

A585 Windy Harbour to Skippool Improvement Scheme

TR010035

6.5.2 ES Appendix 5.2: Section 42 Comments and Responses

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The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

A585 Windy Harbour to Skippool Improvement Scheme

Development Consent Order 201[]

ES APPENDIX 5.2: SECTION 42 COMMENTS AND RESPONSES

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1 SUMMARY OF SECTION 42 COMMENTS AND HIGHWAYS ENGLAND RESPONSES

- 1.1.1 Table 1-1 provides the Section 42 Comments received during the statutory consultation process (May 2018) for the A585 Windy Harbour to Skippool Improvement Scheme. A response is provided against each comment to explain how the comment has been addressed in the Environmental Statement (ES).

Table 1-1: Section 42 Comments and Highways England Responses

Consultee	Comment	Highways England Response
Natural England	Natural England recognises the importance of the pre-application stage of the consenting regime and we welcome the opportunity to engage at this stage. As such we seek to make this process as effective as possible. We have been positively engaging with your ecological consultants on a number of topics since 2016 and have had meetings to discuss licensing, mitigation, proposed enhancements and net gain.	Noted - details of engagement with Natural England are outlined in Chapter 3: Consultation (document reference TR010035/APP/6.3) – Table 3-1.
Natural England	At the most recent meeting with your ecologists, we discussed the draft Habitats Regulations Assessment (HRA) and potential mitigation options. We expect to be consulted about this document in June 2018 therefore, there are some topics in the PEI report which we would expect to be assessed through the HRA which we have not yet seen. This prevents us from providing as full advice as we would like. We therefore reserve the right to provide further advice once we have seen the HRA and highlight that agreement is not to be assumed where no comment is currently made. Additionally, some issues can be particular to European sites and their qualifying features so would specifically be addressed by the HRA, therefore early sighting of this document is essential if we are to work together on a Statement of Common Ground which will help focus the examination phase.	Noted – ongoing engagement was undertaken with Natural England throughout the preparation of the HRA (document reference TR010035/APP/5.4). It was issued to Natural England in June 2018 for comment. Details of engagement with Natural England are outlined in Chapter 3: Consultation (document reference TR010035/APP/6.3) – Table 3-1.
Natural England	Section 5 Air Quality - As the designated sites are outside of the 200m distance criteria (Design Manual for Roads and Bridges: Volume 11 Section 3, Part 1), we agree that there is no need to consider air quality impacts on designated sites further. However, the scoping out of air quality impacts on designated sites should be included and justified in this section for clarity.	Chapter 6: Air Quality (document reference TR010035/APP/6.6), Section 6.3 and HRA (document reference TR010035/APP/5.4), Section 5.3.5 outlines why air quality impacts on designated sites are scoped out.

Consultee	Comment	Highways England Response
Natural England	<p>Section 7 Biodiversity - We would expect some of this section to be covered by the HRA which we have yet to see and comment on. We would need to see the baseline surveys (which inform the conclusions in the PEIR). Any mitigation will need to be proportionate and appropriate and we would like to see opportunities for enhancement (net gain) in addition to mitigation. We have previously agreed the ecological features and designated sites to be scoped in and out of the assessment.</p>	<p>Baseline information reports are appended to Chapter 8: Biodiversity (document reference TR010035/APP/6.8), document reference TR010035/APP/6.8.1 – 6.8.8.</p> <p>There has been ongoing liaison with Natural England regarding the HRA for the Scheme (document reference TR010035/APP/5.4), Section 4.1.2. Ecological enhancement proposed as part of the Scheme is outlined in the Chapter 8: Biodiversity (document reference TR010035/APP/6.8), Section 8.6 and also detailed within the Enhancement Strategy appended to the Outline CEMP (document reference TR010035/APP/7.2). Appendix 8.9 also outlines how calculations for net gain have been undertaken (document reference TR010035/APP/6.8.9).</p>

