a non-work attraction end at Manchester Airport and surrounding developments Trips with an end within the Regional Centre Trips under 2km </td> </tr> <tr> <td>Regional Centre</td> <td>Trips with an end in the Regional Centre</td> <td> <ul style="list-style-type: none"> Trips with a non-work attraction end at Manchester Airport and surrounding developments Trips with an end more than 10km outside the Greater Manchester boundary </td> </tr> <tr> <td>City to City</td> <td>Trips with one end in Greater Manchester, and the other more than 10km outside the Greater Manchester boundary</td> <td> <ul style="list-style-type: none"> Trips with a non-work attraction end at Manchester Airport and surrounding developments </td> </tr> </tbody> </table> <p>Figure V2: "Right Mix Vision" change in volume of trips by mode for 'Now' and '2040', by spatial theme</p> <table border="1"> <caption>Data for Figure V2: Daily Trips by Mode and Spatial Theme</caption> <thead> <tr> <th>Spatial Theme</th> <th>Year</th> <th>Active Travel (%)</th> <th>Public Transport (%)</th> <th>Car or Other (%)</th> <th>Total Change (%)</th> </tr> </thead> <tbody> <tr> <td rowspan="2">NEIGHBOURHOOD</td> <td>Now</td> <td>52%</td> <td>3%</td> <td>45%</td> <td rowspan="2">+15%</td> </tr> <tr> <td>2040</td> <td>61%</td> <td>37%</td> <td>37%</td> </tr> <tr> <td rowspan="2">WIDER CITY REGION</td> <td>Now</td> <td>4%</td> <td>14%</td> <td>83%</td> <td rowspan="2">-6%</td> </tr> <tr> <td>2040</td> <td>6%</td> <td>16%</td> <td>78%</td> </tr> <tr> <td rowspan="2">REGIONAL CENTRE</td> <td>Now</td> <td>33%</td> <td>26%</td> <td>41%</td> <td rowspan="2">+35%</td> </tr> <tr> <td>2040</td> <td>45%</td> <td>31%</td> <td>24%</td> </tr> <tr> <td rowspan="2">CITY TO CITY</td> <td>Now</td> <td>0%</td> <td>0%</td> <td>87%</td> <td rowspan="2">+10%</td> </tr> <tr> <td>2040</td> <td>0%</td> <td>0%</td> <td>82%</td> </tr> </tbody> </table>	Spatial Theme	Includes	Except	Neighbourhood	Trips less than 2km (straight line) with at least one end within Greater Manchester	<ul style="list-style-type: none"> Trips with a non-work attraction end at Manchester Airport and surrounding developments Trips with an end within the Regional Centre 	Wider City Region	Trips with at least one end in Greater Manchester, and both ends no more than 10km outside the Greater Manchester boundary	<ul style="list-style-type: none"> Trips with a non-work attraction end at Manchester Airport and surrounding developments Trips with an end within the Regional Centre Trips under 2km 	Regional Centre	Trips with an end in the Regional Centre	<ul style="list-style-type: none"> Trips with a non-work attraction end at Manchester Airport and surrounding developments Trips with an end more than 10km outside the Greater Manchester boundary 	City to City	Trips with one end in Greater Manchester, and the other more than 10km outside the Greater Manchester boundary	<ul style="list-style-type: none"> Trips with a non-work attraction end at Manchester Airport and surrounding developments 	Spatial Theme	Year	Active Travel (%)	Public Transport (%)	Car or Other (%)	Total Change (%)	NEIGHBOURHOOD	Now	52%	3%	45%	+15%	2040	61%	37%	37%	WIDER CITY REGION	Now	4%	14%	83%	-6%	2040	6%	16%	78%	REGIONAL CENTRE	Now	33%	26%	41%	+35%	2040	45%	31%	24%	CITY TO CITY	Now	0%	0%	87%	+10%	2040	0%	0%	82%
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9.75.13	m) Do the local authorities or local highway authorities have any comment in this regard?	m) No response required.																																																													

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9.75.14	<p><u>Public Transport</u></p> <p>In their representation at Deadline 7 [REP7-034 paragraphs 3 and 4] CPRE Peak District and South Yorkshire perceive anomalous figures in the public transport trip matrices used in the model.</p> <p>n) Please would the Applicant please explain how existing public transport services have been modelled, with particular regard to whether the totality of existing public transport usage is represented and potential modal transference to, or from, busses and train services as a result of changes on the road network resulting from the scheme?</p> <p>o) Please would the Applicant clarify how the model reflects future public transport usage? Does it allow for, or reflect, any future growth in the sector?</p>	<p>n & o) A regional 'mode-choice' transport model has been used to forecast the potential mode shift to or from car-based trips due to forecast changes in rail services, so that this can be reflected in the traffic forecasts used for the traffic modelling on which the Scheme assessment is based. This model contains matrices of travel demand between zones within the modelled area generated by people in households with access to a car and representations of both the rail network and the road network. The representation of the rail network in the model reflects certain or near certain planned improvements to rail services as presented in National Highways' response to the Examining Authority's Second Written Questions (REP6-017 Q3.3 and 3.4). Demand for travel between zones by either road or rail is determined in the model by the relative cost to users of choosing one or the other mode of transport. The traffic forecasts used for the traffic modelling have been adjusted in response to iterations with the regional mode-choice transport model that has been used to forecast the likely mode shift to or from car-based trips due to forecast changes in rail services. Because the modelled public transport trips are rail-based, and some movements between sectors are not viable by rail, then the sectorised public transport matrices will show zero trip values where this is the case.</p> <p>Since occupants of households without access to a car a) cannot easily switch from using public transport to using a car instead, and b) will have no effect on traffic forecasts if using public transport, it is perfectly reasonable to exclude them from the modelling used to assess the Scheme. The regional mode-choice transport model does not take account of any potential for mode shift to or from car-based trips due to forecast changes in bus services. This is because the number of bus trips across the modelled area is tiny in comparison to the number of vehicle-based trips and there are virtually no certain or near certain planned improvements to bus services. This is particularly the case outside of the large conurbations such as Manchester and Sheffield. Consequently, it is proportionate to exclude these trips from the modelling for the Scheme, as any potential mode shift to or from buses will have a negligible effect on the traffic forecasts used to assess the Scheme.</p> <p>Information issued to Keith Buchan on 18/02/22 by National Highways made it clear, with respect to the demand model sectorised matrices provided, that "<i>public transport trips within the Variable Demand Model matrices are <u>rail</u> "car available" only movements</i>".</p>
9.75.15	<p>p) Regarding the concerns raised by CPRE Peak District and South Yorkshire, would the Applicant clarify how the figures in the matrices were derived and the perceived lack of correlation between trips to and from some sectors?</p>	<p>p) The apparent asymmetry in the commute and home-based employers' business trips is a consequence of the way the matrices are structured (this is a model data entry requirement). The matrices provided are in Production Attraction (PA) rather than Origin Destination (OD) format such that an entry in row X and column Y denotes morning trips from home zone X <i>and an equal number of return trips</i> from zone Y later in the day. There is therefore no asymmetry.</p>
9.75.16	<p>q) If there are unrepresented trips by public transport, please could the Applicant comment on what effect would this have on the modelling of benefits / disbenefits resulting in passenger travel times?</p>	<p>q) The Scheme has no impact on public transport passenger travel times, other than for bus passengers using bus services impacted by changes in the operational performance of the road network due to the Scheme. Analysis of the impact of the Scheme on bus journey times presented in National Highways' response to the Examining Authority's Second Written Questions (Q3.17 -REP6-017) shows that changes in bus journey times are relatively small, with some bus services seeing improvements to journey times and others experiencing slightly longer journey times. Overall, the impact of the Scheme on bus journey times is forecast to be neutral at worst.</p> <p>The bus services impacted by the Scheme are all relatively infrequent services and, therefore, the number of bus passengers affected by forecast journey time changes will be very small in comparison to total vehicle users across the modelled area. Any under representation in the modelling of the proportion of bus trips would therefore, only be applicable to a tiny proportion of all modelled trips. Consequently,</p>

Response reference:	Representation Issue	National Highways Response
		any under representation in the modelling of mode shift from car to bus would have a negligible effect on overall passenger travel time costs, that would be insufficient to materially alter the total monetised user benefits of the Scheme. The traffic forecasts would also be minimally affected for the same reasons.
9.75.17	r) Would the Applicant please clarify the consideration given to potential changes to travel patterns that would result from improvements to the Hope Valley railway line, with particular reference to both passenger and freight services? How is this reflected in the model?	r) The modelling does not directly include the improvements to the Hope Valley Line. This is because the version of the Regional (mode-choice) Transport Model predated the approval of the Network Rail Hope Valley Line Improvement Order in 2018. Nonetheless, improvements to the Hope Valley Line did form part of the alternatives considered when the scheme was appraised and the planned improvements are not predicted to result in significant improvements in journey times and, therefore passenger costs, which determine mode choice in the model. Consequently, the planned improvements to the Hope Valley Line are not anticipated to result in a mode shift in journeys away from road to rail sufficient to materially alter the traffic forecast used for the traffic modelling of the Scheme.
9.75.18	<p>In their response to the ExA's Second Written Questions [REP6-024 Q3.3 and Q3.4] CPRE Peak District and South Yorkshire refer to preparation of a Statement of Common Ground that they are seeking with the Applicant.</p> <p>s) Would the Applicant comment on whether such a statement is being pursued and, if it is, how it is progressing? Would CPRE Peak District and South Yorkshire also provide comments on any progress?</p>	s) A draft statement of common ground (SoCG) was provided to CPRE in December 2021. At that time CPRE indicated that it wanted to wait until after the first round of hearings and once it had had an opportunity to consider further information from National Highways before taking the SoCG forward. Whilst National Highways is mindful of the limited time now available, it invited CPRE to identify the matters that have not already been progressed through the examination and where progress can be made. In an email exchange prior to the hearing, CPRE suggested that issues concerning alternatives and the appraisal of the technical work supporting it may be suitable for inclusion in a SoCG. National Highways is willing to continue to engage and progress a SoCG where that is beneficial to the examination and helps identify areas of agreement and narrow any remaining areas of dispute. National Highways is awaiting a revised draft SoCG from CPRE.
9.75.19	<p>Traffic outside the Order Limit</p> <p><u>Glossopdale and Longdendale</u></p> <p>The Applicant, in the Transport Assessment Report [APP-185], has identified that traffic is likely to increase on roads through residential areas that provide existing routes through Glossop and surrounding areas. Capacity issues have been identified at the junction of Shaw Lane with Brookfield and Dinting Vale (the Shaw Lane Junction). In the case of the Shaw Lane Junction Derbyshire County Council have identified an aspiration to address this with junction works.</p> <p>t) Is Derbyshire County Council satisfied with the Applicant's modelling of the alternative routes?</p>	t) No response required.

Response reference:	Representation Issue	National Highways Response
9.75.10	u) Does Derbyshire County Council consider that the predicted flows on these routes are reasonable / likely? If so, are the effects arising from the increased flows acceptable?	u) No response required.
9.75.12	v) Does Derbyshire County Council consider that the increased flows are likely to require additional traffic management measures to limit the traffic on these routes, either in terms of driver behaviour, vehicle numbers or to address issues of pedestrian/cycle connectivity / safety?	v) No response required.
9.75.22	w) Please would the Applicant explain what the consequences of those measures for the traffic modelling and the air quality and noise assessments would be?	w) National Highways noted at the Hearing that DCC's response to the preceding question indicated that further measures were neither required nor planned. National Highways do not consider that any further mitigation at this junction, beyond traffic signal timing optimisation, is required to realise the benefits of the Scheme.
9.75.23	x) At present any works at Shaw Lane Junction or within the residential areas through which alternative routes pass lie outside of the dDCO scheme proposal. What importance does Derbyshire County Council place on their provision?	x) No response required.
9.75.24	y) The traffic modelling has assumed optimisation of the traffic signals at the Shaw Lane Junction. Does Derbyshire County Council envisage works being required beyond optimisation to address this issue?	y) No response required.
9.75.25	z) Please would the Applicant clarify why, if there is an effect on the junctions or	z) The Scheme proposes signal timing optimisation of the Shaw Lane junction to improve its operation. Further capacity enhancements at the junction are not necessary for the journey time benefits of the Scheme, as reported, to be realised. The junction is not on the

Response reference:	Representation Issue	National Highways Response
	residential areas, these are not addressed within the dDCO?	Strategic Road Network nor is it included within the red line boundary for the reason that further junction improvements are not being advocated by National Highways or Derbyshire County Council. In the circumstances where no capacity enhancements are proposed or requested, any future proposals would only be implemented by Derbyshire County Council as highway authority if deemed appropriate having regard to the desirability or otherwise of increasing capacity and any resulting impacts on other junctions and the network. For example, any capacity improvements at the Shaw Lane junction with the A57 could potentially result in a further increase in traffic using Dinting Road and Shaw Lane, which is probably undesirable. So, any proposed capacity enhancements to this junction would need to be very carefully considered by Derbyshire County Council.
9.75.26	aa) Do Derbyshire County Council and High Peak Borough Council consider this a reasonable approach? If not, please explain why.	aa) No response from National Highways
9.75.27	bb) Has the Applicant considered whether, or not, there would be benefits in reinforcing the message to drivers travelling between the M1/Sheffield and Manchester to use the Strategic Road Network for their journey in preference to the A57 through Glossop and Snake Pass using an enhanced signing strategy?	<p>bb) The existing signing strategy for vehicles travelling between Sheffield and Manchester encourages the use of the strategic road network by directing drivers to use the A628. Drivers are directed to use the A57 for Glossop only. With the increasing use of and reliance on satellite navigation systems by drivers, National Highways is of the view that there is unlikely to be any significant benefit in further reinforcing the message to drivers travelling between the M1/Sheffield and Manchester to use the Strategic Road Network for their journey in preference to the A57 through Glossop and Snake Pass using an enhanced signing strategy. It should also be noted that both the A57 and A628 are Primary A-roads that form part of the Primary Road Network that provides appropriate, signposted, routes for traffic to use between primary destinations across the Country. Users of the road network do not distinguish between Primary A-Roads that are also on the Strategic Road Network from other Primary A-roads, since they are not identified differently on direction signs, road maps or satellite navigation systems. The signing strategy proposed for the scheme will direct drivers travelling to Sheffield to use the strategic road network (A628). However, it is acknowledged that the scheme signing strategy is only able to encourage the use of the strategic road network for journeys between Manchester and Sheffield and not between Sheffield and Manchester.</p> <p>National Highways' will continue to collaborate with relevant highway authorities regarding direction signage. Through this collaboration National Highways will work together with the relevant local highway authorities for the wider Primary Road Network to identify opportunities to direct strategic long-distance traffic to use the A628(T) rather than the A57, where appropriate.</p>

Response reference:	Representation Issue	National Highways Response
		
9.75.28	cc) Do the local authorities or local highway authorities have any comments on the merits, or otherwise, of such measures?	cc) No response required.
9.75.29	dd) Please could the Applicant clarify whether the primary purpose of the A57 Link is to take traffic off the Strategic Route Network onto the local road network? How would that be supported by policy, the aims of RIS2, or good practice? Please could Derbyshire County Council comment?	<p>dd) It is not the intended purpose of the Scheme to take traffic off the Strategic Road Network (SRN) and onto the local road network. The forecast proportion of traffic (in total vehicle kilometres) using the SRN compared to the rest of the road network over the Area of Detailed Modelling is greater with the Scheme than without it in both 2025 and 2040. The changes in total vehicle kilometres are as follows:</p> <ul style="list-style-type: none"> SRN 2025: +1.4% LRN 2025: -0.4% SRN 2040: +1.3% LRN 2040: -0.0%
9.75.30	<p><u>Highway safety in the Peak District National Park</u></p> <p>At present any works to manage driver behaviour and the safety of highway users on the A628 Woodhead Pass and A57 Snake Pass lie outside of the dDCO scheme proposal.</p> <p>ee) What importance does Derbyshire County Council place on their provision?</p>	ee) No response required.

Response reference:	Representation Issue	National Highways Response
9.75.31	ff) Please would the Applicant clarify why, if there is an effect on highway safety on these routes, it is not addressed within the dDCO?	ff) The impacts of the Scheme on road safety have been assessed by National Highways and considered not to be sufficiently significant to trigger the need for any mitigation measures. The Scheme is forecast to results in an overall increase in accidents of 0.3% over 60 years across the assessed road network, which is considered a marginal increase. Please also refer to National Highways' comment on Relevant Representations (RR-0240-6 – REP1-042). During the hearing National Highways clarified that Road Safety Audits (RSAs) are only undertaken where there are proposed changes to the layout of the road network. RSAs are not undertaken where there are forecast changes in traffic flows without any other physical changes to roads subject to forecast increases in traffic.
9.75.32	gg) Does Derbyshire County Council consider this a reasonable approach? If not, please explain why.	gg) No response required.
9.75.33	<p>In the Applicant's comments [REP7-026] on Tim Nicholson's response on behalf of Peak District National Park Authority to the ExA's Second Written Questions [REP6-038 Q3.11] the Applicant identifies two speed camera based traffic management schemes on routes within the Peak District National Park. In their response to the ExA's Second Written Questions [REP6-038] the Peak District National Park Authority voices opposition to such a scheme on the A57 Snake Pass and the A628(T) Woodhead Pass.</p> <p>hh) Did the Peak District National Park Authority have similar reservations on the two schemes cited for implementation? If so, how were these reservations addressed in those instances? Could a similar approach be taken on the A57 Snake Pass and the A628(T) Woodhead Pass?</p>	hh) No response required

<p>9.75.34 Alternatives</p> <p>Paragraph 4.26 of the National Policy Statement for National Networks (NPSNN) requires that Applicants should comply with all legal requirements and any policy requirements set out in that NPS on the assessment of alternatives. The NPSNN draws attention to the requirements of the Environmental Impact Assessment Directive, other specific legal requirements for the consideration of alternatives, for example, under the Habitats and Water Framework Directives and policy requirements in the NPSNN, for example the flood risk sequential test and the assessment of alternatives for developments in National Parks, the Broads and Areas of Outstanding Natural Beauty.</p> <p>Paragraph 4.27 of the NPSNN requires that all projects should be subject to an options appraisal and that the appraisal should consider viable modal alternatives and may also consider other options. However, the NPSNN states that where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker. The NPSNN further states that for national road schemes, proportionate option consideration of alternatives will have been undertaken as part of the investment decision making process and that it is not necessary for the Examining Authority and the decision maker to reconsider this process, but they should be satisfied that this assessment has been undertaken.</p> <p>ii) Regarding the above, please would the Applicant explain how they have considered alternatives to the proposal, at what stage and how that assessment complies with the requirements of the NPSNN?</p> <p>jj) Please would the Applicant comment on whether, since the assessment of alternatives, strategic objectives for the scheme have changed in response to policy or other factors and whether, with reasons, the assessment of alternatives remains relevant?</p>	<p>ii) The alternatives considered are set out in Section 2 of Case for the Scheme (REP2-016) and chapter 3 of the Environmental Statement. The Environmental Impact Assessment Directive and associated legislation requires that the environmental statement includes a description of the reasonable alternatives studied by the Applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, accounting for the effects of the development on the environment.</p> <p>Where a Scheme is assessed as having an adverse impact (or risk of this) on the integrity of a European Site, there should also be an examination of alternatives (e.g. alternative locations and designs of the development). The HRA screening matrices concluded that there will be no likely significant effects and so there was no need to consider alternatives.</p> <p>In terms of the Scheme and the options appraisals undertaken these are explained in detail in section 3.3 of Chapter 3 of the Environmental Statement.</p> <p>In Autumn 2014 the Department for Transport commissioned six studies to look at problems and identify potential solutions to tackle some of the most notorious and long-standing road hot spots in the country.</p> <p>The study relevant to the scheme was the trans-Pennine feasibility study which considered the trans-Pennine road and rail routes. These included the A628, A616 and A61 in terms of the strategic road network, as well as the A57, A624, A6187, A6, A625 and the A623 on the local authority road network. The Hope Valley rail line was also within the study's geographic scope and regard was had to the rail investment plans at the time so modal alternatives were considered.</p> <p>The study reviewed previous work to identify investment proposals that could address the issues and problems, namely the fact that the routes between Manchester and Sheffield provide a key connection between two of our most important Northern cities; yet current journey times and performance of the connecting routes compare unfavourably against links between other cities separated by a similar distance. Elements of the route, particularly the A628, perform poorly both in terms of delays and accidents, causing impacts for both the communities on the route and on the environment of the Peak District National Park. There have been long-standing calls for improvements to connectivity but at that time, an acceptable solution had not been found.</p> <p>The option generation focussed on the development of road-based options given that the rail investment programme at the time included improvement to the Hope Valley line and that Network Rail was leading a consultative Long Term Planning Process to establish the rail industry's investment priorities for the next control period (2019 – 2024). The option generation identified a long list of discrete highway and other transport interventions, together with packages of interventions. The next stage of work 'sifted out' any potential solutions that did not perform strongly against the specific intervention objectives, and/or failed to sufficiently alleviate the identified problems.</p> <p>The initial sift also considered the deliverability and technical feasibility of options and sought to identify any 'show stoppers' that were likely to prevent options being progressed. The initial sift considered the deliverability and technical feasibility of 23 options.</p> <p>Following this assessment of options, it became clear that a small number of better performing options should be considered further. These options included three discrete investment options in the Mottram area, including the Mottram Moor Link Road, a bypass of Mottram, Hollingsworth and Tintwistle; and an A57 Mottram one-way system - a one-way eastbound link from the M67 to the A6018; one way operation on the A6108 to the A57 and one way operation westbound on the A57 to the M67.</p> <p>With the identification of three discrete investment options in the Mottram area, the study concluded that any overall potential investment package for the trans-Pennine routes should include a 'central package' of measures, that could, in combination with an investment option at Mottram, address some of the other priority issues identified in the study's work. This central package of measures included a link road between the A57(T) and the A57 in Glossop.</p> <p>Links to the Reports are provided below:</p>
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In their response to Question 3.8 of the Examining Authority's Second Written Question [PD-012] the Applicant states that "*The scheme previously proposed and presented in Mr Bagshaw submission was not one of the potential alternative solutions identified through this process.*"

kk) Please would the **Applicant** clarify whether Mr Bagshaw's scheme, or a similar scheme, was considered?