Consultee	Comment	Highways England Response
Natural England	<p>Section 9 Noise and Vibration - We would expect this section to be covered by the HRA.</p> <p>This section only appears to cover noise impacts on people – not including bird receptors. However, at our recent meeting with your ecologists, we did discuss mitigation options for the construction works including phased works to avoid working over winter in specific areas, use of visual screening, temporary and permanent mitigation areas. We also discussed the location of expected piling and how it could be mitigated. We would expect all these measures to be explored further as part of the HRA and ES.</p>	<p>Chapter 11: Noise and Vibration (document reference TR010035/APP/6.11) covers only impacts on people. The HRA (document reference TR010035/APP/5.4), Section 6.4 and Chapter 8: Biodiversity (document reference TR010035/APP/6.8), Section 8.7 covers impacts to birds as a result of noise and vibration from the Scheme.</p>
Natural England	<p>Section 16 Assessment of Cumulative and In-Combination Effects - We would expect this section to be covered by the HRA and we will provide comments on this section when we see the HRA/ES. We expect this to be an on-going process to be developed until the ES is finalised. In environmental terms, we recommend that this is conducted using a receptor led approach, whereby the potential for impact with respect to the sensitivity of each receptor is assessed, followed by definition of which projects should be included based on the likely spatial and temporal extent of effects. We suggest that a map is presented for each sensitive receptor, particularly with respect to ornithological receptors, to identify projects within the region of sensitivity (e.g. foraging range) and thus clearly identifying why certain projects have been excluded or included. We are of the opinion that an assessment of potential transboundary effects should be undertaken.</p> <p>Should the timetable of the project proposal slip for any reason, it will be necessary to re-consider whether there is sufficient information to fully assess cumulative impacts. Consequently, inclusion of data as it becomes available for other projects in the planning process may be required to inform an updated assessment.</p>	<p>A cumulative assessment / in combination assessment is provided within the HRA (document reference TR010035/APP/5.4), Section 6.5 and in Chapter 16: Cumulative Effects (document reference TR010035/APP/6.16), Section 16.5</p>

Consultee	Comment	Highways England Response
Natural England	<p>Section 10 Soil and Agricultural Land Quality - Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.</p>	Noted.
Natural England	<p>Highways England should consider the following issues as part of the Environmental Statement:</p> <p>1. The degree to which soils are going to be disturbed / harmed as part of this development and whether 'best and most versatile' agricultural land is involved.</p> <p>Paragraphs 10.2.17 to 10.2.19 inclusive in the PEI report state (and the maps show) that there are no post 1988 surveys within the proposed area for development. The surveys that do exist on the south-western edge of the proposal suggest there is some grade 3a land, and part of the proposed area is in a floodplain located near the River Wyre. According to the strategic map, the whole area encompassed by the proposal has a high likelihood of BMV land. Given that the scheme is non-reversible in terms of potential agricultural land classification (ALC) loss a detailed survey should be undertaken.</p> <p>For further information on the availability of ALC information see www.magic.gov.uk. Guidance on assessment of development proposals on agricultural land is also available.</p>	<p>The degree to which soils would be disturbed and the extent of land lost is detailed in Chapter 10: People and Communities (document reference TR010035/APP/6.10), Section 10.8. This details the extent and proportion of best and most versatile (BMV) land lost. Data has been collated from available sources. The requirement to undertake detailed ALC surveys at this stage has been scoped out. A desk-based study based on available information has been undertaken and the majority of the land affected is BMV. As such further surveys at this stage would not change the outcome of the assessment (this approach is being discussed further with Natural England). The outcome of the assessment is presented within Chapter 10: People and Communities (document reference TR010035/APP/6.10), Section 10.8.</p>

Consultee	Comment	Highways England Response
Natural England	2. An agricultural land classification (ALC) and soil resource survey of the land should be undertaken. This should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres.	The degree to which soils are disturbed and the extent of land lost (including BMV) is outlined within Chapter 10: People and Communities (document reference TR010035/APP/6.10), Section 10.8. This includes a proposal covering the requirements of a Soil Resources Survey to support the development of a Soil Management Plan (appended to the Outline CEMP) (document reference TR010035/APP/7.2).
Natural England	3. The Environmental Statement and, where appropriate, a Construction Environmental Management Plan (CEMP) should provide details of how any adverse impacts on best and most versatile agricultural land and soil resources can be minimised. Further guidance is contained in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites.	An Outline CEMP (document reference TR010035/APP/7.2) has been prepared and submitted as part of the DCO application. Appended to the Outline CEMP is the Soil Management Plan (Appendix D) which includes how to minimise impacts on BMV agricultural land.