The alternatives

Report	Link
Trans-Pennine Routes Feasibility Study Stage 1 Report (February 2015)	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409034/trans-pennine-stage-1-report.pdf
Trans-Pennine Routes Feasibility Study Stage 2 Report (February 2015)	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409036/trans-pennine-feasibility-stage-2-report.pdf
Trans-Pennine Routes Feasibility Study Stage 2 Report – Annexes (February 2015)	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409037/trans-pennine-stage-2-report-annexes.pdf
Trans-Pennine Routes Feasibility Study Stage 3 Report (February 2015)	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409038/trans-pennine-feasibility-stage-3.pdf
Trans-Pennine Routes Feasibility Study Summary (March 2015)	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409011/trans-pennine-summary.pdf

Following the feasibility studies, a long list of 9 options were presented to the Applicant

Subsequent option studies were then undertaken by Highways England to assess these feasibility study areas, with consultation events held in April 2017 and recommendations then made and published November 2017 alongside the Preferred Route Announcement.

Timeline

2015 - DfT published the routes that evidence the options assessment

2015 - Roads Investment Strategy Published

2017 - Public Consultation of options identified from the RIS Feasibilities Studies

PRA Consultation March/April 2017 –

https://highwaysengland.citizenspace.com/he/trans-pennine-upgrade-programme/supporting_documents/N160495%20%20Trans%20Pennine%20Upgrade%20Programme%20Consultation%20Document.pdf

		<p>https://highwaysengland.citizenspace.com/he/trans-pennine-upgrade-programme/results/trans-pennine-upgrade-programme-pra-booklet-2.11.17.pdf</p> <p>In summary the Scheme has been subject to a full options appraisal prior to achieving its status in the Road Investment Strategy and was subject to further feasibility and optioneering studies post the Road Investment Strategy announcement. As noted by the NPSNN where projects have been subject to full options appraisal in achieving their status within Road or Rail Investment Strategies or other appropriate policies or investment plans, option testing need not be considered by the examining authority or the decision maker.</p> <p>jj) Table 8.1 in Case for the Scheme (REP2-016) sets out the scheme objectives and the compliance with these. The objectives have not changed since the assessment of alternatives. As such the assessment of alternatives remains relevant.</p> <p>kk) Please refer to National Highways' response to the Examining Authority's Second Written Questions (3.8 REP6-017). The option submitted by Mr Bagshaw was presented as an alternative scheme at the public inquiry of 2007. A scheme looking at a gyratory system in the area of Mottram was assessed in 2015 as part of the EAST study; these were forwarded on to the DfT for consideration but were not included in RIS1.</p>
9.75.35	<p>Highway Layout</p> <p>Derbyshire County Council, in their Local Impact Report [REP2-046 paragraph 7.35] expressed reservations regarding the design of the southbound merge exiting the Wooley Bridge junction. In previous responses it has been indicated that discussions have been taking place between the Applicant and the Council to address these concerns.</p> <p>ll) Would the Applicant and Derbyshire County Council provide an update on these discussions?</p> <p>mm) Does Derbyshire County Council have any remaining concerns regarding the design of the junction?</p> <p>The ExA may ask more questions or invite more oral submissions.</p>	<p>ll) The Applicant has held discussions with Derbyshire County Council as it develops the detailed design, to set out the justification for the two lane approach to the Woolley Bridge Junction and the inclusion of two lanes on the existing southbound A57 which merge into a single lane. Derbyshire County Council have accepted the justification for the provision of two turning lanes and the Applicant has extended the length of the proposed two lane section on the southbound A57 and provided vehicle path tracking information for Heavy Goods Vehicles to address the safety concerns raised. The revised layout is now agreed between the Applicant and Derbyshire County Council subject to formal acceptance of the detailed design proposals.</p> <p>mm) No response required</p>

3. Item 3 – Peak District National Park

Response reference:	Representation Issue	National Highways Response
9.75.36	<p>PEAK DISTRICT NATIONAL PARK</p> <p>The regard given to the statutory purposes</p> <p>The Applicant [REP6-017] referred to the statutory purposes set out in section 5(1) of the National Parks and Access to the Countryside Act 1949 (the 1949 Act) i.e. for the purpose:</p> <ul style="list-style-type: none"> a) of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas specified in the next following subsection; and b) of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public. <p>The Applicant [REP6-017] also referred to section 11A of the 1949 Act and said that if it appears that there is a conflict between those purposes, then a relevant authority shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.</p> <p>The Applicant [REP6-017] then referred to <i>Stubbs (on behalf of Green Lanes Environmental Action Movement) v Lake District National Park Authority [2020] EWHC 2293 (Admin) (Stubbs)</i> and said that it is only if the impact of the increase in visitation upon natural beauty, wildlife and cultural heritage cannot be managed satisfactorily to the extent that the natural beauty, wildlife and or cultural heritage cannot be conserved to a degree which is acute, unresolvable or irreconcilable that section 11(2A) of the Environment Act 1995 falls to be applied.</p> <ul style="list-style-type: none"> a) With reference to section 5(1) of the 1949 Act, please could Peak District National Park Authority comment on whether the Proposed Development would promote opportunities for the understanding and enjoyment of the special qualities of those areas by the public? If it doesn't then what would be the implications for the application of section 11A of the 1949 Act and of <i>Stubbs</i>? b) With reference to <i>Stubbs</i>, please could Peak District National 	<p>a) Land is designated as a National Park to achieve the statutory purposes set out in section 5(1) of the National Parks and Access to the Countryside Act 1949 i.e. for the purpose—</p> <ul style="list-style-type: none"> a) of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas specified in the next following subsection; and b) of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public. <p>The Scheme is situated outside the National Park and does not represent development within the National Park. No works including mitigation works are proposed within the National Park. The Scheme is not aimed at promoting increased visitation, but an increase in potential visitation within the National Park is also not contrary to these objectives. Whilst the Scheme will result in a small incremental increase in traffic across the National Park, this is largely a consequence of secondary reassignment effects arising from the Scheme. It does not necessarily follow that the scheme would make the National Park a more attractive destination in itself.</p> <p>National Highways is required pursuant to Section 11A(2) of the Act in exercising or performing any functions in relation to, or so as to affect, land in a National Park, to have regard to the purposes specified in s5(1) of National Parks and Access to the Countryside Act 1949 i.e the purposes of:</p> <ul style="list-style-type: none"> a) of conserving and enhancing the natural beauty, wildlife and cultural heritage; and b) of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public. <p>Those purposes carry equal weight unless there is a conflict.</p> <p>The PDNPA suggest that the Scheme is in conflict with both purposes. The Applicant's position is that, whilst there will be indirect effects on the National Park, these indirect effects are not significant and will not have an adverse effect on the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the National Park; nor on the promotion of opportunities for the understanding and enjoyment of the special qualities of those areas by the public.</p> <p>b) National Highways purpose of highlighting the case of <i>Stubbs (on behalf of Green Lanes Environmental Action Movement) v Lake District National Park Authority [2020] EWHC 2293 (Admin) (Stubbs)</i> was to highlight the fact that the legislation was being misapplied. From a statutory perspective there is not an automatic requirement under the Environment Act (which added Section 11A to the National Parks and Access to the Countryside Act 1949) to apply great weight to conserving and enhancing the natural beauty, wildlife and cultural heritage.</p>

Response reference:	Representation Issue	National Highways Response
	<p>Park Authority comment on whether the proposed increase in visitation upon natural beauty, wildlife and cultural heritage could not be managed satisfactorily to the extent that the natural beauty, wildlife and or cultural heritage cannot be conserved to a degree which is acute, unresolvable, or irreconcilable? What management measures are available and what effect are they likely to have?</p> <p>c) Please could the Applicant comment?</p>	<p>The case of Stubbs arose from the judicial review of a decision by the Lake District National Park Authority not to impose a traffic regulation order (TRO) in respect of two green lanes within the national park. The two lanes could be used by motor vehicles as well as pedestrians. Various sections were unsurfaced, and use by recreational off-road motor vehicles, coupled with severe weather events had led to the deterioration of those sections to the point where it had become difficult for agricultural traffic to access land for farming purposes. The authority was therefore asked by an amenity group to make a TRO prohibiting motor vehicles from using the unsurfaced sections. In response, it initiated a project to investigate the request and establish a long-term management solution. It produced an assessment report which noted that the National Parks and Access to the Countryside Act 1949 s.5 enabled areas to be designated as national parks for the purposes of conservation and promoting public enjoyment. The report indicated that, when deciding how to exercise its powers in respect of the national park, the authority had to have regard to the "Sandford principle" enshrined in s.11A(2) of the Act. In that respect, it advised that where there was a conflict between protecting the environment and promoting public enjoyment that could not be resolved by management, the former was more important. The authority's rights of way committee considered the report and, in line with its recommendations, concluded that a TRO would be inappropriate. Instead, it resolved that the unsurfaced sections of the lanes should be maintained at their current condition and that a partnership management group should be developed to monitor the usage and condition of one of the lanes.</p> <p>c) National Highways has responded to each question as set out above.</p>
9.75.37	<p>Regard given to Policy</p> <p>Peak District National Park Authority [REP6-038] considers that the National Planning Policy Framework (NPPF) is applicable to the Proposed Development.</p> <p>The Applicant [REP6-017] said that the Secretary of State is constrained in its decision making by section 104(3) of the Planning Act 2008. It said that there is real danger in simply applying the NPPF as if it contains policy that is determinative of applications for Nationally Significant Infrastructure Projects. The Applicant said that it does not and that to apply it as if it did could result in an error of law.</p> <p>The ExA notes that section 102(d) of the Planning Act 2008 requires the Secretary of State to have regard to other matters which the Secretary of State thinks are both important and relevant to the decision. The ExA is minded to recommend that the NPPF be considered important and relevant to the decision and notes the considerable precedent for this approach in previous recommendations and decisions. The ExA notes the need to appropriately consider any conflicts between the NPSNN and the</p>	<p>d) National Highways agree that the NPPF can be a relevant consideration but would refer the ExA to paragraphs 1.17 to 1.20 of the NN NPS. The section is headed "Consistency of NPS with the National Planning Policy Framework".</p> <p>Paragraph 1.17 notes "The overall strategic aims of the National Planning Policy Framework (NPPF) and the NPS are consistent, however, the two have differing but equally important roles to play".</p> <p>Paragraph 1.18 notes that the NPPF provides a framework upon which local authorities can construct local plans to bring forward developments, and the NPPF would be a material consideration in planning decisions for such developments under the Town and Country Planning Act 1990. An important function of the NPPF is to embed the principles of sustainable development within local plans prepared under it. The NPPF is also likely to be an important and relevant consideration in decisions on nationally significant infrastructure projects, but only to the extent relevant to that project.</p> <p>Paragraph 1.19 notes "However, the NPPF makes clear that it is not intended to contain specific policies for NSIPs where quite particular considerations can apply. The National Networks NPS will assume that function and provide transport policy which will guide individual development brought under it."</p> <p>Paragraph 1.20 states "In addition, the NPS provides guidance and imposes requirements on matters such as good scheme design, as well as the treatment of environmental impacts. <u>So, both documents seek to achieve sustainable development and recognise that different approaches and measures will be necessary to achieve this</u>".</p>

Response reference:	Representation Issue	National Highways Response
	<p>NPPF.</p> <p>d) Please could the Applicant comment?</p>	<p>The Applicant also refers the ExA to the Esso Southampton to London Pipeline Development Consent Order and the Examining Authority's Recommendation Report. The reason why we draw the ExA's attention to this DCO is it is a DCO which passed through the South Downs National Park. Whilst the NPPF at the time was February 2019, the policies regarding National Parks were similar.</p> <p>At the time of the Esso decision Paragraph 172 of the NPPF stated: "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of....."</p> <p>The ExA deals with the National Planning Policy Framework at section 3.10 of its Recommendation and noted the following regarding the NPPF, which we would agree with:</p> <p>"3.10.1 The NPPF of February 2019 and its accompanying Planning Practice Guidance (PPG) set out the Government's planning policies for England and how these are expected to be applied. The NPPF does not contain specific policies for NSIPs as these are determined in accordance with the decision-making framework set out in the PA2008 and the relevant NPSs, but the NPPF is a relevant consideration on decision making for this Application.</p> <p>3.10.2. Paragraph 5 of the NPPF makes it clear that the document does not contain specific policies for NSIPs, where particular considerations can apply. It also states that matters considered to be both important and relevant to NSIPs, may include the NPPF and the policies within it.</p> <p>3.10.3. Paragraphs 7 and 8 state that the Government's approach achieving sustainable development means that the planning system has three overarching objectives, these being economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.</p> <p>3.10.4. Paragraph 17 states that in the plan-making framework, the development plan must include strategic policies to address each local planning authority's priorities for the development and use of land in its area. Paragraphs 20 and 22 state that strategic policies should look ahead over a minimum 15 year period and set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for infrastructure, including infrastructure for energy.</p> <p>3.10.5. Annex 1, paragraph 212 states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF; the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given.</p> <p>3.10.6. Both the NPPF and the PPG are capable of being important and relevant considerations in decisions on NSIPs, but only to the extent where it is relevant to that project. NPSs prevail over the NPPF."</p>

Response reference:	Representation Issue	National Highways Response			
		<p>The final statement is particular important i.e. NPSs prevail over the NPPF. When the ExA is considering any conflicts between the NPS NN and the NPPF the NPS NN has to prevail.</p> <p>In the Esso case reference was only made to the NPPF in the context of Green Belt. NPS EN1 referred to PPG2 which dealt with Green Belt prior to the NPPF. No reference is made to the NPPF otherwise, including the National Park policies. NPS EN1 has it own policies regarding National Parks (e.g. paragraph 5.9.9). Section 5.5 of the ExA Recommendation Report deals with the South Downs National Park and no reference is made to the NPPF.</p> <p>National Park policies are included in the NN NPS and, those policies should be determinative of National Highways DCO Application. The polices in the NN NPS must prevail over the NPPF.</p> <p>That said the Applicant notes that the ExA is concerned with discrepancies. Arguably there are no discrepancies between the polices relating to National Parks in the NPPF and the NN NPS as summarised in the table below.</p>			
		Planning Policy Context			
		Development Context	NN NPS	NPPF	Comments
		Development Within	<p>Heading: Development proposed within nationally designated areas</p> <p>Paragraph 5.150 of NPSNN states:</p> <p>“Great weight should be given to conserving landscape and scenic beauty in nationally designated areas. National Parks, the Broads and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the Secretary of State has a</p>	<p>Section 15: Conserving and enhancing the natural environment</p> <p>Paragraph 176 states</p> <p>“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these</p>	<p>Similar drafting between para 5.150 and para 176 – the NPPF includes enhancing but in each case great weight should be given to conserving landscape and scenic beauty in nationally designated areas of the landscape and scenic beauty in National Parks.</p> <p>Reference to conservation and enhancement of wildlife and cultural heritage in the NPPF is aligned with the statutory purposes which the NPS NN notes that the Secretary of State must</p>

Response reference:	Representation Issue	National Highways Response			
			<p>statutory duty to have regard to in decisions.”</p> <p>Paragraph 5.152 of NN NPS refers to planning the SRN to encourage routes that avoid the National Parks.</p>	<p>designated areas should be limited.....”,</p>	<p>have regard to, although great weight comes in where there is a conflict between this purpose and that of promoting opportunities for the understanding and enjoyment of the special qualities of the National Park by the public,</p> <p>The NN NPS and the NPPF both seek to limit development in the National Park. Development should be avoided (NN NPS) or limited (NPPF) within the National Park.</p> <p>The Scheme achieves this objective of the NN NPS since it is not located within the National Park and does not involve development being undertaken within the National Park.</p> <p>This NPS NN paragraph does not apply because the Scheme is not within.</p> <p>The Scheme can only enhance landscape if works are taking place in the National Park and hence we say that the start of paragraph 176 is also concerned with development in a National Park.</p> <p>Neither the NPPF nor the NN NPS prohibits new routes (or traffic impacts) in</p>

Response reference:	Representation Issue	National Highways Response			
					<p>the National Park altogether in all circumstances.</p> <p>Similar guidance re schemes being sensitively designed.</p> <p>The NN NPS makes it clear that the fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent</p> <p>Equally the NPPF is not saying that if a project is visible it should be refused.</p> <p>The Scheme has been designed sensitively to consider siting, operational and other constraints.</p>
9.75.38	<p>The Applicant [REP6-017] has summarised the consideration given to the NPSNN and the NPPF.</p> <p>e) Does the Applicant consider that “<i>great weight</i>” should be given to conserving landscape, scenic beauty in Peak District National Park? Would it be a reasonable interpretation of the NPSNN and NPPF for “<i>great weight</i>” to only apply to development inside Peak District National Park? What is the precedent for other developments outside a national park?</p>	<p>Development outside which may affect them</p>	<p>“5.154 The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. This should include projects in England which may have impacts on designated areas in Wales or on National Scenic Areas in Scotland.</p> <p>5.155 The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent.”</p>	<p>Paragraph 176 states ...while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.</p>	<p>e) From a policy perspective based on the answer to d) above, the provisions that make reference to “great weight” are referring to development in the National Park as the provisions require enhancement as well as conservation. You can only enhance the landscape within the National Park if the Scheme comprises works within. In terms of precedent there are no other DCO’s that we are aware of that are outside of the National Park and which have an indirect impact on a National Park. We have provided a precedent of a DCO application within a National Park.</p> <p>From a statutory perspective in exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to the purposes specified in subsection (1) of section 5 of the National Parks and Access to the Countryside Act 1949, that is the purpose of a) of conserving and enhancing the natural beauty, wildlife and cultural heritage; and b) of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public, and if it appears that there is a conflict between</p>

Response reference:	Representation Issue	National Highways Response																									
		<p>those purposes, shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.</p> <p>Notwithstanding this, great weight has been given to the National Park in the assessment work undertaken to support the DCO Application. The National Park has been afforded the highest category of sensitivity as a national receptor within EIA assessment. National Highways has produced a summary table showing the weight of assessment accorded for relevant environmental topics which can be found in Appendix A of this document.</p>																									
9.75.39	f) Please could Peak District National Park Authority comment?	f) No response required from the Applicant.																									
9.75.40	<p>Peak District National Park Authority [REP6-038] suggests that the application of the Design Manual for Roads and Bridges (DMRB) conflicts with the NPPF with respect to the consideration to be given to Peak District National Park.</p> <p>g) Please could Peak District National Park Authority summarise where there is a conflict?</p>	g) No response required from the Applicant.																									
9.75.41	h) Does Peak District National Park Authority have any concerns regarding the consideration given to NPSNN?	h) No response required from the Applicant.																									
9.75.42	<p>Indirect effects</p> <p>The Applicant [REP6-017] summarised the hourly increases in traffic on the A57 and A628 through Peak District National Park. Increases are up to 132 (52.6%) on the A57 and up to 107 (9.9%) on the A628. The Applicant's position is the changes in traffic would not result in any significant changes in noise or air quality along these routes. It considers that increases in traffic flow are not anticipated to result in any corresponding growth in the demand for car parking within the Peak District National Park. The Applicant considers that the additional headlights from increased traffic flow would not be readily perceptible in relation to the magnitude of change.</p> <p>i) Please could the Applicant quantify the increase in noise levels arising from the quantified increases in traffic? Please could that quantification then be used to update the assessment of indirect effects in terms of the perception of changes in noise, landscape and visual impact, tranquillity?</p>	<p>The table below provides one-hour noise predictions using the data presented in REP6-017 Q4.7. The calculations were made assuming that the traffic speed and proportion of HGVs is the same as stated in the 18h AAWT data used for the noise modelling.</p> <table border="1" data-bbox="1175 1402 2635 1917"> <thead> <tr> <th rowspan="2">Road</th> <th rowspan="2">Scenario</th> <th colspan="3">Basic Noise Level at 10m from kerb (dB, L_{A10,1h})</th> </tr> <tr> <th>AM peak hour</th> <th>Inter-peak hour</th> <th>PM peak hour</th> </tr> </thead> <tbody> <tr> <td rowspan="4">A57 Snake Road/Pass</td> <td>DM 2025</td> <td>64.7</td> <td>65.5</td> <td>65.4</td> </tr> <tr> <td>DS 2025</td> <td>65.4</td> <td>67.3</td> <td>66.2</td> </tr> <tr> <td>Change</td> <td>+0.7</td> <td>+1.8</td> <td>+0.8</td> </tr> <tr> <td>Impact magnitude and significance</td> <td>Negligible, not significant</td> <td>Minor, not significant</td> <td>Negligible, not significant</td> </tr> </tbody> </table>	Road	Scenario	Basic Noise Level at 10m from kerb (dB, L _{A10,1h})			AM peak hour	Inter-peak hour	PM peak hour	A57 Snake Road/Pass	DM 2025	64.7	65.5	65.4	DS 2025	65.4	67.3	66.2	Change	+0.7	+1.8	+0.8	Impact magnitude and significance	Negligible, not significant	Minor, not significant	Negligible, not significant
Road	Scenario	Basic Noise Level at 10m from kerb (dB, L _{A10,1h})																									
		AM peak hour	Inter-peak hour	PM peak hour																							
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	Impact magnitude and significance	Negligible, not significant	Minor, not significant	Negligible, not significant																							

Response reference:	Representation Issue	National Highways Response				
		A628 Tintwistle to B6105	DM 2025	74.8	74.6	74.0
DS 2025	74.8		74.9	74.2		
Change	0		+0.3	+0.2		
Impact magnitude and significance	No change, not significant		Negligible, not significant	Negligible, not significant		
A628 (A6024 to A616)	DM 2025	75.4	75.1	74.8		
	DS 2025	75.3	75.3	74.9		
	Change	-0.1	+0.2	+0.1		
	Impact magnitude and significance	Negligible, not significant	Negligible, not significant	Negligible, not significant		
		<p>The results above show that a minor noise increase would occur on Snake Road/Snake Pass during the inter-peak period, which would be perceptible but is not significant. Negligible or no changes to noise levels were predicted on the A57 for the AM and PM peak periods or for the A628 during any time period. The predictions above support the assessment outcomes reported in the ES (REP3-026 paragraphs 11.9.87, 11.9.91, 11.9.97). In accordance with the assessment methodology and criteria stated in Section 11.3 of the Noise Chapter, no significant effects for noise would occur on the A57 or A628 through Peak District National Park. As these results show impact magnitudes to be the same as or better than those reported in the ES no updates to the ES Noise and Vibration chapter are required. When vehicles travelling along a road are grouped together, in a platoon, the noise from individual vehicles within the group is usually less noticeable from the overall noise of traffic on the road as the vehicles in any group tend to be driven in a similar manner.</p> <p>The predictions above support the assessment levels reported in the ES Chapter 7 and Appendix 7.1 in relation to landscape and visual receptors and to tranquillity. No updates to the ES Chapter 7 are therefore required.</p>				
9.75.43	Peak District National Park Authority [REP6-038] state that the assessment process either under-estimates or fails to adequately consider potential effects within a National Park landscape and that it fails to consider that a low magnitude of effect has the potential to result in significant effects on “ <i>very high</i> ” sensitivity receptors.	j) Factoring ‘great weight’ into the landscape and visual assessment has already been undertaken. The landscape and visual receptors within the PDNP have been allocated the highest rating of sensitivity (based on a combination of value and susceptibility) as demonstrated in the ES Chapter 7 Landscape and Visual Effects Table 7.11 Landscape Sensitivity (informed by Table 7.9 Value of Designated Landscapes and Table 7.10 Susceptibility of Designated Landscapes) and Table 7.17 Visual Sensitivity and Typical Descriptions (informed by Table 7.15 Value				

Response reference:	Representation Issue	National Highways Response
	j) Please could the Applicant comment on whether assigning “ <i>great weight</i> ” to conserving landscape, scenic beauty in Peak District National Park would change the assessment and, if so, how?	of Views and Table 7.16 Visual Receptor Susceptibility Criteria). That being the case, i.e., as ‘great weight’ has been demonstrated, there is no change to the assessment required.
9.75.44	k) Please could Derbyshire County Council comment on the potential for increases in traffic flow to result in any corresponding growth in car parking within the Peak District National Park? The ExA may ask more questions or invite more oral submissions.	k) No response required from the Applicant.

4. Item 4 – Water Environment, Drainage and Flood Risk Assessment

Response reference:	Representation Issue	National Highways Response
9.75.45	<p>Baseline Modelling</p> <p><u>River Etherow</u></p> <p>The model for the River Etherow has not been agreed between the Environment Agency and the Applicant.</p> <p>Further, in their response to the ExA's Second Written Questions [REP6-039], the Environment Agency identified outstanding concerns regarding the Hydrogeology Risk Assessment [REP3-025], the Flood Risk Assessment [REP5-010] and how risks could be identified, addressed and mitigation secured within the dDCO.</p> <p>Tameside Metropolitan Borough Council identify, in their response to the ExA's Second Written Questions [REP6-037 Q11.11], that they still have outstanding concerns about flood risk and hydraulic design.</p> <p>a) Please would the Applicant, the Environment Agency and Tameside Metropolitan Borough Council please provide any update on their positions?</p>	<p>a)</p> <p>Flood Risk Assessment</p> <p>The Applicant has provided the Environment Agency (EA) with details of the outputs of the revised flood risk model incorporating the July 2021 climate change values on 21 March 2022. This was supplemented with a model review check sheet on 23 March 2022 demonstrating how the previously identified concerns have been addressed as part of the modelling.</p> <p>An updated FRA has been submitted at Deadline 8 and to the EA. The updated FRA represents the climate change allowance of 53% in accordance with the July 21 values.</p> <p>Insert 4-5 on p32 of the updated FRA, Submitted alongside this document at Deadline 8, provides the compensatory flood storage area provision as part of the design. The total volume available within the storage area is 6200m³ but only 2190m³ is displaced by the scheme and so the compensatory flood storage volume provided has been designed to mitigate the latest July 2021 climate change flows.</p> <p>Insert 4-6 on p34 of the FRA, submitted alongside this document at Deadline 8, shows a significant lowering of the water levels within the vicinity of the River Etherow bridge crossing and several hundred metres upstream and downstream as a result of the compensatory storage provision which is also demonstrated by comparison of flood depth outlines pre and post scheme in Insert 4-4 and Insert 4-7 respectively.</p> <p>The Applicant has programmed a meeting with the EA to discuss the revised FRA on Tuesday 19 April 2022.</p> <p>Hydrogeology Risk Assessment</p> <p>Please see the detailed response to question m) below. The Applicant is awaiting the EA's comments on the HRA which are to be provided by Wednesday 13 April 2022. Subject to receiving those comments, the Applicant and the EA have programmed a meeting to discuss the EA's comments on Thursday 21 April 2022.</p> <p>Tameside MBC – Flood risk and hydraulic design</p> <p>The Applicant has provided updated information to Tameside MBC on 30 March 2022 to address the identified concerns. This included more detail on proposed and existing catchment areas, maximum water levels in ponds and further clarification of proposed outfall rates.</p>
9.75.46	<p>b) What progress has been made towards agreement between the Applicant, the Environment Agency, and Tameside</p>	<p>b) Please see the response to a) above.</p> <p>In accordance with the directions provided by the ExA at the hearing, the Applicant has liaised with the EA and has agreed to meet to discuss the comments the EA has on the Hydrogeological Risk Assessment on Thursday 21 April (3pm – 4:30pm). This date is subject</p>

Response reference:	Representation Issue	National Highways Response
	Metropolitan Borough Council?	<p>to the Applicant receiving comments from the EA no later than Wednesday 13 April in order to allow those comments to be considered prior to the meeting.</p> <p>The EA have also agreed to meet the Applicant in discuss to the revised Flood Risk Assessment on Tuesday 19 April (10am – 11am).</p> <p>The Applicant believes that the updated material provided to TMBC will address the concerns they have raised. The Applicant will continue to liaise with the TMBC to resolve any outstanding matters and seek to record agreement, including any matters that are not agreed, in the SoCG to be submitted at Deadline 9.</p>
9.75.47	c) Have the Applicant , the Environment Agency and Tameside Metropolitan Borough Council scheduled any future discussions to finalise the model and / or reach agreement? What is the likelihood of agreement being reached before the end of the Examination?	<p>c) Please see the preceding responses to questions a) and b) confirming the future discussions that have been scheduled.</p> <p>Provided the programmed meetings are honoured, the Applicant believes agreement is capable of being reached before the end of the examination. This is because the updated FRA provides outputs of the flood modelling for the July 2021 climate change values and demonstrates that the compensatory flood storage volume provided has been designed to mitigate the latest 1 in 100 year plus 53% climate change flows. The updated FRA shows a significant lowering of the water levels within the vicinity of the River Etherow bridge crossing and several hundred metres upstream and downstream as a result of the compensatory storage provision which is also demonstrated by comparison of flood depth outlines pre and post scheme.</p>
9.75.48	d) If no agreement is reached on the model and its suitability for assessing the effects of the proposal on the water environment, drainage and flood risk at that point, what approach do the Applicant and the Environment Agency and the Lead Local Flood Authorities consider the Examining Authority should take with regard to the effects of the proposal?	<p>d) Although the Applicant expects progress to be made, it would be content to consider a suitable revision to the wording of requirement 9 of the dDCO as suggested by the EA in their response to the ExA's second written questions (REP6-039).</p>
9.75.49	e) Does Derbyshire County Council have any comment?	<p>e) No response required from National Highways.</p>
9.75.50	<p>Flood Risk Assessment</p> <p>The Environment Agency [REP4-019] has identified concerns that the Flood Risk Assessment has not been updated to reflect the latest fluvial climate change allowances that were introduced in 2021.</p> <p>In their response to the Examining Authority's Second Written Questions [REP6-039 Q11.5] the Environment Agency suggests that, if it is the</p>	<p>f) Please see the response to question a) above confirming that an updated FRA has been submitted at Deadline 8 and provided to the EA. The updated FRA represents the climate change allowance of 53% in accordance with the July 21 values.</p> <p>Insert 4-5 on p32 of the updated FRA, submitted alongside this document at Deadline 8, provides the compensatory flood storage area provision as part of the design. The total volume available within the storage area is 6200m³ but only 2190m³ is displaced by the scheme and so the compensatory flood storage volume provided has been designed to mitigate the latest July 2021 climate change flows.</p> <p>Insert 4-6 on p34 of the FRA, submitted alongside this document at Deadline 8, shows a significant lowering of the water levels within the vicinity of the River Etherow bridge crossing and several hundred metres upstream and downstream as a result of the compensatory</p>

Response reference:	Representation Issue	National Highways Response
	<p>Applicant's intention to address issues of the flood modelling, and thus consequent implications within the Flood Risk Assessment, during the detailed design stage, assurance is needed during the examination that the development design provided is feasible and that there is confidence that it would remain feasible once the latest climate change guidance is factored in. Such an approach, the Environment Agency has suggested, may allow a conditional approach for the remaining issues to be addressed as part of an updated FRA.</p> <p>Tameside Metropolitan Borough Council advise in their response to the same question [REP6-037 Q11.5] that they are awaiting updated information from the Applicant.</p> <p>f) Please would the Applicant, the Environment Agency and the Tameside Metropolitan Borough Council provide any update on their positions?</p>	<p>storage provision which is also demonstrated by comparison of flood depth outlines pre and post scheme in Insert 4-4 and Insert 4-7 respectively.</p> <p>The Applicant has programmed a meeting with the EA to discuss the revised FRA on Tuesday 19 April 2022.</p>
9.75.51	<p>g) What progress towards agreement between the Applicant, the Environment Agency and Tameside Metropolitan Borough Council in regard to flood risk has been made?</p>	<p>g) Please see the response to question a) above.</p>
9.75.52	<p>h) Have the Applicant, the Environment Agency and Tameside Metropolitan Borough Council scheduled any future discussions to finalise their positions? What is the likelihood of the Flood Risk Assessment being updated to reflect the latest fluvial climate change allowances prior to the end of the examination period within a timescale that would allow agreement with the Environment Agency and Lead Local Flood Authorities?</p>	<p>h) Please see the Applicant's response to question a) above confirming that a revised FRA has been submitted and a meeting between the Applicant and the EA has been scheduled for Tuesday 19 April 2022.</p> <p>Please also see the response to question c) above setting out the Applicant's position on the likelihood of agreement being reached.</p>

Response reference:	Representation Issue	National Highways Response
9.75.53	i) Can the Applicant provide such assurances as are referred to by the Environment Agency? If so, when will this information be available, and in what form?	i) Please see the response to question a) above confirming that an updated FRA has been submitted at Deadline 8 and provided to the EA. The updated FRA represents the climate change allowance of 53% in accordance with the July 21 values.
9.75.54	j) If no agreement is reached on the model and its suitability for assessing the effects of the proposal on the water environment, drainage and flood risk at that point, or suitable assurances have not been forthcoming to assure the ExA that mitigation can be provided within the dDCO boundary, what approach does the Applicant consider the ExA should take, bearing in mind the advice given in Paragraphs 5.90 and 5.91 of the NPSNN?	j) Please see the response to question a) above and the Applicant's response to the ExA's supplemental question regarding the sequential and exception tests below. The Applicant's position is that the revised FRA demonstrates that even with the recent climate change allowances, the scheme demonstrably satisfies the sequential test and the exception test.
9.75.55	k) Do the Applicant , and the Lead Local Flood Authorities consider a conditional approach, in the form suggested by the Environment Agency appropriate?	k) The Applicant agrees that a conditional approach represents a practical way forward where agreement has not been reached before the end of the examination. The wording proposed by the EA did of course pre-date the revised FRA submitted at Deadline 8. The Applicant confirms that it will continue to discuss matters with the EA and the LLFAs including any revised wording for Requirement 9 in the event that agreement is not reached before the end of the examination.
9.75.56	<p>The Environment Agency [REP6-039 Q1.7] have raised concerns regarding the wording and effectiveness of Requirements 9(1) 9(2) to address their concerns regarding flood risk and securing appropriate mitigation.</p> <p>l) Please would the Applicant comment on the changes to the wording proposed by the Environment Agency?</p>	l) The EA only suggested amending requirement 9(1) in the event that a revised FRA had not been submitted and agreed before the end of the examination. National Highways has submitted a revised FRA and believes agreement is capable of being reached. However should agreement not be secured, the Applicant agrees in principle that the wording to requirement 9(1) is capable of being amended. The Applicant confirms that it will continue to discuss matters with the EA and the LLFAs including any revised wording for Requirement 9 in the event that agreement is not reached before the end of the examination.
9.75.57	<p>Hydrogeology Risk Assessment [REP3-025] The Environment Agency, in their representation at Deadline 4 [REP4-019] and response to the</p>	m) The Environment Agency's concerns related to the dewatering of below ground structures within the Scheme have been addressed in Chapter 13: Road Drainage and the Water Environment of the Environmental Statement (REP5-011), specifically the Hydrogeological Risk Assessment Appendix (REP3-025).

Response reference:	Representation Issue	National Highways Response
	<p>Examining Authority's Second Written Questions [REP6-039 Q11.4 and Q12.1] has identified concerns that dewatering of the below ground structures within the scheme may artificially dewater natural aquifer bodies or cause temporary or localised flooding.</p> <p>These groundwater bodies are known to provide sole supplies of water (from an abstraction borehole) to several private dwellings. Dewatering of the aquifer would therefore deprive the owners and abstractors of these boreholes of water.</p> <p>The Environment Agency has voiced concerns that the impact from the link road scheme could extend wider than just the redline boundary as defined on site maps (0.5 Km for surface water features and 1 Km for groundwater) and that the shape of the zone of influence, rather than being idealised, may vary due to the complex geology and faulting defined for the study area.</p> <p>m) Please would the Applicant comment on how these concerns are addressed within the Environmental Statement? If they are not, would the Applicant explain whether they should be, or provide an explanation why not? If the Applicant considers that they should be addressed, how will this be done?</p>	<p><i>Risk of derogation to private groundwater supplies</i></p> <p>A Water Features Survey for the Scheme was completed in 2019. This Survey involved visits to all properties known to have private abstractions within 1 km of the Scheme's Draft Order Limits. A desk study update to this Survey, that included the latest data from the Tameside Metropolitan Borough Council private abstractor register, was completed in 2020. The results were included in Environmental Statement Chapter 9: Geology and Soils (APP-065) and Chapter 13: Road Drainage and the Water Environment ((REP5-011) submitted at Deadline 5).</p> <p>Potential drawdown impacts due to dewatering on private groundwater abstractions, identified within 1 km of the Scheme, have been assessed in the Hydrogeological Risk Assessment. These impacts have been quantified using a groundwater model and summarised in Tables 4.4 and 4.5.</p> <p><i>Risk of temporary or localised flooding</i></p> <p><u>Groundwater flooding</u></p> <p>Localised groundwater rises are expected immediately behind the secant pile wall, within the Scheme's red line boundary. The groundwater model indicates that this rise will be up to 2 m within the Millstone Grit aquifer (Hydrogeological Risk Assessment, Section 4.5.8). This is within the normal range of seasonal groundwater variation. In this area, baseline groundwater conditions are already artesian, and any discharge at surface will be limited due to the low permeability of the Glacial Till in this area.</p> <p><u>Surface water flooding</u></p> <p>It is anticipated that the water from groundwater drainage will be discharged to surface water courses. The location of this discharge has not yet been finalised and is subject to permitting agreement with Tameside Metropolitan Council and the Environment Agency. This discharge will be incorporated into drainage design, however it is likely that in part it will be offset by a reduction in baseflow within the catchment.</p> <p><i>Spatial extent and shape of the zone of influence</i></p> <p>The Hydrogeological Risk Assessment has quantified drawdown impacts on private abstractions using a groundwater model. The boundaries of the groundwater model have been selected based on conceptual understanding of the groundwater environment. The boundaries have not been artificially constrained by the 1 km buffer around the Scheme's red line boundary.</p> <p>Conceptual understanding has been informed by a review of historical and recent ground investigation data. Geological complexity, including faulting, has been represented in the model where it is considered to have a significant impact on the groundwater environment.</p> <p>The model has been calibrated using field data to ensure that it simulates well the hydrogeological environment. All the key elements of the Scheme that may impact groundwater have been incorporated into a model run that represents a reasonable worst-case scenario. This scenario run indicates that any significant drawdown impacts are entirely within the 1 km buffer of the Scheme's red line boundary (Hydrogeological Risk Assessment, Insert 4.1).</p>

Response reference:	Representation Issue	National Highways Response
		<p>At the hearing the ExA raised an additional question about potential compensation for parties currently entitled to abstract water. The ExA is likely to be aware that it is a criminal offence to abstract water without a licence (section 24 Water Resources Act 1991) or unless a relevant exemption applies for a private water supply. In addition, civil sanctions and remedies may also be available to a person that suffers loss or damage resulting from abstraction and the risk lies with the abstractor for the loss and damage caused. The EA is expressly required to consider any protected rights to water abstraction when determining an application for an abstraction licence.</p>
9.75.58	<p>n) Please would the Applicant, Environment Agency and the Lead Local Flood Authorities comment on how Requirements 4(1) and 4(2) seek to address the outstanding risks / challenges? Is the wording appropriate? If not, how could the Requirements be amended to secure the necessary actions / mitigation to address the Environment Agency's concerns?</p>	<p>n) The Applicant is currently awaiting the EA's comments on the HRA. These have been promised to coincide with Deadline 8 and are referenced in the EA's response to the ExA's second Written Questions, but at the time of writing they have not yet been received. The Hydrogeological Risk Assessment proposes that a groundwater monitoring strategy is prepared to specify and monitor groundwater receptors during dewatering trials. That strategy is a commitment within the REAC (REP7-021) [Ref: RD1.15 &3.2] and the Dewatering Management Plan, which must incorporate that strategy, and is secured at Requirement 4(2)(d)(vi). For completeness Requirement 4(1) requires the EA to be consulted on the Dewatering Management Plan as part of the preparation of the second iteration of the Environmental Management Plan.</p>
9.75.59	<p>o) Do the Environment Agency and the Lead Local Flood Authorities have any comments regarding the Applicant's approach in dealing with the Environment Agency's concerns in respect of the Applicant's Hydrogeology Risk Assessment?</p>	<p>o) No response required from National Highways.</p>
9.75.60	<p>In their response to the Examining Authority's Second Written Questions [REP6-039 Q14.6] the Environment Agency state that "<i>A technically feasible solution is possible, but the project team will need to use the additionally collected information to populate that assessment process and arrive at a suitable way forward / solution. Linked to this is the need for a thorough ground conditions report and complete understanding of the geology and soils throughout the link road length</i>". At Deadline 7 the Applicant has provided a Supplementary Ground Investigation Report [REP7-027].</p> <p>p) Has the Environment Agency</p>	<p>p) No response required from National Highways.</p>

Response reference:	Representation Issue	National Highways Response
	considered the above document and when would they be able to provide comment on it?	
9.75.61	q) Does the Environment Agency consider that such a solution can be identified during the Examination period? How would that solution then be secured within the dDCO?	q) No response required from National Highways.
9.75.62	r) If such a solution has not been identified by the end of the Examination Period, please would the Applicant comment on how the ExA can be satisfied that a reasonable worst-case scenario has been assessed and that appropriate mitigation is secured?	<p>r) As described in m) above, the Hydrogeological Risk Assessment makes use of a calibrated groundwater model, based on site specific ground investigation data. All the key elements of the Scheme that may impact groundwater have been incorporated into a model run that has been used to quantify drawdown impacts on private abstractions (see Tables 4.4 and 4.5 of the Hydrogeological Risk Assessment (REP3-025)). This model is considered to represent a reasonable worst-case scenario because it simulates the long-term, post-construction impacts when drawdown will have extended to its maximum spatial extent.</p> <p>Although modelled drawdowns are not anticipated to cause any significant derogation to any private water supplies registered with Thameside Metropolitan Borough Council, a groundwater monitoring strategy will be prepared to verify predicted impacts and help inform additional mitigation measures required, as detailed in n) above.</p>
9.75.63	<p>Soil and Groundwater Contamination</p> <p>In their response to the Examining Authority's Second Written Questions [REP6-039 Q1.14] the Environment Agency raise concerns regarding the adequacy of the information currently provided by the Applicant within Section 6.3 of Environment Statement Chapter 13 [REP5-020]. The Applicant has undertaken further ground investigation work. The was submitted at Deadline 7 [REP7-027].</p> <p>If the ExA considers there to be inadequate information available prior to the conclusion of the Examination, the Environment Agency suggests rewording of Requirement 6 to ensure that this requirement is realised prior to the commencement of the development.</p> <p>s) Has the Environment Agency, or Applicant, a form of words in mind for such a requirement?</p>	<p>s) Following the submission of the Supplementary Ground Investigation Report (2021), it is considered that sufficient information has been provided to adequately characterise the soil and groundwater contamination with respect to the proposed development. However as recorded in the response to question a) above, the Applicant has scheduled a meeting with the EA to discuss any remaining concerns and will endeavour to agree such revisions to Requirement 6 as may be necessary.</p>