Consultee	Comment	Highways England Response
Natural England	<p>4. For highways schemes which may involve temporary disturbance of land, particular attention should be given to:</p> <ul style="list-style-type: none"> • The reinstatement of borrowpits, infilling, access routes, temporary soil storage areas and compounds etc, to the required standard for their intended after-use, • A programme of post restoration aftercare for such temporarily disturbed areas, • Reinstatement and / or rationalisation of field boundaries, • Provision for existing and future land drainage requirements, • Movement of agricultural traffic (including livestock) and access to fields, • Proposals for severed or irregular blocks of land which would no longer be viable for farming, and • The management of easement strips or wayleaves required for longer term access and / or maintenance of the development etcetera. 	<p>The appropriate handling, storage and restoration of soils is covered, with specific reference to the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. The effect on farm viability (both during construction and operation) and how land is returned to agricultural use is dealt with in Chapter 10: People and Communities (document reference TR010035/APP/6.10), Section 10.8.</p>
Natural England	<p>5. Highways England are also advised to seek guidance from the Defra Animal and Plant Health Agency, both at the design stage and prior to commencing soil movement operations on agricultural land, to prevent the disturbance of carcass burial pits or the inadvertent spreading of soil borne plant or animal diseases.</p>	<p>The potential presence of burial pits is considered within Chapter 10: People and Communities (document reference TR010035/APP/6.10). Mitigation includes - should such features be encountered during construction works would stop and the appropriate advice sought.</p>
Natural England	<p>Protected Species Natural England have already been in discussions with your ecologists regarding the mitigation and licencing requirements for protected species on the site in particular great created newts, bats and barn owls. We agreed a way forward with you regarding the submission of draft licences once a number of actions had been carried out. We therefore have no further comments to make about protected species at this time.</p>	<p>Noted. Draft EPS licenses for bats and great crested newts have been issued to Natural England for review / comment.</p>

Consultee	Comment	Highways England Response
Environment Agency	Environment Agency position - The environmental issues within our remit which affect this proposal include flood risk, groundwater and contaminated land, fisheries, biodiversity and geomorphology and water quality.	Noted.
Environment Agency	We have reviewed the information provided and, in general, we are satisfied that it adequately covers the above issues. In further developing your proposals we would refer you to our advice given in relation the Environmental Impact Assessment Scoping Opinion consultation (Our ref: NO/2017/110331/01-L01; dated 5 December 2017).	Noted.
Environment Agency	However, further information and assessment is required in relation to flood risk. This is a key issue for this development which needs to be addressed before the submission of the Development Consent Order (DCO).	The Flood Risk Assessment (FRA) (document reference TR0010035/APP/5.2) has been issued to the Environment Agency for comment. Comments have recently been received (22/08/18) and we are working closely with the Environment Agency to address these.

Consultee	Comment	Highways England Response
Environment Agency	<p>2.3 Scheme Alignment Paragraph 2.3.2 Page 7:</p> <p>Issue: Passing under the existing footprint of Skippool Junction roundabout is Skippool Clough Culvert carrying Horsebridge Dyke northwards towards the River Wyre at Skippool Creek. It is stated that this culvert would be retained in its present form under the new junction.</p> <p>Comment: If the capacity of the existing culvert is insufficient to convey peak flows associated with potential climate change impacts, the retention of the structure may increase flood risk to the proposed development.</p> <p>Suggested solution: Demonstrate that the capacity of the existing culvert is sufficient to convey peak flows associated with potential climate change impacts. If it is not, the existing culvert should be replaced to demonstrate how the increased risk of flooding over the lifetime of the development will be mitigated.</p>	<p>It has been identified that the existing culvert has limited life and needs to be replaced. A replacement culvert is proposed that would replace the existing culvert (minimum internal diameter 1.52m) with a new culvert (1.8m internal diameter) providing 40% increase in capacity.</p> <p>The effects of replacing the culvert would be considered in more detail in the next iteration of the FRA. More detailed numerical modelling assessment of the new culvert will be undertaken as necessary, and reported in the next iteration of the FRA.</p>
Environment Agency	<p>2.3 Scheme Alignment Paragraph 2.3.11 Page 8:</p> <p>Issue: The ditches would be culverted to maintain connectivity, allow floodwater to pass through the embankment to provide additional storage and to serve as mammal passes through the embankment. It is not clear how a culverted ditch with an embankment placed provides 'additional storage'.</p> <p>Comment: The statement is unqualified. The method of providing additional storage through the culverting of ditches is unclear and may result in an increase in flood risk elsewhere.</p> <p>Suggested solution: Clarify / demonstrate how the culverting of the ditches will provide additional storage.</p>	<p>Culverting of ditches would not provide additional storage but would include provision for maintaining mammal passage and hydrological connectivity. The culverts have been assessed as part of the FRA (document reference TR0010035/APP/5.2) and Chapter 12: Road Drainage and the Water Environment (document reference TR0010035/APP/6.12), Section 12.6</p>