Response reference:	Representation Issue	National Highways Response
9.75.64	t) Do the Applicant and the Environment Agency consider that such a requirement would be necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects?	t) The additional findings from the further ground investigation work submitted at Deadline 7 do not indicate that the findings of the Supplementary GI differ greatly from those previously recorded from a soil and groundwater contamination point of view. Therefore, it is unlikely that a revision to Requirement 6 would be necessary. However, should revised wording be deemed necessary, the Applicant is satisfied that Requirement 6 can be revised and continue to satisfy the tests for a requirement as identified by the ExA.
9.75.65	Drainage Design Strategy Report In their response to the Examining Authority's Second Written Questions [REP6-026 Q11.7] Derbyshire County Council indicated that further consideration of the Drainage Design Strategy Report [APP-188] would be needed by the Lead Local Flood Authority prior to comment. u) Are Derbyshire County Council's comments now available, and, if not, when will they be available?	u) No response required from National Highways.
9.75.66	Maintenance of Drainage Structures It is of great importance that drainage systems are maintained so that they fulfil their intended function effectively. v) Please would the Applicant and the relevant local authorities provide an update on the discussions regarding adoption and maintenance of drainage structures associated with the scheme?	v) The River Etherow provides an intuitive boundary for drainage infrastructure and also serves as the authority boundary between Tameside Metropolitan Borough Council and Derbyshire County Council. The current proposals are therefore for drainage infrastructure to be adopted and maintained by Tameside Metropolitan Brough Council to the west of the River Etherow and by Derbyshire County Council to the east. Discussions are ongoing to agree the maintenance boundaries and the applicant has submitted maintenance boundary proposals to Tameside for consideration. Boundary proposals will be issued to Derbyshire County Council as part of the ongoing detailed design process.
9.75.67	NEW AGENDA ITEM Applicant to explain their approach to the exception test and the sequential test. The road crosses the River Etherow in an area identified as lying within Flood Zone 3. The Government's guidance on river maintenance flooding and coastal erosion advises that an exception test is needed for essential infrastructure in flood zones 3a or 3b. Paragraph 164 of the	The Case for the Scheme (REP2-016) demonstrates the scheme's compliance with national planning policies in relation to flood risk mitigation. Chapters 1 to 4 of the ES (REP2-005) outline the development of the Scheme and contains an assessment of the alternatives considered prior to arriving on the preferred Scheme. With regards to the Sequential Test, its purpose is to identify alternative sites which are within an area at lower flood risk. Optioneering assessments have been undertaken on a number of proposed alignments, but flood risk was not a key deciding factor in terms of determining a preferred route. The alternative routes are all largely in Flood Zone 1, i.e. lowest flood risk level and it is only the need to tie into the existing highway network where the proposed alignment has to cross the River Etherow and its associated floodplain that the scheme options are within a higher flood risk area. Due to the need to cross the River Etherow which has extensive floodplains along its length of Flood Zone 2 and 3 it is not possible to find an alternative route

Response reference:	Representation Issue	National Highways Response
	<p>NPPF states</p> <p><i>“To pass the exception test it should be demonstrated that:</i></p> <p><i>a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and</i></p> <p><i>b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.”</i></p> <p>Paragraph 165 of the NPPF states:</p> <p><i>“Both elements of the exception test should be satisfied for development to be allocated or permitted.”</i></p> <p>Paragraph 166 of the NPPF states that:</p> <p><i>“Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan- making stage, or if more recent information about existing or potential flood risk should be taken into account.”</i></p> <p>Please could the Applicant explain their approach to the Sequential Test and Exception Test in regard to the Proposal and does the Applicant consider that submitted documents provide the evidence for the Secretary of State to apply the Sequential and Exception Test as appropriate.</p>	<p>alignment which is at lower risk of flooding than the proposed alignment and thus the Sequential Test has been met and an Exception Test is required in accordance with the Flood Risk Vulnerability Classification.</p> <p>With regards to the Exception Test (NPPF paragraphs 164 and 165) the Scheme provides clear sustainability benefits as outlined in the Case for the Scheme (REP2-016). As such the Applicant considers that the scheme meets the requirements of part (a) of the Exception Test. A flood risk assessment has been undertaken which demonstrates through the provision of compensatory storage that the flood risk levels are reduced as part of the scheme (updated version of the FRA has been submitted alongside this document at Deadline 8). The 1 in 100 year plus 53% climate change allowance storm event based on July 2021 climate change values shows that the flood level is below the proposed soffit level of the River Etherow bridge and thus the scheme will remain safe during an extreme future storm scenario. The Flood Risk Assessment, therefore, demonstrates that the scheme will be safe for its lifetime, without increasing flood risk elsewhere and actually reduces flood risk overall through the provision of compensatory storage at the River Etherow crossing and thus part (b) of the Exception Test has been met. Accordingly National Highways considers that the submitted documents provide evidence for the Secretary of State to apply the Sequential Test and Exception Test.</p> <p>In relation to paragraph 166 of the NPPF, the scheme does benefit from an allocation under saved policy T2 of the in the Tameside Unitary Development Plan 2004. However, given the age of the policy and the recent revisions to climate change allowances, the Applicant considers that sole reliance on earlier tests would not be defensible.</p> <p>For the reason set out above, the Applicant contends that even with the revised climate change allowances, the submitted ES, FRA and Case for the Scheme are capable of demonstrating that the scheme satisfies both the sequential and exception tests. These more recent assessments represent a more robust basis for decision making. For the benefit of the Secretary of State and the decision-making process, the Applicant proposes to update the text for the Case for the Scheme at Deadline 9 to clarify how the tests continue to be met even with the most recent increased climate change allowances.</p>
9.75.68	<p>NEW AGENDA ITEM In relation to nutrient levels On 16 March 2022 The Secretary of State for</p>	<p>The Applicant understands that the Ministerial Statement and the advice from Natural England does not apply to the entire administrative area of High Peak Borough Council. At the hearing HPBC indicated that the scheme lies outside of the relevant ‘nutrient neutral’ area</p>

Response reference:	Representation Issue	National Highways Response
	<p>Environment Food and Rural affairs issued a written Ministerial Statement which added the administrative areas of High Peak Borough Council and Peak District National Park Authority to affected areas in relation to nutrient levels in the relevant River Basins and catchments. The immediate impact of the advice is that many more River Basin catchments and relevant watercourses are now identified as being in unfavorable condition due to high nutrient levels. This will mean that any proposed development in the relevant local planning authority areas which is likely to increase nutrient loading directly or indirectly will need to be assessed according to applicable legislation e.g. Water Framework Directives Regulations or Conservation of Species and Habitats Regulations.</p> <p>Can the Applicant, Natural England and Local Planning Authorities comment on the implications of breaching recent nutrient neutrality advice for the EIA and HRA for the proposed development.</p>	<p>but the Applicant will endeavour to liaise with and respond to any further indication provided by Natural England at Deadline 8 by the following deadline.</p> <p>The ES and WFD assessment both concluded no significant effect on surface water courses. During construction, any disturbances of channels may release sediment bound nutrients, however impacts would be localised and temporary and would be managed with appropriate mitigation. During operation, significant nutrient loads would not be expected in highway runoff discharges. Best practice in both construction and operation of any watercourses have been proposed, including riparian and aquatic vegetation planting and silt capture methods. The current SuDS measures include attenuation ponds which would support settlement of sediment bound nutrients.</p>

5. Item 5 – Air Quality

Response reference:	Representation Issue	National Highways Response
9.75.69	<p>Road gradient modelling</p> <p>The Applicant [REP6-017 and REP7-028] and High Peak Borough Council [REP7-030] have referred to road gradient modelling matters that are under discussion between them.</p> <p>a) Please could High Peak Council provide an update, set out their position on the matters that are yet to be agreed, and any implications for the assessment or the mitigation?</p>	<p>a) The Applicant's position is provided in both REP7-028 and REP7-030. No response required from National Highways.</p>
9.75.70	<p>b) Please could the Applicant comment and advise on the next steps?</p>	<p>b) The Applicant's position is provided in REP7-028. Following discussion of the results of a sensitivity test (virtual meeting held 18 March 2022), HPBC agreed at that time that the approach applied in the air quality assessment as presented in the ES was appropriate therefore no further action was anticipated. However, following the discussion at the hearing, the Applicant has continued to engage with HPBC and provided further information as detailed below.</p> <p>Road gradients across the study area vary widely with a large number of locations with gradients of more than 2.5%. Gradient undulations along individual stretches of road mean that to account for smaller gradients (between 2.5% and 6%) consistently across the model, multiple traffic model links would need to be split into gradient specific sections. Given the size of the study area and nature of the model, there was a need to be proportionate in the approach to model set up. Therefore, when the gradient effect was introduced whilst improving the model as part of the model verification process there was a focus on A-roads within air quality management areas (AQMAs), locations where model verification was below acceptable performance, and locations with more considerable gradients (6% or greater). Although Defra Local Air Quality Management Technical Guidance (LAQM.TG16) provides relevant guidance on air quality modelling methodology, it's primary focus is on assisting local authorities with review and assessment of air quality for local air quality management and is therefore more applicable to much smaller model study areas focused on specific locations with known poor air quality where a more detailed approach to the inclusion of gradient effects may be appropriate. National Highway's DMRB LA 105 is designed for larger scale modelling exercises as required for strategic highways projects and does not require the inclusion of gradient effects in model set up. The selection of a criteria of 6% was used as this is the maximum gradient for which the Defra Emission Factor Toolkit (EFT v10.1) will calculate a gradient effect on vehicle emissions.</p> <p>As stated above, road gradients across the study area vary widely with a large number of locations with gradients of more than 2.5%. It is not considered to be practical to identify all individual sections of road with a gradient over 2.5%. For those link sections modelled with gradient effects the impact on emissions have been accounted for in the calculation. Gradient effects, where relevant, have been included in the model, for those locations which are at risk of exceeding Air Quality Strategy objectives and therefore the inclusion of wider gradient effects across the study area is considered unlikely to impact the overall conclusions or Scheme assessment of significant of effects.</p>

Response reference:	Representation Issue	National Highways Response
		<p>The approach to modelling gradient has been further discussed with HPBC (virtual meetings held 4th March 2022 and 18th March 2022). Atkins on behalf of National Highway's subsequently carried out a model sensitivity test to consider the impact of applying a gradient of less than 6% further, which was presented to HPBC at the virtual meeting on 18 March 2022.</p> <p>Further details of this sensitivity testing:</p> <ul style="list-style-type: none"> • Sensitivity test was undertaken for 2.5% and 6% gradient in terms of annual mean concentrations of NO₂. • Considered a section of the A628 through Hollingworth to New Road where 2.5% gradients were present. • Considered all receptors adjacent to this section of the A628, but results were presented to HPBC for two receptors which had the highest concentrations reported in ES assessment as an illustration of how the inclusion of gradient affected the annual mean concentrations of NO₂. • Approx. 3.3% annual mean NO₂ concentration increase for gradient of 2.5% compared to no gradient. • Approx. 6.5% annual mean NO₂ concentration increase for gradient of 6% compared to no gradient. <p>There is a similar impact on concentrations for without and with the Scheme so change in concentrations due to the Scheme was approximately the same as with no gradient. As such the outcome of the assessment would be unchanged.</p> <p>Post hearing - A further meeting was held with HPBC (virtual meeting 4 April 2022) where the Applicant set out in full the methodology applied for gradients in the ES. This further discussion is documented in an update to the National Highways Deadline 7 Submission - 9.72 Addendum to the Statement of Common Ground with High Peak (REP7-028), which will be submitted at Deadline 8. This updated submission confirms matters relating to road gradient are now agreed.</p>
9.75.71	<p>Model verification</p> <p>The Applicant [REP6-017 and REP7-028] and High Peak Borough Council [REP7-030] have referred to model verification matters that are under discussion between them.</p> <p>c) Please could High Peak Council provide an update, set out their position on the matters that are yet to be agreed, and any implications for the assessment or the mitigation?</p>	<p>c) No response required from National Highways.</p>
9.75.72	<p>d) Please could the Applicant comment and advise on the next steps?</p>	<p>d) The applicant's approach to both the model verification zoning and the monitoring survey data used for the model verification have been discussed in detail with HPBC. The Applicant's position is provided in REP7-028.</p> <p>The approach to the model verification zoning used in the air quality assessment has been agreed with HPBC (virtual meeting held 4 March 2022) and the item is recorded as closed in the addendum SoCG (REP7-028 and REP7-030) therefore no further action is understood to be required.</p>

Response reference:	Representation Issue	National Highways Response
		<p>Following discussion of the results of sensitivity tests regarding the use of monitoring data from different surveys in model verification (virtual meeting held 18 March 2022), HPBC agreed that the approach applied in the air quality assessment as presented in the ES was appropriate therefore no further action is understood to be required.</p>
9.75.1	<p>Traffic routing onto Shaw Lane and Dinting Road</p> <p>The Applicant [REP6-017 and REP7-028] and High Peak Borough Council [REP7-030] have referred to traffic routing matters that are under discussion between them.</p> <p>e) Please could High Peak Council provide an update, set out their position on the matters that are yet to be agreed, and any implications for the assessment or the mitigation?</p>	<p>e) No response required from National Highways.</p>
9.75.73	<p>f) Please could the Applicant comment and advise on the next steps?</p>	<p>f) The Applicant will continue to discuss the traffic model and air quality with HPBC and Derbyshire County Council as agreed at the hearing. The Applicant will update the ExA on progress at the first opportunity after the meeting has been held.</p> <p>A summary of the Applicant's current position is provided below:</p> <p>The traffic modelling used for the assessment of the Scheme provides the best indication of how future traffic demand will use the road network in response to changes in the operation of the modelled road network due to the Scheme compared to without it, whilst accounting for forecast traffic growth and other committed future modifications to the road network.</p> <p>With regard to HPBC's comments regarding speed bands being unchanged with the Scheme compared to without, the speed bands used for the air quality modelling are based on the average forecast speeds of traffic on each link, by direction, contained in the traffic modelling used to assess the Scheme. The average speeds are derived from both forecast junction delay and traffic speeds on the link. The assignment of traffic in the traffic model reflects the relative average journey times on competing alternative routes, which in turn, reflects the average traffic speeds on the links in the model.</p> <p>The speed bands used for air quality modelling are relatively wide, so while the speed bands in the with Scheme scenario are the same as in the without Scheme scenario, the actual average forecast traffic speeds can be sufficiently different to alter the comparative journey times via alternative competing routes in the traffic model, causing traffic to re-route.</p> <p>For the routing of traffic across the modelled road network to substantially alter from that forecast by the traffic modelling, physical measures or schemes would need to be introduced onto the road network, such as changes in speed limits, traffic calming measures, additional traffic signals, etc., that would cause drivers to choose alternative competing routes. Any such proposed modifications to the road network would be subject to an impact assessment prior to their implementation that would need to consider the diversionary</p>

Response reference:	Representation Issue	National Highways Response
		<p>impact of the scheme on traffic and the consequential environmental effects. No such schemes for Dinting Road and Shaw Lane are proposed.</p> <p>Consequently, the forecast traffic flows across the modelled road network are considered to represent a reasonable and appropriate worst-case scenario of the traffic impacts of the Scheme through Glossop.</p>
9.75.74	<p>Traffic screening thresholds for Air Quality Management Areas</p> <p>High Peak Borough Council [REP6-027, and REP7-030] and Peak District National Park Authority [REP6-038] have set out further concerns regarding the traffic screening thresholds used for air quality assessments in Air Quality Management Areas. The Applicant [REP6-017, REP7-026 and REP7-028] has replied. Parties have referred to ongoing discussions.</p> <p>g) Please could High Peak Borough Council provide an update, set out their position on the matters that are yet to be agreed, and any implications for the assessment or the mitigation?</p>	<p>g) No response required from National Highways.</p>
9.75.75	<p>h) Please could Peak District National Park Authority provide an update, set out their position on the matters that are yet to be agreed, and any implications for the assessment or the mitigation?</p>	<p>h) No response required from National Highways needed.</p>
9.75.76	<p>i) Please could the Applicant comment and advise on the next steps?</p>	<p>i) It is understood that neither HPBC nor PDNPA dispute the use of the DMRB LA105 traffic scoping criteria.</p> <p>The Applicant's position is provided in REP7-028. The Applicant will continue to discuss this issue with HPBC and PDNPA, however the Applicant maintains their position that the DMRB LA 105 traffic scoping criteria provide a robust and appropriate threshold for the assessment of significant effects of highways schemes. Therefore it is not necessary or appropriate to undertake any further assessment within the Air Quality Management Areas which are not located within the Scheme study area.</p> <p>Any further discussion on the matter will be documented in an update to the National Highways Deadline 7 Submission - 9.72 Addendum to the Statement of Common Ground with High Peak, which will be submitted at Deadline 8.</p>

Response reference:	Representation Issue	National Highways Response
9.75.77	<p>Air Quality Standards Regulations 2010 compliance</p> <p>j) Does High Peak Borough Council have any remaining concerns regarding compliance with the Air Quality Standards Regulations 2010?</p> <ul style="list-style-type: none"> • Would the Proposed Development result in any area which is currently reported as being compliant becoming non-compliant? • Would the Proposed Development affect the ability of any non-compliant area to achieve compliance within the most recent reported timescales? • To what extent is the ability to comment on compliance dependant on resolution of other matters, including road gradient modelling, model verification, traffic routeing and traffic screening thresholds? <p>The ExA may ask more questions or invite more oral submissions.</p>	<p>At the hearing the ExA indicated that an update from the parties on this matter would be of assistance.</p> <p>National Highways has previously responded to concerns regarding compliance with Air Quality Standards Regulations 2010 within:</p> <ul style="list-style-type: none"> • REP2-021- Applicant's response to Examining Authority's First Written Questions – item 7.18, 7.19 • REP4-008 (incorrectly referenced as REP4-004 in REP6-017) – written submissions from ISH2 item 7ee) response sets out difference between Defra future year projections (used for compliance risk assessment) and NH LTTE more pessimistic projections – compliance position for Tintwistle • REP6-017 - Applicant's response to Examining Authority's second Written Questions item 7.5 d) compliance position for A57 Dinting Vale - <i>Given that under the Defra LAQM.TG(16) method annual mean NO2 concentrations at all modelled receptors within or adjacent to Glossop AQMA are well below the AQS objective/Limit Value there is not considered to be a risk of non-compliance within the AQMA just outside the air quality study area.</i> National Highways' previous responses explain that even with the Scheme, there would not be an exceedance of relevant Air Quality Directive limit values either within or outside the assessed area and as such there would not be a risk of non-compliance with the Air Quality Standards Regulations. • REP7-028 - The Applicant included an extract from Environmental Statement Figure 5.4 (APP-080) zoomed in on the A57 Brookfield area with receptors included in the assessment of compliance with the Air Quality Directive limit values. <p>At the hearing HPBC made a request for certain receptor locations representative of qualifying features (residential properties) to be modelled using the more pessimistic National Highways alternative Long Term Annual Projection Factors (LTTE6) methodology as set out in DMRB LA 105 paragraphs 2.47 to 2.55.</p> <p>Post hearing - A further meeting was held with HPBC (virtual meeting 4 April 2022) where the Applicant clarified the locations for which further modelling was requested. A further meeting will be held between the Applicant and HPBC once the Applicant has determined the further analysis needed.</p>

6. Item 6 – Climate Change

Reference	IP Issue	National Highways Response
9.75.78	<p>Cumulative effects</p> <p>Tameside Metropolitan Borough Council [REP6-037] and High Peak Borough Council [REP6-027] have raised concerns about the consideration given to local policies and budgets. In general terms, the ExA is minded to consider local policies as “important and relevant” matters.</p> <p>a) Please could the Applicant comment?</p>	<p>a) In terms of local policies (rather than budgets), the Applicant agrees that local policies relating to Climate Change are capable of being important and relevant matters, particularly where such policies are consistent with National Policy on Climate Change. The Applicant has summarised the local policies applicable to Climate Change in chapter 14 of the ES on Climate Change. The Applicant notes that neither Tameside Metropolitan Council nor High Peak Borough Council stipulate which local policies they seek to rely on.</p> <p>In terms of local budgets, in line with the requirements set out in Climate Change Act 20087 (CCA 2008), part 1, Section 4 (see below) parliament has set carbon budgets at the national scale. In setting carbon budgets parliament has not imposed any legal duty upon local authorities to attain any particular targets whether carbon budgets or for net zero 2050. i.e., there are no legal duties which require particular geographical areas within the UK to achieve particular reductions in carbon emissions by particular dates. A net increase in emissions from a particular policy or project is thus managed within the Government's overall strategy for meeting carbon budgets and the net zero target as part of an economy-wide transition and any local budgets should not be important or relevant matters.</p> <p>The NN NPS acknowledges that the emissions from the construction and operation of a road scheme are likely to be negligible compared to total UK emissions and are unlikely to materially impact the UK Government's ability to meet its carbon reduction targets.</p> <p>The Applicant acknowledges that GMCA has taken the step to set themselves ambitious budgets to play their part in achieving the UK budgets, and Tameside MBC has declared a climate emergency and aligned their Climate Change and Environment Strategy 2021-2026 with the GMCA's Five-Year Environment Plan. Similarly, High Peak Borough Council has declared a climate emergency. However, it is not a requirement of the Applicant's assessment to consider the significance of the Scheme against these regional targets. The Climate Change Act does not include a statutory duty for local authorities to set budgets or deliver these reductions, that is a requirement of the Government. Local and regional carbon budgets are not defined in the NPSNN, nor in the Climate Change Act or any secondary legislation, and an assessment against them cannot be undertaken. Local budgets are not, therefore, considered relevant when it comes to examining the suitability of the Scheme for its impact on ability to reduce carbon emissions.</p> <p>The assessment of this and other projects on greenhouse gases should recognise that the spatial boundary of this receptor is global, but the Applicant's assessment should be considered at the national level as this is the basis of UK Government carbon budgets.</p> <p>The UK's Net Zero Strategy states ‘<i>There are currently no net zero statutory targets on local authorities or communities in the UK, and we do not believe that a new general statutory requirement is needed</i>’. However, it does acknowledge that central and local governments do need to work together closely to deliver net zero and interim budgets, and that the success of net zero relies on local authority involvement to some degree. We are doing this through our ongoing consultation with Tameside MBC to ensure that the Scheme aligns with their policy for sustainable travel such as cycling, public transport and active travel.</p> <p>Moreover, the Applicant's response to Item 2 (l) of this Hearing provides an explanation of how the Scheme supports the aims of the Greater Manchester Transport Strategy 2040 and / or the Government's Transport Decarbonisation Plan. Furthermore, although the Greater Manchester Strategy was submitted after the DCO submission, it is noted that it aligns with the GMCA's Five-Year Environment Plan, which was considered in policy section of Chapter 14 of the ES. The Plan contains priorities around</p>

Reference	IP Issue	National Highways Response
		increasing the use of public transport and active travel modes and phasing out fossil fuelled private vehicles. We have demonstrated how the Scheme is aligned with these in various other submissions.
9.75.79	b) Do Tameside Metropolitan Borough Council and High Peak Borough Council have any remaining concerns?	b) No response required
9.75.80	c) Please could the Applicant set out its position regarding whether the cumulative effects on climate change of the Proposed Development with other projects within a geographical area should be considered against a threshold that is set for a similar geographical area? Please provide a concise summary of the main arguments.	<p>c) The cumulative assessment of different projects (together with the Scheme) is inherent within the greenhouse gas emission methodology through:</p> <ul style="list-style-type: none"> • inclusion of the project and other locally committed development within the traffic model; and • consideration of the project against the UK carbon budgets, which are inherently cumulative as they consider and report on the carbon contributions across all sectors (i.e., not just other RIS2 schemes) <p>However, greenhouse gases are not geographically limited. They do not affect any specific local receptor to which a level of significance can be assigned, rather the only receptor is the global atmosphere. For this reason, the assessment of cumulative effects for GHG emissions differs from that of other EIA topics where only projects within a geographically bound study area are considered, so there is no need to undertake a separate cumulative effects assessment in the same way that we do for other EIA topics.</p> <p>The revised IEMA GHG emission assessment guidance (February 2022) gives the following example: <i>air pollutant emissions are dispersed and diluted after emission and only the cumulative contributions of other relatively nearby sources contribute materially to the pollutant concentration, and hence effect, at a particular sensitive receptor in the study area. Due to the persistence of GHGs in the atmosphere, that same dispersion effect contributes to the global atmospheric GHG emissions balance. There is no greater local climate change effect from a localised impact of GHG emission sources (or vice versa).</i></p> <p>The effects on climate are not localised, they need to be considered on a global scale (which we explain in the response to a) above). We have considered the net GHG emissions by comparing the DS scenario with the DS scenario, and then assessing them on a national level, as that is the required context defined by the NPSNN.</p>
9.75.81	d) Please could the Applicant provide a concise summary of its position regarding whether achieving net zero by 2050 requires reductions to be made to carbon emissions from sources in isolation that are by themselves negligible or de minimis? Please provide a concise summary of the main arguments.	<p>d) Achieving net zero by 2050 does require reductions from all sources, regardless of them being negligible or de minimis in isolation.</p> <p>DMRB LA 114 is clear in stating at para 3.22 that '<i>Projects shall seek to minimise GHG emissions in all cases to contribute to the UK's target for net reduction in carbon emissions.</i>'</p> <p>The DMRB standard requires all projects, including this one, to apply its carbon reduction hierarchy 'avoid/prevent, reduce, remediate'. This approach is outlined fully in section 14.8 of Chapter 14 of the ES. The measures include:</p> <ul style="list-style-type: none"> • reuse of materials to minimise resource consumption • recycling end of life materials • whole-lifecycle design to maximise the residual life of assets • circular economy considerations and selecting locally sourced materials as far as possible

Reference	IP Issue	National Highways Response
		<ul style="list-style-type: none"> • use of pre-fabricated elements and off-site construction to optimise efficiency • innovative and best design practices to minimise new infrastructure, reducing the need for new materials, and associate emissions from transport and construction processes • energy efficient LED lighting during operation • including measures to support active travel. <p>Furthermore, National Highways' 'Net zero highways plan', which applies to all projects including this one, sets out how it supports net zero by 2050 through 3 commitments, backed by immediate and sustained action:</p> <ul style="list-style-type: none"> • achieving net zero for its own operations by 2030; • delivering net zero road maintenance and construction by 2040; and, • supporting net zero carbon travel on our roads by 2050. <p>With the Carbon Management Plan in place, during the Detailed Design stage the most appropriate low carbon solution will be selected, and emerging or improved practices will be considered.</p> <p>As explained in National Highways' response to the ExA's second written question 8.3 c) (REP6-017), carbon emissions have been considered against national carbon budgets to determine whether there would be a material effect on the achievement of the carbon targets therein. Relative to these budgets it is considered that emissions were at a 'de minimis' scale, and do not represent a material effect.</p>
9.75.82	<p>Significant effects</p> <p>Derbyshire County Council [REP6-026] asked for evidence that increases in GHG emissions are anticipated to be substantially outweighed by the benefits of electrifying the national fleet.</p> <p>e) Please could the Applicant comment?</p> <p>NPSNN Paragraph 5.18 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."</p>	<p>e) The Applicant has prepared a response to DCC's request for evidence, which will be submitted at Deadline 8. This response states:</p> <p>With regard to the statement "increases in GHG emissions are anticipated to be substantially outweighed by the benefits of electrifying the national fleet which is the focus of government policy in this area".</p> <p>The assessment of operational road traffic related carbon emissions presented in the ES Chapter 14: Climate (REP1-019) is based on National Highways speed band emission rates which use the Defra Emissions Factors Toolkit (EFT v10.1). These emission rates were published in August 2020 and were the latest available at the time the emissions modelling was undertaken and included assumptions about future fleet mixes assumed at that time. EFT v10.1 included emission factors up to and including 2030. As emission rates were only for the period to 2030 an assumption of no change in emission factors beyond 2030 was made.</p> <p>Defra published an updated Emissions Factors Toolkit in November 2021 (v11), which extended emission factors for carbon to 2050, which accounts for commitments to move to electrifying the national fleet prior that were in place prior to the announcement by the Government to end the sale of new petrol and diesel petrol and diesel vehicles by 2030, and that all new cars and vans will be required to be fully zero emission at the tailpipe by 2035 and the publication of the Transport Decarbonisation Plan (TDP) in July 2021. Carbon emission changes calculated using Defra Emissions Factors Toolkit (EFT v11) as presented in REP5-026 show that use of EFT v11, which accounts for greater electrification of the fleet reduced carbon emissions from those presented in the ES.</p>

Reference	IP Issue	National Highways Response
		Please also refer to National Highways' response to ExAWQ1 8.13 (REP2-021) and to National Highways' response to Issue Specific Hearing 2 Item 6 c) and d) Cumulative Carbon Assessment (REP5-026).
9.75.83	<p>f) Please could the Applicant comment on whether the term “<i>so significant</i>” should be interpreted as being at a higher threshold than “<i>significant</i>”?</p> <p>The Applicant [REP4-008] said that NPSNN does not set out the criteria for what should be considered significant and later [REP6-017] that the NPSNN refers to a significant effect being one where a scheme would materially impact on the UK's ability to meet carbon reduction targets.</p>	f) The carbon emissions have been considered against national carbon budgets to determine whether there would be a material effect on the achievement of the carbon targets therein. Relative to these budgets it is considered that emissions were at a ‘de minimis’ scale, and do not represent a material effect. Without established EIA significance criteria relevant to the assessment of impacts on climate it is not possible to comment further.
9.75.84	<p>g) Please could the Applicant clarify its position? The ExA is considering whether DMRB LA 114 is consistent with the NPSNN</p>	<p>g) Paragraph 5.17 in the NPS states “<i>It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets</i>”. The test, at 5.18 in the NPS, is that “<i>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</i>”.</p> <p>There is no formal mechanism for assessing significance. However, currently no road schemes have reported GHG emissions that are so significant that they would have a material impact on the ability of the UK Government to meet its carbon reduction targets, and the Scheme assessment is proportionate to the assessments recently undertaken for other schemes within RIS 2. Furthermore, increases in GHG emissions are anticipated to be substantially outweighed by the benefits of electrifying the national fleet which is the focus of government policy in this area.</p> <p>Material impacts on legislated carbon budgets are considered in Chapter 14 of the ES. It is considered that there are no material impacts on the achievement of carbon budgets from this scheme, including, in line with the IEMA guidance, when the embedded / committed mitigation for GHG emissions has been considered.</p> <p>DMRB LA 114 is consistent with the NPSNN and the EIA Regulations. In terms of the former, 3.18 in LA 114 requires assessment of project GHG emissions (from the construction and operation phases of the project) against UK carbon budgets, corresponding to 5.17 in the NP, while 3.20 in LA 114 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”, corresponding to 5.18.</p> <p>The IEMA guidance also states (in bold) that: “The crux of significance therefore is not whether a project emits GHG emissions, nor even the magnitude of GHG emissions alone, but whether it contributes to reducing GHG emissions relative to a comparable baseline consistent with a trajectory towards net zero by 2050”.</p> <p>While the IEMA guidance is not clear on what constitutes this baseline, it does acknowledge that “The 2050 target (and interim budgets set to date) are, according to the CCC, compatible with the required magnitude and rate of GHG emissions reductions required in the UK to meet the goals of the Paris Agreement”. This will give some assurance that the DMRB LA 114 approach of comparison with national carbon budgets is sound.</p>

Reference	IP Issue	National Highways Response
9.75.85	<p>h) In case the ExA concludes that it is not, please, providing reasoning, could the Applicant comment on the weight that should be given to compliance with DMRB LA 114? How should any conflict between the DMRB and NPSNN be considered?</p>	<p>h) As set out in g) LA114 aligns with the approach in the NPSNN. The Applicant does not consider there to be a conflict between LA114 and the NPSNN.</p>
9.75.86	<p>The Applicant [REP6-017] said that an assessment against the updated IEMA guidance¹ would lead to a conclusion of “a <i>minor adverse residual effect</i>”, which equates to impacts being fully consistent with applicable existing and emerging policy requirements and good practice design standards for projects of this type. The Applicant [REP2-021] reported that the Proposed Development employs conventional methods and materials and does not appear to have provided any examples of use of lower carbon materials or construction methods in the current design.</p> <p>i) Please could the Applicant provide further detail of its assessment against the updated IEMA guidance? Which “<i>emerging policy requirements</i>” have been identified and how is the Proposed Development consistent with them? What “<i>good practice design standards</i>” have been applied and how have these been incorporated into the current design?</p>	<p>i) the IEMA guidance states that “To meet the 2050 target and interim [carbon] budgets, action is required to reduce GHG emissions from all sectors.... EIA for any proposed project must therefore give proportionate consideration to whether and how that project will contribute to or jeopardise the achievement of these targets”. This aligns with the current approach in the NPSNN and DMRB LA 114.</p> <p>The IEMA guidance also states (in bold) that: “The crux of significance therefore is not whether a project emits GHG emissions, nor even the magnitude of GHG emissions alone, but whether it contributes to reducing GHG emissions relative to a comparable baseline consistent with a trajectory towards net zero by 2050”.</p> <p>While the IEMA guidance is not clear on what constitutes this baseline, it does acknowledge that “The 2050 target (and interim budgets set to date) are, according to the CCC, compatible with the required magnitude and rate of GHG emissions reductions required in the UK to meet the goals of the Paris Agreement”. Our assessment against carbon budgets in the ES and the mitigation we present to seek to minimise GHGs is in line with the IEMA approach.</p> <p>The DMRB assessment of GHG emissions in the construction phase did consider conventional construction materials and methods with the input data for the National Highways Carbon Tool, as outlined in section 14.4 of Chapter 14 of the ES (REP1-019), as this was up-to-date for the Preliminary Design stage. Therefore, predicted construction GHG emissions reported in the assessment do not take into account the savings that will be achieved by the Carbon Management Plan, or the other good practice design measures that are secured within section 14.8 of Chapter 14 of the ES and the Register of environmental actions and commitments (REP6-008). In applying the IEMA guidance to the assessment, the ‘<i>minor adverse residual effect</i>’ considered the ‘residual effect’ to be after the secured carbon reduction measures have been applied to the predicted construction GHG emissions from the Carbon Tool.</p> <p>In relation to good practice design standards, the design of the Scheme accords with the DMRB standards. Furthermore, the embodied carbon within the design has been calculated using the National Highways Carbon Tool, which calculates the embodied carbon associated with construction products and plant. This calculation has informed the approach to [embedded and further] mitigation that is described at section 14.8 of Chapter 14 in the ES. The mitigation measures described represent good practice in low carbon design.</p> <p>The Scheme will, in construction, and operation comply with the commitments in the National Highways Net Zero Plan. This is demonstrated through the carbon management system that is in place, which is a requirement of the net zero plan by 2025, therefore work is underway to integrate net zero thinking into the standards for construction and maintenance’.</p>

Reference	IP Issue	National Highways Response
9.75.87	<p>Benchmarking</p> <p>The Applicant [REP6-017] said that benchmarking is not a requirement for calculating embedded carbon emissions.</p> <p>Derbyshire County Council [REP6-026] is of the view that benchmarking of construction phase emissions is missing and that benchmarking these emissions would allow for carbon reduction needs and opportunities to be identified.</p> <p>j) Please could the Applicant respond to Derbyshire County Council's comments?</p>	<p>j) For the DMRB assessment, it is only the operational energy use and maintenance works GHG emissions that have been benchmarked.</p> <p>At the material asset scale, benchmarking of embedded carbon emissions reductions is commonly considered to refer to comparison of a project's performance against a measure external to the project concerned, e.g. a standard design, or other comparable project or engineering example. Whereas carbon reduction needs and opportunities are primarily identified through in-project processes that look at sub-asset options, rather than specific asset-level benchmarking. These include:</p> <ul style="list-style-type: none"> • engineering and construction opportunity and options development within a project • carbon hotspots review of the project baseline, carbon reduction workshops • innovation and value engineering processes • the overall design and construction expertise and creativity of the project team, and • in-project carbon assessment of options. <p>Importantly, it is through all of these means that opportunities are identified, and it is through the in-project carbon assessments and comparison against the baseline that benchmarking takes places. Additionally, due to the overall immaturity of project carbon reduction across the infrastructure industry and the bespoke nature of many infrastructure projects, there is a dearth of external examples against which to benchmark. It is considered that the project carbon management plan provides industry leading best practice for identification and implementation of carbon reduction opportunities. In terms of carbon reduction needs, these are considered to be the carbon reduction target for the scheme and a target is included in the project carbon management plan.</p>
9.75.88	<p>k) Please could the Applicant advise whether it has benchmarked construction emissions against other projects of this type? If so, can the results of that be submitted to the Examination?</p>	<p>k) As referred to in response j) above, due to the overall immaturity of project carbon reduction across the infrastructure industry and the bespoke nature of many infrastructure projects, there is a dearth of external examples against which to benchmark. This is particularly the case for a comparatively scheme with a comparatively short length and with significant bespoke infrastructure. As such there is no benchmark comparison to submit. However, as also referred to in response j), benchmarking in practice in the context described by DCC is actually the project options carbon assessments, and examples of the carbon options assessment could be provided to the Examination.</p>
9.75.89	<p>l) Please could the Applicant clarify whether use of the PAS 2080 involves benchmarking of construction phase emissions? Should benchmarking be required to demonstrate that emissions would not be unnecessarily high?</p>	<p>l) PAS 2080 does not require direct benchmarking of the nature described by Derbyshire County Council. Rather it very specifically defines that, 'Value chain members shall capture carbon emissions information and share with other value chain members in order to facilitate benchmarking and continual improvement in future carbon management between organizations within infrastructure sectors'. This requirement is designed to directly address the current dearth of examples referred to in response k) above. To this end, the project will be producing whole life carbon models of the scheme at the end of design, and the end of construction and reporting these to National Highways, as defined in the project carbon management plan. Adoption of alignment with PAS 2080 will ensure that all value chain members will maximise the achievement of carbon reduction.</p>
9.75.90	<p>Mitigation – construction phase</p> <p>Tameside Metropolitan Borough Council [REP6-037] said that it would be valuable to have periodic report on whether mitigation has been delivered and that this information should be</p>	<p>m) Materials options are highly complex issues that are central to every construction scheme, regardless of carbon reduction, and they are dominated by project specific engineering requirements, engineering technical standards, and supply options. It can therefore be very difficult to blindly prescribed use of specific low carbon materials without taking the engineering and supply options into consideration. For the materials listed, the following context applies:</p>

Reference	IP Issue	National Highways Response
	<p>agreed to be made public and shared regularly to reassure stakeholders.</p> <p>Derbyshire County Council [REP6-026] said that firm mitigation measures such as the use of specific low carbon construction methods or materials, should be identified at this stage, as well as provisional targets for emissions reduction. It would be able to broadly review measures and their implementation.</p> <p>The Applicant [REP6-017] said that:</p> <ul style="list-style-type: none"> • Firm measures such as use of specific low carbon construction methods or materials should not be identified as this is considered to presuppose and restrict options • A reduction target would be set in accordance with the latest National Highways Net Zero Plan • Review of the process and mitigation used would (as the ExA understands) be carried out internally • Independent verification would have to be as part of a wider construction verification. <p>The Applicant [REP2-021] referred to the potential for significant reductions due to the extensive use of relevant materials, i.e., recycled sub-base, warm asphalt, lower carbon concrete through alternative ingredients, and lower carbon steel from energy efficient production.</p> <p>m) Please could the Applicant explain whether and / or how the use of those materials, or similar, would cause it difficulty?</p> <p>n) Please could the Applicant suggest a form of words for a requirement that would provide some firmness for mitigation using low carbon construction methods or materials?</p> <p>The ExA is minded to conclude that the local authorities should be consulted on the setting of targets, the development of proposals for the</p>	<ul style="list-style-type: none"> • Use of recycled sub-base and warm asphalt are primarily limited by local council technical standards, but assuming these do allow for their use, it will depend on availability and engineering suitability. • Lower carbon concrete through alternative ingredients is entirely dependent on availability of relevant materials and engineering suitability. • Lower carbon steel from energy efficient production is entirely dependent on availability, with there currently being very few low carbon options available. <p>The correct and most effective approach is to set a carbon reduction target and apply carbon reduction techniques, as will be defined in the Detailed Carbon Management Plan.</p> <p>Low carbon construction methods and materials are only part of lower carbon solutions for construction of a scheme, neither of which may be appropriate due to engineering, supply chain or construction issues. More significantly much greater reductions are achieved through better applications of standard materials and construction. On this basis, specific wording for mitigation using low carbon construction methods or materials is not considered appropriate. Moreover, the targets and requirements of the carbon management plan already provides the necessary means for ensuring mitigations will be developed and implemented.</p> <p>n) As explained in m), the carbon management plan already provides the necessary firmness for mitigation using low carbon construction methods or materials. Under this plan, the setting of targets is undertaken by the project with input from the project stakeholders, including the local authorities.</p> <p>o) National Highways is content with this as the Carbon Management Plan forms an Appendix to the Second Iteration Environmental Management Plan and thus will be a plan to be consulted on under Requirement 4.</p> <p>p) National Highways has no comments to make</p> <p>q) National Highways has no comments to make</p> <p>r) National Highways has no comments to make</p>

Reference	IP Issue	National Highways Response
	<p>mitigation of construction emissions, the use of PAS 2080; and that progress in delivering the mitigation should be reported to the local authorities.</p> <p>o) Please could the Applicant advise whether the addition of such a requirement to the DCO would cause it any difficulty?</p> <p>p) Please could the Applicant suggest a form of words for a requirement?</p> <p>q) Please could the local authorities comment?</p> <p>Tameside Metropolitan Borough Council [REP6-037] said that observance of PAS2080 alone does not guarantee success in delivering a genuinely low- carbon scheme.</p> <p>r) Does Tameside Metropolitan Borough Council consider that other mitigation measures are required for the construction phase?</p>	
9.75.91	<p>Mitigation – operational phase</p> <p>Derbyshire County Council [REP6-026] expressed concerns about the mitigation secured for the operational phase.</p> <p>The Applicant [REP6-017] has summarised its proposals.</p> <p>s) Have the Applicant and Derbyshire County Council discussed the mitigation measures? Are they able to seek to agree the mitigation, and confirm which matters have been agreed or not agreed?</p> <p>The ExA may ask more questions or invite more oral submissions.</p>	<p>s) The Applicant met with DCC on 29 March 2022 to discuss the SoCG, which included the summarised proposals from REP6-017. DCC are currently reviewing the information but appeared to be content with the proposals being taken forward on the basis of what has been submitted.</p> <p>The SoCG will confirm which matters have been agreed or not agreed.</p>

7. Item 7 – Other Environmental Matters

Response reference:	Representation Issue	National Highways Response
9.75.92	<p>General oral submissions</p> <p>The ExA will invite Interested Parties to make oral submissions for up to five minutes each.</p> <p>After each submission the ExA may ask questions and will give the Applicant an opportunity to reply.</p> <ul style="list-style-type: none"> • Jonathan Reynolds MP • Robert Langan MP • Bamford and Thornhill Parish Council • Climate Emergency Policy and Planning • CPRE Peak District and South Yorkshire Branch • Sharefirst My Journey to School • Anthony Rae • Charlotte Farrell • Daniel Wimberley • Stephen Bagshaw • Other Interested Parties invited by the ExA. 	
9.75.93	<p>General</p> <p><u>Outstanding responses to the Examining Authority's First Written Questions</u></p> <p>The Examining Authority is awaiting Tameside Metropolitan Borough Council's responses to some of their First Written Questions [PD-009] regarding:</p> <ol style="list-style-type: none"> a) Legislation and Policy Q2.1a) b) Soils, ground conditions, material assets and waste Q10.4, Q10.5 and Q10.6 c) The water environment, drainage, flood risk 	No response required from National Highways.