Consultee	Comment	Highways England Response
Environment Agency	<p>2.4 Earthworks Design, Paragraph 2.4.1, Page 9:</p> <p>Issue: To achieve the required profile, there are various locations the route goes into cutting or requires fill. We anticipate that this will be dealt with in detail as part of the Flood Risk Assessment (FRA) component. However, information is lacking at present to give a clearer picture on exactly where these cut and fill locations are and what the relationship is to the flood zone designation. At present only drawing 5 of 5 in Appendix A (8 of 9), superimposes the scheme onto modelled Flood Zone 2 and 3 constraints.</p> <p>Comment: The effects of the proposal on flooding regimes and flood flow routes during the construction and operation phases across a range of modelled return periods are unknown.</p> <p>Suggested solution: Additional drawings should be produced that clearly show scheme proposal in Flood Zones 2 and 3. In order that extent and type of proposal are better understood at an early stage.</p>	<p>This information forms part of the FRA (document reference TR0010035/APP/5.2) Chapter 12: Road Drainage and the Water Environment (document reference TR0010035/APP/6.12), Figure 12.1.</p>

Consultee	Comment	Highways England Response
Environment Agency	<p>2.4 Earthworks, Design, Paragraph 2.4.2, Page 10:</p> <p>Issue: In this section, borrowpits have been identified. Information is lacking at present to give a clearer picture on exactly where these cut and fill locations are and what the relationship is to the flood zone designation. At present only drawing 5 of 5 in Appendix A (8 of 9), superimposes the scheme onto modelled Flood Zone 2 and 3 constraints.</p> <p>Comment: The effects of the proposal on flooding regimes and flood flow routes during the construction and operation phases across a range of modelled return periods are unknown.</p> <p>Suggested solution: Any proposed reinstatement levels are critical to understand and must be clearly detailed in developing studies and supporting documentation. It is essential that proposals, either at construction or reinstatement phase, do not increase flood risk as a result of changes in levels, type of material used and compaction. Additional drawings should be produced that clearly show scheme proposals for borrowpits and reinstatement in Flood Zones 2 and 3. In order that extent and type of proposal are better understood at an early stage.</p>	<p>The proposed borrowpits are located in EA Flood Zone 1 and flood risk does not pose a constraint to excavation or re-instatement of the pits.</p>

Consultee	Comment	Highways England Response
Environment Agency	<p>2.6 Highways Design, Paragraph 2.6.3, Page 11:</p> <p>Issue: It is stated that existing drainage ditches are to be reinstated or diverted. This section also refers to new or extended culverts. There is a lack of clarity in documentation as to the designation of 'existing drainage ditches' that will be subject to works. It is not clear which ordinary watercourses or designated main rivers may be affected.</p> <p>Comment: The reinstatement and diversion of existing ditches and installation of new or extended culverts may increase flood risk.</p> <p>Suggested solution: The proposals should identify the existing ditches to be reinstated and diverted and the location of proposed culverts and extended culverts and demonstrate that they will satisfy all relevant design standard criteria. Additional drawings should be produced that clearly show scheme proposals and watercourses and designations that may be affected. Environmental Permits or Ordinary Watercourse Flood Defence Consents will be required for the activities. Work will be required in due course to demonstrate adequacy and suitability of proposals.</p>	<p>The re-instatement and diversion of existing ditches and the installation or extension of culverts is assessed as part of the FRA (document reference TR0010035/APP/5.2) and Chapter 12: Road Drainage and the Water Environment (document reference), Sections 12.7. Supporting drawings within FRA (document reference TR0010035/APP/5.2), Figure 2 shows these proposals and the watercourses affected, which include both ordinary watercourses and main rivers.</p> <p>Consent requirements for these works are noted.</p>