Response reference:	Representation Issue	National Highways Response
	<p>assessment, Water Frameworks Directive Q11.12, Q11.15 and Q11.17</p> <p>d) Land use, social and economic, human health Q13.7 and 13.13</p> <p>e) For clarity, if not answered elsewhere within another representation, would Tameside Metropolitan Borough Council respond to the questions? If a response has been provided, please identify the location of the response within a document.</p>	
9.75.94	<p><u>Statement of Common Ground with Greater Manchester Combined Authority</u></p> <p>At the Preliminary Meeting on Tuesday 16 November 2021, it was suggested that Tameside Metropolitan Borough Council provide input to the Statement of Common Ground requested with Transport for Greater Manchester in Annex E of the ExA's letter of 19 October 2022 [PD-006].</p> <p>f) Please could Tameside Metropolitan Borough Council and the Applicant comment?</p>	<p>National Highways has been progressing a Statement of Common Ground (SoCG) with Transport for Greater Manchester with input, where appropriate, from Greater Manchester Combined Authority (GMCA). [A final version is expected to be submitted at Deadline 9]</p> <p>The strategic planning aspects included in GMCA's Places for Everybody Greater Manchester Spatial Strategy are being progressed on behalf of Tameside Metropolitan Borough Council (TMBC) and are thus addressed, where appropriate, in the SoCG with TMBC.</p>
9.75.95	<p><u>Consideration of the scheme under the Planning Act 2008 (PA2008)</u></p> <p>The PA2008 sets out the basic criteria under which a proposal can be considered as a nationally strategic infrastructure project. The basic types of schemes are set out in Section 14 and include, at 14(1)(h), highway-related development.</p> <p>Section 22 sets out the criteria for qualifying highway-related schemes, including minima for the scale of schemes in terms of land-take at sub-section (4).</p>	<p>g) National Highways can clarify that the total area within the DCO boundary is 62.3ha comprising 41.9ha of land to be acquired permanently (shown shaded pink on the Land Plans), 12.9ha of land to be acquired temporarily (shown shaded green on the Land Plans) and the remaining area of land is to be acquired temporarily with rights (shown as blue on the Land Plans).</p>

Response reference:	Representation Issue	National Highways Response												
	<p>The Case for the Scheme [REP2-016] at 1.3.1 states that “<i>The draft DCO boundary covers an area of 62.3 ha, of which 41.9 ha is to be retained permanently as part of the Scheme. The remaining 12.9 ha of land will be acquired for temporary possession and will be used for site compounds and working room to construct boundary fences</i>”.</p> <p>g) Please would the Applicant explain the discrepancy between the land area within the DCO boundary and the total land area of the land to be permanently retained and the land required for temporary possession?</p> <p>h) For clarity, please would the Applicant provide a breakdown of areas for the development between M67 Junction 4 and Mottram Moor Junction and between Mottram Moor Junction and Wooley Bridge Junction?</p>	<p>h) National Highways can confirm the following breakdown for land areas:</p> <table border="1" data-bbox="937 499 2113 982"> <thead> <tr> <th>Land type</th> <th>M67 – Mottram Moor Junction</th> <th>Mottram Moor Junction - Woolley Bridge Junction</th> </tr> </thead> <tbody> <tr> <td>Land to be acquired permanently</td> <td>28.7 (hectares)</td> <td>13.3 (hectares)</td> </tr> <tr> <td>Land to be used temporarily</td> <td>9.0 (hectares)</td> <td>4.0 (hectares)</td> </tr> <tr> <td>Land to be used temporarily and rights to be acquired permanently</td> <td>3.8 (hectares)</td> <td>3.6 (hectares)</td> </tr> </tbody> </table>	Land type	M67 – Mottram Moor Junction	Mottram Moor Junction - Woolley Bridge Junction	Land to be acquired permanently	28.7 (hectares)	13.3 (hectares)	Land to be used temporarily	9.0 (hectares)	4.0 (hectares)	Land to be used temporarily and rights to be acquired permanently	3.8 (hectares)	3.6 (hectares)
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Land to be used temporarily and rights to be acquired permanently	3.8 (hectares)	3.6 (hectares)												
9.75.96	<p>The PA2008 s103 gives the Secretary of State the function of deciding an application for an order granting development consent. In so doing he must follow the stipulated requirements set out in s104 and s105 of the PA2008.</p> <p>i) Please would the Applicant explain why they have considered that s104 is applicable in this case, rather than s105?</p>	<p>i) National Highways can confirm that Section 104 is applicable because the application for an order granting development consent for the A57 Link Roads is in relation to development of the description to which a National Planning Statement relates. The National Policy Statement for National Networks sets out the need for and Government’s policies to deliver, development of nationally significant infrastructure projects (NSIPs) on the national road and rail networks in England. It provides planning guidance for promoters of nationally significant infrastructure projects on the road and rail networks, and the basis for the examination by the Examining Authority and decisions by the Secretary of State (Paragraph 1.1 of the NPS NN). The A57 Link Roads is a nationally significant infrastructure project on the road network. In contrast, section 105 applies where there is no National Policy Statement.</p>												
9.75.97	<p><u>Identification of the works within the proposal</u> The Explanatory Memorandum [REP5-007], at PA2008 sets out the basic criteria under which a proposal can be considered as a nationally strategic infrastructure project. The basic types of schemes are set out in Section 14 and include, at 14(1)(h), highway-related development.</p>	<p>j) National Highways agrees that where it will not be the highway authority, those sections of highway should be considered as associated development. This applies to Work No. 22 the carriageway of the A57 link between Mottram Moor Junction and Woolley Bridge Junction. Defining the A57 link as associated development satisfies the core principles set out in paragraph 5 of the Guidance because there is a direct relationship between the associated development and it will be proportionate in scale and nature to the principal development (paras 5 i and iv). It is also typical for development of non-strategic roads to be brought forward alongside strategic road infrastructure consistent with paragraph 6.</p>												

Response reference:	Representation Issue	National Highways Response
	<p>Section 22 sets out the criteria for qualifying highway-related schemes, including minima for the scale of schemes in terms of land-take at sub-section (4).</p> <p>The Case for the Scheme [REP2-016] at Annex 1 categorises the works in Schedule 1 to the draft Development Consent Order as “<i>Principle Development</i>”, “<i>Associated Development</i>”, “<i>Ancillary Development</i>” or “<i>Composite Development</i>”. Work No 22, the carriageway of the A57 link between Mottram Moor Junction and Wooley Bridge Junction, is classed as “<i>Principal Development</i>”. This road will pass to the local highway authority following completion of the development.</p> <p>j) Please would the Applicant explain their reasoning, with reference to paragraphs 5 and 6 of the Secretary of State for Communities and Local Government’s Guidance on associated development applications for major infrastructure projects, for defining the A57 link as “<i>Principal Development</i>”, rather than “<i>Associated Development</i>”?</p>	
9.75.98	<p>Biodiversity</p> <p>In their answer to Q 12.1 of the Examination Authority’s Second Written Questions [REP6-039], the Environment Agency has advised that the best practice measures and guidance which has been used to inform / instruct the management approach presented, should be referred to and that in the instance of the Landscape and Ecological Management and Monitoring Plan (LEMMP), it would be advisable to refer to all schedule 9 (Wildlife & Countryside Act 1981) Invasive Non-Native Species (INNS) identified within the development site area.</p> <p>k) Please would the Applicant confirm that they will act positively on this advice and</p>	<p>k) National Highways can confirm that it will revisit the text which was submitted in the outline LEMP at Deadline 6 (REP6-013) which crossed with the EA’s comments. A revised LEMP is being submitted at Deadline 8.</p>

Response reference:	Representation Issue	National Highways Response
	include these references in the LEMMP? If not, why do they feel that it is inappropriate to do so?	
9.75.99	<p>In the same response the Environment Agency advises that they would only provide comments on the suitability of the measures proposed to control INNS detailed within scheduled 9 associated with the water environment and / or correct disposal of 'waste materials' arising from control / treatment in their role as an environmental regulator for waste management and that wider review / commentary on the control of any wider schedule 9 INNS identified within the development site area would need to be sought from the relevant additional competent authorities.</p> <p>l) Please would the Applicant confirm the arrangements for such consultation and signpost where this is secured within the dDCO?</p>	<p>l) National Highways understands that the primary agency responsible for INNS is the Environment Agency. Requirement 4(1) expressly requires the relevant local authorities, the local highway authority and the Environment Agency to be consulted on the EMP (Second Iteration) before it is submitted to the Secretary of State for approval. As both the LEMP (Req4(2)(xviii)) and an Invasive Non Native Management Plan (Req4(2)(xviii)) are commitments within the second iteration EMP, suitable provision is secured within this requirement.</p> <p>For completeness, Requirement 12 details the procedure for consultation which places an obligation on National Highways to report on the consultation undertaken and provide a copy of that report to the EA as a consultee.</p>
9.75.100	<p><u>Mitigation</u></p> <p>m) Is Tameside Metropolitan Borough Council satisfied that the level of detail supplied of mitigating measures, including structures for species such as bats and badgers is sufficient to demonstrate that the proposed measures will be effective?</p>	<p>m) No response required.</p>
9.75.101	<p>Other landscape and visual</p> <p><u>Carriageway levels, bunds and barriers</u></p> <p>The Applicant [REP4-008 and REP6-017] set out level differences of the proposed carriageway from existing ground level (up to 8m), the heights of bunds above proposed</p>	<p>(n) The LVIA was undertaken with reference to a digital model of the Scheme, which was available on the project's Common Data Environment (this is considered a 'single source of truth' as there is only ever one version being developed at any given time). The landscape specialist had full access to this model, so the most recent version of the design was referred to at all times. This avoided version control issues, and any design updates could be shared instantly during the assessment. However, as this was a digital process it means that we do not have published copies of the engineering plans and cross sections to share.</p>

Response reference:	Representation Issue	National Highways Response
	<p>carriageway level (up to 5m) and that some embankments would be topped by 2.5m high environmental barriers. The Applicant [REP2-021] initially said that the assessment did not take changes in existing ground levels into account and later [REP4-008 and REP6-017] clarified that full consideration was given to Engineering Drawings and Sections and that section drawings were used by the assessor on site and, these, along with professional judgement were used to determine the magnitude of change and significance levels.</p> <p>n) Please could the Applicant provide a copy of the Engineering Drawings and Sections that were used at the time of the assessment of effects on landscape or visual receptors? Were the level differences of the proposed carriageway from existing ground level, the heights of bunds above proposed carriageway level and the environmental barriers considered as set out by the Applicant during the Examination?</p> <p>Tameside Metropolitan Borough Council [REP6-037] and Derbyshire County Council [REP6-026] awaited further clarification from the Applicant.</p> <p>o) Please could Tameside Metropolitan Borough Council and Derbyshire County Council now comment on the implications of the level differences of the proposed carriageway from existing ground level, the heights of bunds above proposed carriageway level and the environmental barriers for the assessment of effects on landscape or visual receptors? Are they satisfied that assessment reflects the size and nature of the features clarified by the Applicant during the Examination?</p>	<p>The design was 'fixed' for the purposes of the environmental assessment in September 2020. As the EIA was an iterative process, subsequent changes to the design, for example, as a result of changes to the design following statutory consultation, were communicated to the assessment team, who all had access to the digital model.</p> <p>Furthermore, as part of the QA/QC process, the LVIA was verified against the final Environmental Masterplan (Figure 2.4 of the ES) and engineering design in late May 2021, ahead of the DCO submission in June 2021. The assessment against the final heights of bunds, etc. was checked at this time.</p> <p>The assessment, therefore, assesses the engineering drawings and sections submitted to support the DCO applications (REP5-005). The level differences from existing ground level, the heights of bunds above proposed carriageway level and the environmental barriers were considered as part of the assessment process.</p> <p>o) No response required</p>
9.75.102	<u>Mitigation</u>	p) While fully detailing the mitigation will take time, including the likely need for workshops, the Applicant has committed to these discussions during the Detailed Design stage, discussions have now taken place with DCC and TMBC (8 April 2022 and 11 April 2022, respectively). The preparation of

Response reference:	Representation Issue	National Highways Response
	<p>Tameside Metropolitan Borough Council [REP6-037] and Derbyshire County Council [REP6-026], High Peak Borough Council [REP6-027] and Warner Bower [REP4-028] have expressed concerns about the proposed mitigation planting. Concerns have included the planting and seed mixes and the consideration given to native species and Landscape Character.</p> <p>The Applicant [REP7-026] appears to suggest that these matters be resolved during detailed design.</p> <p>p) Please could the Applicant, Tameside Metropolitan Borough Council, Derbyshire County Council and, if appropriate, High Peak Borough Council, discuss the concerns and seek to agree any updates to the mitigation, including to the Outline Landscape and Ecological Management and Monitoring Plan [REP6-013]?</p> <p>q) Please could the Applicant update the mitigation and submit it to the Examination for Deadline 8 (Wednesday 13 April 2022)?</p> <p>r) Please could Tameside Metropolitan Borough Council, Derbyshire County Council and High Peak Borough Council comment on the updates for Deadline 9 (Wednesday 27 April 2022)?</p>	<p>a Detailed LEMP will be secured by requirement 4 of the DCO and the landscape design secured by requirement 5 during the Detailed Design stage and submitted to the Secretary of State (SoS) for approval in writing, following consultation with the relevant planning authorities. To clarify, all planting and seed mixes in the Outline LEMP are indicative and subject to further work and stakeholder engagement, therefore the detailed specification will be reviewed with all relevant authorities and included in the Detailed LEMP. The outline LEMP will be resubmitted at Deadline 8 to provide better clarification on the consultation that is secured through the DCO, and to emphasise these consultations will be to agree the native species used and, using their local understanding, to ensure they are of local provenance. The discussions with DCC and TMBC (8 April 2022 and 11 April 2022, respectively) have been acknowledged in the Outline LEMP submitted at Deadline 8.</p> <p>Consultation with Derbyshire County Council (DCC) (08/04/22) included discussion of the following:</p> <ol style="list-style-type: none"> 1. Landscape management objectives: Section 5.1 of the OLEMP text has been edited, as requested by DCC, to include/strengthen existing objectives relating to planting for visual screening and landscape integration <i>'Ensure the function of landscape screening and integration planting areas are maintained;'</i> 2. Woodland Planting Mixes: It was suggested tree species chosen should align with the suggestions made within the Landscape Character of Derbyshire document Part 3 Biodiversity (derbyshire.gov.uk), or the Tameside guidance. Sycamore was suggested along road corridors. However, the Applicant considers that sycamore is not an appropriate species as it is an invasive species with low biodiversity value. It is likely to become self-set along the corridors as it spreads, and other species specified are better for local biodiversity and have equal landscape quality. The tree species list provided with the OLEMP are indicative and cover both urban, suburban and rural areas and the localised tree selection will be made at detail design. 3. Individual Trees/Species Selection/Ornamentals: DCC had concerns that it is clear there is a balance between the benefits of species diversity/ornamentals and the locally native species (the inclusion of more ornamental species may indeed be appropriate in certain locations, but the more rural character is reflected in the planting of locally native species), currently the plant mixes are indicative and localised species selection will be made at detail design. 4. Monitoring: Agreed that clarification is required on who will review the reports and undertake the annual inspections, this detail will be provided at detailed design. design) <p>Consultation with Tameside Metropolitan Borough Council (TMBC) (11 April 2022), included discussion of the following:</p> <ol style="list-style-type: none"> 1. Acid grassland seed mix needs to be reconsidered to better reflect appropriate species 2. Neutral grassland seed mix needs to be reconsidered as it contains species which are not locally appropriate. Some of the species are considered to be found on urban industrial sites with a higher calcareous level. <p>The Outline LEMP has been updated and submitted at Deadline 8 following consultations with Derbyshire County Council (8 April 2022) and Tameside Metropolitan Borough Council (11 April 2022). Key changes include:</p> <ul style="list-style-type: none"> • Daffodil has been removed from the indicative planting mixes. • Neutral grassland and acid grassland seed mix has been amended to better reflect the local species diversity • <u>Section 5.1 objectives reviewed and text amended to state <i>'Ensure the function of landscape screening and integration planting areas are maintained;'</i></u> <p>r) No response needed from National Highways.</p>
9.75.103	<p><u>Eastern portal</u> CPRE Peak District and South Yorkshire Branch [REP6-024], Jeff Brown [REP6-035]</p>	<p>s) The Applicant has nothing further to add, only to reiterate, the assessment of visual effects regards the view experienced by people and not the place/landscape; there is no existing baseline to determine magnitude of change.</p>

Response reference:	Representation Issue	National Highways Response
	<p>and the Applicant [REP6-017] commented on the merits of a site inspection proposed by CPRE Peak District and South Yorkshire Branch [REP3-033] on private land in the pastures south of Mottram Old Hall to understand the impacts of the Proposed Development, including the proposed eastern portal and carriageway.</p> <p>CPRE Peak District and South Yorkshire Branch [REP6-024] referred to the consideration of views from Coach Road and from a proposed bridleway along the top of the cutting between the new junction at Mottram Moor and Old Hall Lane. The Applicant [REP7-026] said that the assessment only considered the impact on views for existing receptors (which allows for magnitude of change). Views for users of the proposed bridleway have not been considered as there is no existing baseline to determine magnitude of change from.</p> <p>The ExA [EV-001] carried out an unaccompanied site inspection of Coach Road on 21 September 2021.</p> <p>s) Do CPRE Peak District and South Yorkshire Branch or the Applicant have anything to add to their written submissions?</p>	
9.75.104	<p>Design</p> <p><u>Lighting</u></p> <p>The Applicant [REP6-017 Q5.10] set out the consideration given to design options for street lighting.</p> <p>Tameside Metropolitan Borough Council [REP6-037 Q5.10] said that the link road to be adopted by it should incorporate street lighting with lighting levels lower than in more built up urban areas.</p>	<p>t) Following requests from Tameside Metropolitan Borough Council, the Scheme includes lighting of the single carriageway link and Carrhouse Lane Underpass. This lighting provision has been designed with lower height columns to reduce the visual impact and minimise the disruption to routes across the highway identified as potential bat crossings. Landscaping proposals on the edges of the highway will be included to further mitigate the impact.</p> <p>Lighting levels around the Woolley Bridge Junction have been discussed with Derbyshire County Council, and the Applicant has incorporated what was agreed into the design.</p> <p>Paragraphs 2.5.20-29 of Chapter 2 of the ES (REP2-036) provide details of how the lighting has been designed to minimise impacts on potential landscape and ecology effects, which includes using recommendations from the Bat Conservation Trust and the Institution of Lighting Professionals.</p>

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	<p>Derbyshire County Council [REP6-026 Q5.10] said that principles had been agreed and that detailed discussions were ongoing. It referred to a need to find a balance between operational and safety requirements and the desire to minimise visual impacts.</p> <p>Peak District National Park Authority [REP6-038 Q5.10] referred to the need to protect dark skies, mitigate effects to wildlife and protect night-time views.</p> <p>t) Please could the local authorities, Peak District National Park Authority and the Applicant provide an update on discussions? Are the necessary mitigation measures in place to ensure that an appropriate balance between operational and safety requirements and the desire to minimise visual impacts would be achieved? What lighting levels should be provided?</p>	<p>The lighting on the single carriageway will not result in significant effects on Dark Skies. There are three areas designated by the Peak District National Park as dark skies sites, however they are all outside of the study area and due to the distance of the Scheme it is unlikely to be visible from any of the dark skies' sites.</p>
9.75.105	<p><u>Design Approach Document</u></p> <p>The Applicant has submitted a Design Approach Document [REP7-029].</p> <p>u) Please could the local authorities and Peak District National Park Authority provide any initial comments?</p> <ul style="list-style-type: none"> • Should the document set out proposals for the provision of a Design Champion and a Design Review by the Design Council? • Are there appropriate provisions for how the Applicant would work with the local authorities and other stakeholders? • Has it given enough regard to how the detailed design would respond to Landscape / Townscape Character? • Is enough detail provided on signage, street furniture, lighting, environmental barrier, structures 	<p>u) No response needed from National Highways</p> <p>v) No response needed from National Highways</p> <p>w) National Highways will respond at Deadline 9 to any comments made at Deadline 8.</p>

Response reference:	Representation Issue	National Highways Response
	<p>and hard landscaping design and materials?</p> <ul style="list-style-type: none"> • Are there any other measures that should be included? <p>v) Please could the local authorities and Peak District National Park Authority provide detailed comments on the Design Approach Document for Deadline 8 on Wednesday 13 April 2022?</p> <p>w) Please could the Applicant respond to those comments and provide an updated document for Deadline 9 on Wednesday 27 April 2022?</p>	
9.75.106	<p>Green Belt</p> <p>The Applicant [REP4-008 and REP6-017] set out level differences of the proposed carriageway from existing ground level (up to 8m), the heights of bunds above proposed carriageway level (up to 5m) and that some embankments would be topped by 2.5m high environmental barriers.</p> <p>The Applicant [REP6-017] has summarised its consideration of openness. Reference is made to adverse impacts at receptors which specifically mention views / openness. The Applicant concluded that the Proposed Development would preserve openness.</p> <p>The Applicant [REP6-017] said that the proposals would align with localised landscape character and balances the locations where screening using mitigation planting is appropriate. It said that the landscape design would be aligned to local landscape character in reflecting local planting patterns and vegetation types as well as creating a variety of open and enclosed views both towards the new highway as well as within it, to appreciate the</p>	<p>x) The Applicant refers the ExA to the Supreme Court decision in <i>Samuel Smith Old Brewery (Tadcaster) and others v North Yorkshire County Council</i> [2020] UKSC 3, which considered the correct assessment of openness. Helpfully, the following approach of Sales LJ in the case of Turner [2016] EWCA Civ 466 was not disputed:</p> <p><i>“The concept of ‘openness of the Green Belt’ is not narrowly limited to the volumetric approach suggested by [counsel]. The word ‘openness’ is open-textured and a number of factors are capable of being relevant... Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs ... and factors relevant to the visual impact on the aspect of openness which the Green Belt presents.”</i> [25]. (our emphasis)</p> <p>Acknowledging that <i>Turner</i> did not specify how visual effects may or may not be taken into account, the Supreme Court helpfully held:</p> <p><i>“[Openness] is a matter not of legal principle but of planning judgement for the planning authority or the inspector”</i> [25] ... <i>“...There was no error of law on the face of the report. Paragraph 90 [now NPPF146] does not expressly refer to visual impact as a necessary part of the analysis, nor in my view is it made so by implication. As explained in my discussion of the authorities, the matters relevant to openness in any particular case are a matter of planning judgement, not law.”</i> [39]</p> <p>Quite simply, openness is not limited to a narrow volumetric approach and visual impacts may be relevant to openness as a matter of planning judgment. The Applicant has explained that through carefully prepared landscape and visual impact evidence that not all the Green Belt in the location of the Scheme is open and, because of the lack of visual impact of the Scheme this effectively ameliorates the impact on openness in spatial terms.</p> <p>The Applicant’s response in REP6-017 addressed the issue of openness in the green belt and did consider more than just planting. In Section 5.11, answer a), bullet point one, there is reference to components of the scheme such as elevated sections, cuttings, false cuttings, bunds, structures and signage. Furthermore, bullet point two, three and four went on to describe the effect of these design elements on open views and openness, citing 169 viewpoints in and around the scheme.</p>

Response reference:	Representation Issue	National Highways Response
	<p>local landscape character.</p> <p>x) The Applicant's explanation appears to concentrate on planting. Please could the Applicant clarify the consideration given to level differences of the proposed carriageway from existing ground level, the heights of bunds above proposed carriageway level and the environmental barriers in its consideration of openness, material harm to openness and local Landscape Character?</p>	<p>With regard to the consideration of level differences from existing levels to proposed carriageway levels, bund heights and environmental barriers it can be reiterated that taking these into account was part of the assessment process. This is clearly explained in ES Chapter 7 (REP6-006), Section 7.7, Potential Impacts, where it is confirmed that 'changed appearance of landform due to earthworks such as embankments and cuttings and drainage features' were anticipated to be potential landscape effects. An inherent part of the earthworks remodelling is of course changing levels from existing to form new carriageway levels and associated bunds and cuttings., and the introduction of other elements such as environmental barriers.</p> <p>For each local landscape and townscape character area the assessment has considered effects during construction (ES Chapter 7, Table 7.26 Effects on Landscape and Townscape Character Areas) and operation (ES Chapter 7, Table 7.27 Effects on Landscape and Townscape Character Areas). For each local landscape character area that include Scheme Level Landscape Character Areas (SLLCAs) and Scheme Level Townscape Character (SLTCAs). Again, part of this assessment included the consideration of level changes brought about by earthworks modelling required to achieve the Scheme design.</p> <p>With regard to material harm to the green belt, the landscape assessment (ES Chapter 7, para. 7.12.6), concluded that at Year 15 (the design year) there would be no significant effects on any landscape and townscape character areas. It therefore follows that no material harm results from the scheme in terms of landscape effects on the green belt and its openness.</p> <p>The ExA raised the matter of potential impact of the Scheme on views to the Green Belt at two specific locations referred to as A and B in their Note of Unaccompanied Site Inspection 3 to 4 April 2022 (EV-061).</p> <p>Location 'A', a footpath near Tara Brook Farm, is most closely represented by VP12 (VP11 is slightly further away). The nearest photomontage is at VP14 but there is a photograph from VP12 Appendix 7.1: Visual Effects Schedule explains that visual receptors at VP12 will experience a moderate adverse effect at winter of year one, reducing to slight adverse by the summer of year 15 when mitigation is established.</p> <p>Location 'B', the intersection of PRoW LON/51/10 and PRoW LON/52/10, is most closely represented by Viewpoint V-P-03-1 and V-P-04-1 (Figure 7.8 Visual Effects Drawing). Appendix 7.1 details the visual effect on users of the footpath from these Viewpoints. For V-P-03-1 the significance of effect at winter year one is large adverse, reducing to moderate adverse by summer of year 15 - i.e. remaining significant. This reflects the embankment height – this only occurs in S4 above a small stream where the new carriageway passes above and is not universal. For V-P-04-1 the significance of effect is moderate adverse at winter of year one reducing to slight adverse by the summer of year 15.</p> <p>The assessment therefore aligns with the ExA's findings on their site visit in that there will be significant alteration to views experienced in close proximity to the embankment for users of the footpath represented by V-P-03-1.</p> <p>The landscape will undoubtedly change but the test in Green Belt context is whether it still fits the purposes of a Green Belt. Green Belt is a planning designation and not a landscape one per se and its primary purpose is to prevent urban sprawl and the coalescence of urban areas.</p> <p>In this sense and context, there will be change in the form of the landscape, and in its physical appearance and composition e.g. there will be new woodland areas, grasslands etc and the landform will be changed and therefore associated views altered in some locations. However, the rural landscape will still remain open i.e. not built up with urban development that forms urban sprawl.</p>

Response reference:	Representation Issue	National Highways Response
9.75.107	<p>Tameside Metropolitan Borough Council [REP6-037] reserved the opportunity to comment once it had sight of the Applicant's response.</p> <p>y) Please, providing reasoning, could Tameside Metropolitan Borough Council now provide initial comments on:</p> <ul style="list-style-type: none"> • The spatial and visual effects on the Green Belt? • If there would be an effect on the openness of the Green Belt? • If there would be material harm to openness in the context of local Landscape Character? <p>z) Please could Tameside Metropolitan Borough Council provide detailed comments for Deadline 8 (Wednesday 13 April 2022)?</p>	<p>y) No response needed from National Highways.</p> <p>z) No response needed from National Highways</p>
9.75.108	<p>The ExA is considering whether the Proposed Development preserves openness and whether it should be considered as inappropriate development in the Green Belt.</p> <p>aa) In case the ExA does conclude that it would be inappropriate development, please would the Applicant set out its case for the very special circumstances that would be needed for the Proposed Development to proceed? Please could that be provided for Deadline 8 (Wednesday 13 April 2022)?</p>	<p>aa) The case for very special circumstances, and why they outweigh the limited harms to the green belt, is set out in the Case for the Scheme (REP2-016), paragraphs 7.5.15 and 7.5.21-7.5.40. As set out in the Applicant's response to Examining Authority's First Written Questions (question 4.2, REP2-021), the Applicant considers that to the extent it may be necessary, an assessment of "other harm" is already included in the Case for the Scheme (see sub-sections 7.6 to 7.20 of the Case for the Scheme) and when appropriately assessed, the benefits of the Scheme outweigh any adverse effects.</p> <p>There is no definition of 'very special circumstances' set out in the NPPF or NN NPS and whether very special circumstances exist is likely to depend on the facts and circumstances of the individual application.</p> <p>The Applicant considers that the following considerations amount to 'very special circumstances' that clearly outweighs potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal:</p>

Response reference:	Representation Issue	National Highways Response
		<ul style="list-style-type: none"> • The need for the Scheme is an important and relevant consideration that should be attributed significant weight. The Case for the Scheme (REP2-016) sets out the rationale behind the Scheme and identifies the Government's support in increasing capacity, reducing congestion and delays, improving safety and reducing incident rates, minimising impact on noise, air quality and protecting access for WCH's, which are reflected in the Scheme objectives. The Scheme has been through a rigorous assessment process and was included in the first RIS (published in 2014) and continues to be a committed scheme in RIS2 (published in March 2020). Furthermore, the Scheme was included in the DfT 2014 RIS, as one of the routes in greatest need of improvement. • The location of the Scheme in the Green Belt is unavoidable as it relates to existing road routes, which are surrounded by Green Belt. Use of the Green Belt has been identified as an essential requirement of the A57 Link Roads Scheme. The areas which require connection are geographically surrounded by Green Belt. • The Scheme will provide significant benefits to the regional and local transport network through increasing capacity and reducing congestion and delays. It aids connection between the urban areas of Greater Manchester and South Yorkshire, as the A57 and A628 between Manchester and Sheffield currently suffer from heavy congestion, creating unreliable journeys, which limits journey time reliability. This restricts economic growth due to the delays experienced by commuters and business users alike. • The Scheme will improve journeys between local settlements, specifically Hattersley, Mottram, Hollingworth, Glossop. • Once operational the Scheme will displace large volumes of traffic from a route immediately in front of properties through Mottram in Longdendale and Woolley Lane/Bridge, such that despite improvements in flow the noise impacts will be positive. The Scheme also demonstrates a positive impact upon the Mottram in Longdendale Noise Important Area (NIA) (an area identified to have high levels of noise pollution) located within the DCO boundary. Much heavy traffic travels along local roads, which disrupts the lives of communities, and makes it difficult and potentially unsafe for pedestrians to cross the roads. It is likely that these issues would get worse with time if significant improvements are not made. • The detrunking of a section of the existing A57 will help to decrease the severance of the communities close to this road as the speed limit is decreased on this road and traffic flows improved • The outcomes of the air quality assessment indicate there would be significant improvement in terms of annual mean NO2 concentrations at sensitive, human health receptors within the air quality study area. The Scheme will deliver improved air quality for all but one local receptor. • The Scheme will deliver a new bridleway from Mottram Moor Junction to Old Hall Lane extending connection to the Trans-Pennine Trail to the north of Mottram. This would help to link the Trans Pennine and Pennine Bridleway National Routes, without road riding. • The Scheme will also deliver a new footway and cycleway along new A57 Link Road, improving routes for pedestrians and cyclists. • The Scheme will deliver a new public space in the area above the new Mottram Underpass. The area above Mottram Underpass would be treated as green, public open space with planting and Public Rights of Way links east-west between Old Hall Lane and Roe Cross Road. • The saved Tameside UDP policy T2 Trunk Road Development safeguards the proposed route of the Scheme and therefore supports its delivery.

Response reference:	Representation Issue	National Highways Response
		<ul style="list-style-type: none"> • Following construction, the Scheme would result in an increase in notable habitats in terms of area and quality to ensure that sufficient and increased habitat is provided across the Scheme. This includes delivery of a net increase in woodland (loss 0.73ha; gain 6.08ha), wet woodland (loss 0.1ha; gain 0.65ha), lowland acid grassland (loss 0.3ha; gain 1.64ha), lowland scrub and flood plain mire (loss 0.3ha; gain 1.13ha); 6,000 metres of new hedgerows (3,300 metres lost); • The Scheme is forecast to produce user benefits derived through TUBA for the operational period of £181.2m (PV) over the 60-year appraisal period. These benefits are • generated by travel time savings of £165.6m, vehicle operating cost benefits of £14.2m due to the Scheme generating reductions in congestion, which requires less fuel to be consumed and user charge savings of £1.4m through traffic diverting and making less use of tolled bridges and tunnels. <p>Should the inspector find that the development is inappropriate, there is a requirement to demonstrate that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. As set out in the Applicant's response to Examining Authority's First Written Questions (question 4.2, REP2-021), the Applicant considers that to the extent it may be necessary, an assessment of "other harm" is already included in the Case for the Scheme (see sub-sections 7.6 to 7.20 of the Case for the Scheme) and when appropriately assessed, the benefits of the Scheme outweigh any adverse effects.</p>
9.75.109	bb) Please could the local authorities and Peak District National Park Authority provide comments on the Applicant's case by Deadline 9 (Wednesday 27 April 2022)?	bb) No response needed from National Highways.
9.75.110	<p>Other noise, vibration, and nuisance</p> <p><u>Baseline noise levels</u></p> <p>High Peak Borough Council [REP5-035 Item 2c] raised concerns about baseline noise levels in relation to 18 and 54 Wooley Bridge. The Applicant [REP6-017 Q6.2] responded.</p> <p>cc) Does High Peak Borough Council have any remaining concerns about baseline noise levels. Has enough detail been provided in the Noise and Vibration Management Plan [REP6-007]?</p>	cc) No response needed from National Highways.

Response reference:	Representation Issue	National Highways Response
9.75.111	<p><u>Section 61 of the Control of Pollution Act 1974</u></p> <p>High Peak Borough Council [REP5-035] said the Section 61 process does not mean that there would be no additional impacts or indeed that noise impacts would not be significant. It considered it reasonable for an infrequent or unexpected activity requiring section 61 approval to not be included in the assessment. It suggested that if the activities listed are likely to become embedded, for example, nightly routine equipment maintenance then these should be included in the assessment.</p> <p>The Applicant [REP6-017 Q6.4] has commented on the Section 61 process.</p> <p>The ExA remains concerned about the flexibility provided by the Section 61 process and is seeking reassurance that, with the mitigation measures in place, the Applicant's assessment represents a reasonable worst-case scenario. The ExA is therefore considering whether an additional requirement should be added to the DCO for the Section 61 process only to be used if it would not give rise to any materially new or worse effects.</p> <p>dd) Please could the Applicant comment?</p>	<p>dd) The use of section 61 consent for the project is set out in section 2.9 of the Outline Noise and Vibration Management Plan (Annex B2 of the Environmental Management Plan). National Highways can confirm that all works being undertaken for the Scheme will be subject of a section 61 consent.</p> <p>Whilst National Highways is content with the suggested additional requirement, such requirement should, therefore, require as follows:</p> <p><i>"Where the undertaker is acting further to Section 61 of the Control of Pollution Act 1974 in relation to the construction of the authorised development the undertaker shall include particulars in any application pursuant to Section 61 of the Control of Pollution Act 1974 to demonstrate that the works the subject of the application, including the method by which they are to be carried out and the steps proposed to be taken to minimise noise resulting from the works, would not give rise to any materially new or worse noise effects to those in comparison with those reported in the environmental statement".</i></p>
9.75.112	<p><u>Night-works</u></p> <p>Requirement 4 of the dDCO [REP7-003] lists activities permitted outside normal working hours, which would include night works.</p> <p>Paragraph 11.12.1 of ES Chapter 11 [REP3-007] states that no night works are anticipated with the exception of traffic management? The Applicant [REP6-017 Q6.5] has advised that other works could take place at night-time.</p> <p>ee) Please could the Applicant update ES Chapter 11 [REP3-007] and ensure that it is consistent with Requirement 4 of the dDCO [REP7-003]?</p>	<p>ee) National Highways will update the ES Chapter for Deadline 8.</p>

Response reference:	Representation Issue	National Highways Response
9.75.113	<p><u>Percussive piling</u></p> <p>The ExA [PD-012 Q6.6] asked whether restricting the use of percussive piling to when rotary bored piling is not feasible should be secured as necessary mitigation. Tameside Metropolitan Borough Council [REP6-037] and High Peak Borough Council [REP6-027] agreed.</p> <p>The Applicant [REP6-017 Q6.6] wishes to retain the flexibility to use percussive piling at any location following a balanced consideration of constraints and opportunities, even if it is not the preferred option from a noise impact perspective.</p> <p>ff) Other than for noise, please could the Applicant comment on whether any significant impacts would be likely to result from restricting the use of percussive piling to when rotary bored piling is not feasible?</p>	<p>ff) In the key areas where piling is required, for example around Mottram underpass and the River Etherow, other environmental issues will include:</p> <ul style="list-style-type: none"> • Materials and waste – need to reduce cut material or quantities of new material, for example concrete, that is brought onto site. • Ground conditions, for example where clay soils require percussive piling methods, or where settlement issues are identified due to weak ground conditions. • Carbon management – linked with materials and waste, as well as the PAS 2080 commitment to select the most appropriate low carbon solution • Landscape design – this will vary depending on the final design solution, however softer landscaping opportunities could arise as a consequence of reduced need for large concrete retaining walls • Ground water and dewatering management
9.75.114	<p><u>Noise insulation and temporary rehousing</u></p> <p>The ExA [PD-012 Q6.8] asked whether the process, triggers, and example threshold noise levels for noise insulation and temporary housing set out in Section E.4 of BS 5228:2009 should be secured?. Tameside Metropolitan Borough Council [REP6-037] and High Peak Borough Council [REP6-027] said that they should be.</p> <p>The Applicant [REP6-017 Q6.8] said that this is already secured by Register of Environmental Actions and Commitments item NV1.5 and that further details on the process, triggers and threshold noise levels would be included in the EMP (Second iteration).</p> <p>The ExA notes that NV1.5 appears to lack precision as it refers to “certain threshold levels” and does not mention compliance with Section</p>	<p>gg) National Highways can confirm that the thresholds set out in BS 5228:2009 will apply to the scheme. Compliance with BS5228 is set out in the Outline Noise and Vibration Management Plan (NVMP). The Outline NVMP will be updated to include specific reference to these thresholds.</p>

Response reference:	Representation Issue	National Highways Response
	<p>E.4 of BS 5228:2009. The ExA is considering whether to include the process, triggers and threshold noise levels in the dDCO.</p> <p>gg) Please could the Applicant comment? Can the details on the process, triggers and threshold noise levels be included in the Register of Environmental Actions and Commitments now? If not, why not?</p>	
9.75.115	<p>Historic Environment</p> <p><u>Level of harm and the NPPF tests</u> High Peak Borough Council [REP6-027 Q9.3] suggested a contradiction in the Applicant's approach. Peak District National Park Authority raised concerns about the weighing up of benefits against harm [REP6-038 Q9.3]. The Applicant [REP7-026] responded at Deadline 7.</p> <p>hh) Do High Peak Borough Council or Peak District National Park Authority have any remaining concerns about the consideration given to level of harm and the NPPF tests?</p>	hh) No response required.
9.75.116	<p><u>Enhancement</u></p> <p>The Applicant [REP6-017 Q9.7] set out proposals for enhancement to Mottram- in-Longdendale Conservation Area and Melandra Castle Scheduled Monument through its' Environment and Wellbeing Designated Fund.</p> <p>ii) Do the local authorities and Peak District National Park Authority consider that the Applicant's proposals would be likely to "... <i>preserve those elements of the setting that make a positive contribution to or better reveal the significance of the</i></p>	ii) No response required.

Response reference:	Representation Issue	National Highways Response
	asset ...", consistent with NPSNN Paragraph 5.137?	
9.75.117	<p><u>Mottram Old Hall</u> Tameside Metropolitan Borough Council [REP6-037 Q9.5] raised concerns regarding the harm to Mottram Old Hall.</p> <p>jj) Please could the Applicant comment?</p> <p>kk) Do Tameside Metropolitan Borough Council have any remaining concerns about the consideration of harm to Mottram Old Hall?</p>	<p>jj) TMBC contends that in its view there is substantial harm to Mottram Old Hall but that harm is outweighed by the public benefits the scheme delivers (as per the NPPF at para 201). Whilst the Applicant welcomes the endorsement of the public benefits it disagrees that substantial harm is caused because this is a very high test and usually applies where a development results in total loss of significance of the asset or something very close to it. NH has prepared a detailed written response below to explain why it considers the impact to be minor adverse with harm at the lower end of less than substantial.</p> <p>As identified at paragraph 18 of Planning Policy Guidance on the Historic Environment, '<i>substantial harm is a high test</i>' and may not arise in many cases. Paragraphs 200 and 201 of the National Planning Policy Framework set out planning policy in relation to development which would result in substantial harm to or total loss of significance of designated assets. The wording of these policies implies that substantial harm is considered to be of a level close to that of total loss of significance. Whilst it is acknowledged that the proposed Scheme will result in harm to the setting of Mottram Old Hall, this will not result in total loss of significance or harm approaching this level.</p> <p>The former park associated with Mottram Old Hall is depicted on Bryant's 1831 map of Cheshire. Comparison of the park extents depicted on the 1831 map with that shown on the 1st edition Ordnance Survey map (surveyed 1872 and published 1882) and field names documented in the Hollingworth tithe map of 1846 reveals the former park to have shrunk over time to become more focused on the parcel of land around the south of the Old Hall. The pleasure gardens around the Old Hall are separated from the former park by a historic tree band designed to filter views beyond this area and emphasise the views within the pleasure gardens immediately in front of the Hall. Limited evidence for formal landscape design of the former park has been identified. The filtered views from the Hall to the surrounding countryside have some significance. This is indicated by the sales particulars for the hall dating from 1890 which note the building to command '<i>a magnificent view of the scenery of a picturesque country</i>' (paragraph 5.2.18 of the Desk-Based Assessment (REP1-033)). The contribution of the former park to the significance of the listed building now results principally from its visual relationship with the Old Hall, forming the foreground in views south from the principal elevation towards Mottram and the tower of the Church of St Michael and All Angels. Views towards the hall from the former park do not contribute to significance of the listed building, being taken from a lower vantage point and filtered by the band of trees which define the pleasure gardens immediately associated with the Old Hall.</p> <p>The proposed scheme will run in cutting through the former parkland as depicted on Bryant's 1831 map, however, it will be located substantially outside the shrunken extent of the former park depicted on the 1st edition Ordnance Survey map. Views from the Old Hall towards Mottram and the church tower will be maintained due to the southwards slope of the local landform away from the Old Hall. The remaining former parkland located to the north of the cutting will continue to form the foreground in these long views. When mature, landscape planting comprising shrubs, scrub and woodland planting, will form a linear boundary to the Scheme, screening the cutting in views from Mottram Old Hall and forming a boundary to the remaining park, whilst maintaining views towards the church tower. The position of the Old Hall within and its relationship to the pleasure gardens which surround the building will be retained in its current form and condition. The relationship of the Old Hall with the former stables would not be affected by the proposed Scheme.</p> <p>The introduction of the underpass and removal of the non-designated cottages on Old Hall Lane would detract from the legibility of the wider estate to those moving along Old Hall Lane. The contribution of the wider estate to the significance of the listed building has,</p>

Response reference:	Representation Issue	National Highways Response
		<p>however, been degraded by extensive suburban development. There would be no change to the relationship of the Old Hall to key elements of this former estate, such as the gate lodge to Old Road, the legibility of the former driveway along Hall Drive, or the listed buildings of Dial House and Dial Cottage. The significance of the Mottram Old Hall which derives from its historic fabric, including its architectural quality and historic interiors, and from the most significant close views of its facades from the pleasure gardens around the Old Hall will be unaffected.</p> <p>Considered on balance, it is recognised that, whilst the proposed Scheme will result in some harm to the setting of Mottram Old Hall, the significance of the listed building and the contribution of setting to this significance will continue to be understandable. The proposals will therefore not result in total loss of significance or harm approaching this level, and would not meet the 'high test' of substantial harm. Given that the Scheme will be located downslope from the Hall and the pleasure gardens, and there will be planting sympathetic to the local landscape character that will screen views of the cutting, there will be little visual change in the views from the Hall, its immediate pleasure gardens and their immediate surroundings. Whilst alteration of Old Hall Lane will detract from appreciation of the wider estate, the Old Hall is not discernible from this approach and the significance of the wider estate is therefore not apparent. The impact on Mottram Old Hall has therefore been assessed to be minor adverse, resulting in harm at the lower end of less than substantial.</p>
9.75.118	<p><u>Tintwistle Conservation Area</u> Peak District National Park Authority [REP6-038 Q9.6 and Q9.11] considers Conservation Areas and non-designated assets of national importance to be of High Value. They specifically said that "great weight" should be given to its conservation of Tintwistle Conservation Area.</p> <p>ll) Does Peak District National Park Authority have any remaining concerns about the consideration given to Conservation Areas and non-designated assets of national importance?</p>	ll) No response required.
9.75.119	<p>Land use, social and economic, human health <u>Sterilisation of development land</u></p> <p>In their response to the Examining Authority's First Written Questions [PD-009 Q13.3], Savilles response [REP2-084] suggests the potential of the proposal to stifle developable land</p> <p>mm) Does Tameside Metropolitan Borough</p>	mm) No response required.

Response reference:	Representation Issue	National Highways Response
	<p>Council have any comment to make on the development potential of the land in question?</p>	
9.75.120	<p><u>Severance</u> Mention has been made of enhancing routes for sustainable modes as part of the “green arc” of the Glossop gateway masterplan. nn) Please would the Applicant, Derbyshire County Council and High Peak Borough Council provide details of what steps, if any, have been taken to secure such proposals, including funding, in association with the proposal? oo) Does the Applicant wish to comment?</p>	<p>nn) National Highways is liaising with Derbyshire County Council (DCC) and High Peak Borough Council (HPBC) to investigate the types of measures that could be adopted to enhance routes for sustainable modes as part of the “green arc” of the emerging Glossop gateway masterplan. Due to unadopted nature of the Glossop gateway masterplan, no commitment has been made and such provision would sit outside of the DCO process, but National Highways has offered to assist HPBC and DCC with the evaluation of options along this corridor.</p>
9.75.121	<p>OTHER MATTERS Please could the Applicant provide a written summary of its responses for Deadline 8, on Wednesday 13 April 2022? Time permitting, and at its discretion, the ExA may invite other oral submissions.</p>	<p>National Highways has submitted a written summary of its responses given at Issue Specific Hearing 3 at Deadline 8</p>
9.75.122	<p>ANY OTHER BUSINESS AND CLOSE OF ISSUE SPECIFIC HEARING 3 Issue Specific Hearing 3 may be completed on Wednesday 6 April 2022. If it is then notification that Thursday 7 April 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.</p>	

Appendix

Appendix A.

4.3 and 4.4 a) Schedule of indirect effects considered:

	Feature/receptor assessed (and ES reference)	Potential impact	Sensitivity / value of receptor ¹	Assessment of indirect effects (Baseline + Magnitude of Change)	Significance ²	Mitigation or enhancement proposed	Other comments
Landscape and scenic beauty	Landscape receptors (PDNP) via published Landscape Character Types (LCT). Dark Peak Moorland Slopes and Cloughs LCT.		Very High	Woodhead Road (A628) is a prominent feature. The noise of traffic is noticeable and undermines the Special Qualities of tranquillity and wildness. The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is negligible adverse.	Slight Adverse	N/A	
	Landscape receptors (PDNP) via published Landscape Character Types (LCT). Dark Peak Reservoir Valleys with Woodland LCT.		Very High	Woodhead Road (A628) is a prominent feature within the context of the valley landscape. The route, its noise and movement is readily perceptible. The route detracts from the Special Qualities of tranquillity and wildness of the landscape baseline. The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is negligible adverse.	Slight Adverse	N/A	
	Landscape receptors (PDNP) via published Landscape Character Types (LCT). Dark Peak Open Moors LCT.		High	Snake Road (A57), in the region of VP22 and 23) is a comparatively small feature within the context of an expansive landscape. The route, its noise and movement is readily perceptible. The route detracts from the Special Qualities of	Slight Adverse	N/A	

¹ 'Great weight' has been given to the sensitivity of the receptor.

² In accordance with DMRB LA 104 for each topic the assessment has combined the magnitude of the impacts and the sensitivity of the resources/receptors that could be affected, in order to classify the significance of effect from very large to neutral. Significant effects typically comprise residual effects that are within the moderate, large or very large categories.

				<p>tranquillity and wildness of the landscape baseline.</p> <p>The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is negligible adverse.</p>			
	<p>Landscape receptors (PDNP) via published Landscape Character Types (LCT). Dark Peak WF Enclosed Gritstone Upland, Upper Valley Pastures LCT.</p>		Very High	<p>Glossop Road (A624) in the region of VP26), is a comparatively small feature of an expansive landscape and not experienced from Lantern Pike. Movement and noise are currently only slightly experienced within the landscape so there is a perception of tranquillity. However, the route does detract from the Special Quality of wildness.</p> <p>The overall traffic numbers are slightly decreased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is no change.</p>	Neutral	N/A	
	<p>Visual receptors represented by selected agreed viewpoints within the PDNP: VP19 Pennine Way</p>		Very High	<p>The Scheme is entirely outside the field of view. Woodhead Road (A628) is a fairly prominent visual feature and the route, along with noise and movement is readily perceptible. The route does detract from the Special Quality of wildness and tranquillity.</p> <p>The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is No change.</p>	Neutral	N/A	
	<p>Visual receptors represented by selected agreed viewpoints within the PDNP: VP20 Trans Pennine Trail</p>		Very High	<p>The Scheme is entirely outside the field of view. Woodhead Road (A628) is a fairly prominent visual feature and the route, along with noise and movement is readily</p>	Neutral	N/A	

				<p>perceptible. The route does detract from the Special Quality of wildness and tranquillity.</p> <p>The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is No change.</p>			
	<p>Visual receptors represented by selected agreed viewpoints within the PDNP: VP21 Pennine Way</p>		Very High	<p>The Scheme is entirely outside the field of view. Woodhead Road (A628) is a fairly prominent visual feature and the route, along with noise and movement is readily perceptible. The route does detract from the Special Quality of wildness and tranquillity.</p> <p>The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is No change.</p>	Neutral	N/A	
	<p>Visual receptors represented by selected agreed viewpoints within the PDNP: VP22 Pennine Way</p>		Very High	<p>The Scheme is entirely outside the field of view. Indirect effects are likely as a result of changes in traffic numbers on the Snake Road (A57). The A57 is generally visible in the open landscape and noise and movement is readily perceptible.</p> <p>The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is No change.</p>	Neutral	N/A	
	<p>Visual receptors represented by selected agreed viewpoints within the PDNP: VP23 Pennine Way</p>		Very High	<p>The Scheme is entirely outside the field of view. Indirect effects are likely as a result of changes in traffic numbers on the Snake Road (A57). The A57 is generally visible in the open landscape and noise and movement is readily perceptible.</p>	Neutral	N/A	

				<p>The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is No change.</p>			
	<p>Visual receptors represented by selected agreed viewpoints within the PDNP: VP24 Trans Pennine Trail</p>		Very High	<p>The Scheme is entirely outside the field of view. Woodhead Road (A628) is a fairly prominent feature. The noise of traffic is noticeable and undermines the Special Qualities of tranquillity and wildness.</p> <p>The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is No change.</p>	Neutral	N/A	
	<p>Visual receptors represented by selected agreed viewpoints within the PDNP: VP25 Trans Pennine Trail</p>		Very High	<p>The Scheme is entirely outside the field of view. Woodhead Road (A628) is a fairly prominent feature. The noise of traffic is noticeable and undermines the Special Qualities of tranquillity and wildness.</p> <p>The overall traffic numbers are slightly increased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is no change.</p>	Neutral	N/A	
	<p>Visual receptors represented by selected agreed viewpoints within the PDNP: VP26 Pennine Bridleway at Lantern Pike</p>		Very High	<p>The Scheme is entirely outside the field of view. Only a small section of Glossop Road is visible from VP26. Movement and noise are currently only slightly experienced within the landscape so there is a perception of tranquillity. However, the route does detract from the Special Quality of wildness.</p> <p>The overall traffic numbers are slightly decreased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of</p>	Neutral	N/A	

				the PDNP would remain unchanged. The magnitude of change is No change.			
	Visual receptors represented by selected agreed viewpoints within the PDNP: VP27 Snake Path		Very High	<p>The Scheme is entirely outside the field of view. Only a small section of Glossop Road is visible from VP26. Movement and noise are currently only slightly experienced within the landscape so there is a perception of tranquillity. However, the route does detract from the Special Quality of wildness.</p> <p>The overall traffic numbers are slightly decreased. The changes would not be easily perceptible within the landscape from the baseline condition and the Special Qualities of the PDNP would remain unchanged. The magnitude of change is No change.</p>	Neutral	N/A	
Wildlife / biodiversity	Habitats and Species	<p>During construction no change.</p> <p>During operation a very slight increase in traffic through the Peak District</p>	Very High	<p>The Proposed Scheme is entirely outside of the Peak District National Park.</p> <p>Operation of the Proposed Scheme would result in a very slight increase in traffic on the A628 and A57 through the Peak District.</p> <p>The predicted negligible increase in traffic along the A628 and A57 would not result in any perceptible change to the visual or noise environment of the conservation area and therefore, is not anticipated to impact upon any biodiversity features.</p>	Neutral	N/A	
	Tintwistle Conservation Area	<p>During construction no change.</p> <p>During operation a very slight increase in traffic through the conservation area</p>	Medium	<p>Operation of the Proposed Scheme would result in a very slight increase in traffic on the A628 through the conservation area.</p> <p>High Peak District Council and the PDNPA recognise high traffic levels on the A628 to form a prominent existing feature of the conservation area in adopted conservation area appraisal.</p> <p>The predicted negligible increase in traffic along the A628 would not result in any perceptible change to the character, appearance or noise environment of the conservation area.</p>	During operation, a permanent irreversible neutral effect, resulting in a non-significant effect	None proposed	

				No change would result within the conservation area in the areas to the north or south of the A628.			
	<p>Group of designated assets located along Ladybower Brook (A57) comprising:</p> <p>Hordron Edge stone circle (Scheduled Monument, NHLE reference: 1018367)</p> <p>Romano-British farmstead and post-medieval charcoal burning site (Scheduled Monument, NHLE reference: 1020413)</p> <p>Romano-British farmstead 475m east of Ladybower Inn (Scheduled Monument, NHLE reference: 1020412)</p>		High	<p>The Scheme is located c.23km from the Scheduled Monuments (referred to here as 'the SMs'), which are situated in elevated locations with views across the surrounding hilltops. There is no visual relationship between the SMs and the Scheme. No potential for impact to the SMs has been identified.</p> <p>Noise and visual intrusion from the presence of existing roads and the movement of traffic forms an existing element of the setting of the SMs.</p> <p>The ARN in relation to the SMs comprises the A57 which runs along the base of the valley adjacent to Ladybower Brook, below the elevated location of the SMs. While traffic along the ARN is predicted to increase, this would not result in a significant change to views to or from the SMs or affect the significant views and interrelationships between them.</p> <p>Short-term increases in noise would be perceptible only within c.10m of the road corridor and would not be perceptible from the SMs. No long-term perceptible change to noise is predicted as a result of the operation of the Scheme.</p> <p>Peak District National Park Authority stated in their response to the ExA that "the impact on the setting or the ability to appreciate the scheduled monuments is likely to be negligible" (REP6-038).</p>	Neutral	N/A	
	<p>Designated heritage assets located on Bamford Edge including:</p> <ul style="list-style-type: none"> • Ring cairn on Bamford Moor (Scheduled 		High	<p>Group of Scheduled Monuments (referred to here as 'the SMs') sited on hilltop elevated above Ladybower Reservoir, with sweeping views to surrounding hilltops and valleys. The Scheme is located c.23km from the SMs. There is no visual relationship between the assets and the Scheme.</p>	Neutral	N/A	

	<p>monument, NHLE reference: 1017836)</p> <ul style="list-style-type: none"> • Cairn on Bamford Edge (Scheduled monument, NHLE reference: 1018083) • Cairnfield and quarry on Bamford Edge (Scheduled monument, NHLE 1018084) • Cairn on Bamford Edge (Scheduled monument, NHLE 1018085) 			<p>No potential for impact to the SMs has been identified.</p> <p>Noise and visual intrusion from the presence of the road and the movement of traffic forms an existing element of the setting of the SMs.</p> <p>The ARN runs along the base of the valley floors, below the elevated location of the SMs. While traffic along the ARN is predicted to increase, this would not result in significant change to views to or from the SMs or affect the significant views or interrelationships between them.</p> <p>Short-term increases in noise would be perceptible only within c.10m of the road corridor and would not be perceptible from the SMs. No long-term perceptible change to noise is predicted as a result of the operation of the Scheme.</p> <p>Peak District National Park Authority stated in their response to the ExA that “the impact on the setting or the ability to appreciate the scheduled monuments is likely to be negligible” (REP6-038).</p>			
	<p>Designated heritage assets located at Crookhill including:</p> <ul style="list-style-type: none"> • Round cairn 430m west of Crookhill Farm (Scheduled monument, NHLE 1019907); • Round cairn and clearance cairn 770m north west of Crookhill Farm (Scheduled monument, NHLE 1019908); • Stone circle 330m north west of Crookhill Farm (Scheduled monument, NHLE 1019909). 		High	<p>Group of Scheduled Monuments (referred to here as ‘the SMs’) sited on hilltops elevated above Ladybower Reservoir, with sweeping views to surrounding hilltops and valleys, and surrounding contemporary ceremonial monuments.</p> <p>The Scheme is located c.19km from the SMs. There is no visual relationship between the assets and the Scheme. No potential for impact to the SMs has been identified.</p> <p>Noise and visual intrusion from the presence of the road and the movement of traffic forms an existing element of the setting of the SMs.</p> <p>The ARN runs along the base of the valley floor, below the elevated location of the SMs. While traffic along the ARN is predicted to increase, this would not result in significant change to views to or from the SMs or affect</p>	Neutral	N/A	

				<p>the significant views and interrelationships between them.</p> <p>Short-term increases in noise would be perceptible only within c.10m of the road corridor and would not be perceptible from the SMs. No long-term perceptible change to noise is predicted as a result of the operation of the Scheme.</p> <p>Peak District National Park Authority stated in their response to the ExA that “the impact on the setting or the ability to appreciate the scheduled monuments is likely to be negligible” (REP6-038).</p>			
	<p>Milestones along the A57 within the PDNP comprising:</p> <ul style="list-style-type: none"> • Milestone (Grade II Listed Building, NHLE reference 1203888) • Milepost approximately 80 metres west of driveway to Moscar Cross Farm (Grade II Listed Building, NHLE reference 1314536) • Mile post approximately 140 metres east of Black Rock (Grade II Listed Building, NHLE reference 1203888) • Mile post approximately 90 metres west of driveway to Swinglee Ford (Grade II Listed Building, NHLE reference 1314574) 		Medium	<p>Roadside milestones (all Grade II listed) with no visual relationship with the Proposed Scheme.</p> <p>The setting of the milestones within the road corridor contributes to their significance.</p> <p>Changes to traffic levels will not impact on the significance the assets derive from this setting.</p>	Neutral	N/A	
	Listed Buildings located along the A57 Snake Pass to the east of		Medium	Farm complexes and bridge (all Grade II listed) set back from the existing A57. These assets are located over 14km from the Scheme and	Neutral	N/A	

	<p>Alport Bridge comprising:</p> <ul style="list-style-type: none"> • Gillott Hey Farmhouse (Grade II Listed Building, NHLE 1334808); • Rowlee Bridge (Grade II Listed Building, NHLE reference 1203883) • Upper Ashop Farmhouse (Grade II Listed Building, NHLE reference 1087993) • Rowlee Farmhouse and Barns (Grade II Listed Buildings, NHLE references 1087994, 1087995, 1203894) 			<p>do not share any visual relationship with the proposed Scheme.</p> <p>These assets are set back from the A57 and, with the exception of Upper Ashop Farmhouse, have limited visual relationship with the A57 in this area.</p> <p>There is a visual relationship between Upper Ashop Farmhouse and the A57, however the farmhouse is located over 300m from the road, and views from its principal elevation look towards the southeast, along Woodlands Valley, parallel to the road.</p> <p>The predicted increase in traffic levels on the ARN would not result in significant changes to views to or from these heritage assets. Short-term increases in noise would be perceptible only within c.10m of the road corridor and would not be perceptible from them. No long-term perceptible change to noise is predicted as a result of the operation of the Scheme.</p>			
	<p>Delmont Grange (Grade II Listed Building, NHLE reference: 1191620)</p>		<p>Medium</p>	<p>Delmont Grange is located over 18km from the proposed Scheme; and there is no visual relationship between the Scheme and it.</p> <p>The building is located directly to the south of the A658, with views looking to the east across gardens and possible estate lands, with long views possible across surrounding countryside.</p> <p>Noise and visual intrusion from the movement of traffic along the A658 forms a prominent element of Delmont Grange's setting.</p> <p>While traffic is predicted to increase on the ARN adjacent to the building, no perceptible increase in noise in the short or long-term is predicted.</p> <p>The operation of the Scheme would reinforce existing baseline conditions of noise and visual intrusion from traffic on the Delmont Grange's setting and would not diminish the contribution of setting to the significance of the asset.</p>	<p>Neutral</p>	<p>N/A</p>	

	<p>Milestones along the A628 within the PDNP:</p> <ul style="list-style-type: none"> • Milestone approximately 150 metres east of Dog and Partridge Public House (Grade II Listed Building, NHLE reference: 1151084); • Milestone approximately 1000 metres east of junction with Windleden Lane (Grade II Listed Building, NHLE reference: 1315029) 		Medium	<p>Roadside milestones (all Grade II listed buildings) with no visual relationship with the Proposed Scheme.</p> <p>The setting of the milestones within the road corridor contributes to their significance.</p> <p>Changes to traffic levels will not impact on the significance the assets derive from this setting.</p>	Neutral	N/A	
	<p>Designated assets on Langsett Moor comprising:</p> <ul style="list-style-type: none"> • Wayside cross on Langsett Moor known as Lady Cross (Scheduled Monument, NHLE 1151101); and • Milestone approximately 400 metres east of Lady Cross (qv) on old salt road (Grade II Listed Building, NHLE reference: 1151102) 		Medium	<p>Milestone (Grade II listed building) and cross (Scheduled Monument) sited on an old salt route from Cheshire. Located over 14km from the proposed Scheme, they have no visual relationship with the Scheme.</p> <p>Noise and visual intrusion from traffic on the A628 forms an element of their respective settings.</p> <p>The setting of the assets on the old salt road contributes to their significance. Changes to traffic levels on the A628 will not result in any perceptible change to noise or visual character of setting or detract from the contribution of setting to the significance of these assets.</p>	Neutral	N/A	
	<p>Group of listed buildings at Bleak House on the A628:</p> <ul style="list-style-type: none"> • Church of St James (Grade II Listed Building, NHLE reference: 1203925); • Bleak House (Grade II Listed Building, NHLE 		Medium	<p>Group of buildings (all Grade II Listed) located to the north of the A628 with open views of the landscape to the south.</p> <p>Bleak House and the Valve Station are both historically associated with the Woodhead Reservoir and have open views towards the reservoir from their southern elevations.</p>	Neutral	N/A	

	<p>reference: 1334810); and</p> <ul style="list-style-type: none"> Valve Station to the west of Bleak House (Grade II Listed Building, NHLE reference: 1087998). 			<p>Noise and visual intrusion from traffic on the A628 forms an element of the setting of all three buildings.</p> <p>While traffic is predicted to increase on the ARN adjacent to the buildings, no perceptible increase in noise in the short or long-term is predicted.</p> <p>The operation of the Scheme would reinforce existing baseline conditions of noise and visual intrusion from traffic on the respective settings of the buildings and would not diminish the contribution of setting to their significance.</p>			
	<p>Roman fortlet 320m east of Highstones (Scheduled Monument, NHLE reference 1019061)</p>		<p>High</p>	<p>The Roman fort (Scheduled Monument) is located on high ground above the A628 with long views possible towards the east and west along Longendale.</p> <p>The Scheme is located c.6km from the fort, and while the fort has long views westwards, the Scheme would not be readily perceptible in this view.</p> <p>The A628 is downslope from the fort, located over 200m from the monument at its closest point. Views of the road as it runs past the fort are screened by the surrounding topography.</p> <p>Noise and visual intrusion from traffic on the A628 forms an element of the assets' existing settings.</p> <p>While traffic is predicted to increase on the ARN, no perceptible increase in noise in the short or long-term is predicted on the setting of the fort.</p> <p>Operation of the Scheme would reinforce existing baseline conditions of noise and visual intrusion from traffic on the fort's setting and would not diminish the contribution of setting to its significance.</p>	<p>Neutral</p>	<p>N/A</p>	

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