Consultee	Comment	Highways England Response
Environment Agency	<p>2.6 Highways Design, Paragraph 2.6.4, Page 11:</p> <p>Issue: A number of highway wetland areas would be constructed to provide storage, containment and treatment of water run-off from the bypass. These wetland areas would discharge into adjoining watercourse. Clearly, if the proposals are for SUDS features that retain a permanent water level and discharge water subjected to extended detention and treatment into adjoining watercourses, then there is potential for the structures/ earthwork that contain these features, themselves to be passively displacing flood water from the what was previously the flood plain to elsewhere.</p> <p>Comment: The ambiguity about the description, location and nature of these proposals means that there is the potential for them to increase flood risk. Such features cannot be within the flood zone if they are to provide flood storage</p> <p>Suggested solution: Further clarification should be provided on the proposals and impacts elsewhere need to be considered. Develop design and provide mitigation where necessary.</p>	<p>The proposed constructed wetlands have been included in the Schemes flood risk model and are assessed as part of the FRA (document reference TR0010035/APP/5.2), Appendix E and Section 5.6 and Figure 16.</p>
Environment Agency	<p>2.11 Construction, Paragraph 2.11.2, Page 13:</p> <p>Issue: This section describes a number of site compounds and haul roads for construction.</p> <p>Comment: Site compounds and haul roads in flood risk areas have the potential to increase flood risk, be themselves subject to flood damage and contaminate receiving waterbodies potentially having detrimental ecological impacts.</p> <p>Suggested solution: Careful consideration is required in the location, design, layout and subsequent reinstatement of temporary works area as part of FRA. The applicant also needs to be aware of the Environmental Permitting Regulations implications of temporary compounds and works in Flood Zone 3.</p>	<p>An assessment of the potential effects of site compounds and haul roads is included in the FRA (document reference TR0010035/APP/5.2), Sections 7.5.2 and 7.5.3.</p>

Consultee	Comment	Highways England Response
Environment Agency	<p>2.12 Demolition, Paragraph 2.12.3, Page 13:</p> <p>Issue: This section describes proposal for Skippool Bridge demolition.</p> <p>Comment: The impacts in relation to the management of levels and flows in Main Dyke main river is currently unknown and no detail is provided at this stage. There is potential for flood risk to be increased during demolition and construction works.</p> <p>Suggested solution: This area and this period of work proposed work is considered to be of the most impactful of the proposal. Special attention needs to be given to understanding the flood risk implication and developing the best and least impactful solutions. This should be clearly demonstrated in the FRA.</p>	<p>The impacts of these works on water levels and flows in the Main Dyke have been assessed and are fully documented in the FRA (document reference TR0010035/APP/5.2), Section 6.4</p>
Environment Agency	<p>2.12 Demolition Paragraph 2.12.4, Page 14:</p> <p>Issue: Following a condition survey on Skippool Clough Culvert, it is possible sections of the culvert may need to be re-built if maintenance or strengthening works are not a suitable option. Options do not appear to include complete replacement of the culvert with a new structure.</p> <p>Comment: If the existing culvert is not fit for purpose, the retention and repair of the structure may not be appropriate and could increase flood risk.</p> <p>Suggested solution: Build a new structure that will be fit for purpose for the lifetime of the development (inclusive of accommodation of climate change peak flow allowances) should maintenance and strengthening works to the existing Skippool Clough Culvert not be sufficient to mitigate the flood risk.</p>	<p>It has been identified that the existing culvert has limited life and needs to be replaced. A replacement culvert is proposed that would replace the existing culvert (minimum internal diameter 1.52m) with a new culvert (1.8m internal diameter) providing 40% increase in capacity.</p> <p>The effects of replacing the culvert would be considered in more detail in the next iteration of the FRA. More detailed numerical modelling assessment of the new culvert will be undertaken as necessary and reported in the next iteration of the FRA.</p>

Consultee	Comment	Highways England Response
Environment Agency	<p>11 Road Drainage and Water Environment, Paragraph 11.4.3, Construction: Tables 11-1 to 11-5 Page 106:</p> <p>Issue: The tables describe negative impacts to receptors (some of which are designated Main Rivers) and proposed mitigation measure developed through a Construction Environment Management Plan (CEMP). Work affecting the Main River network and temporary works in Flood Zone 3 and not permitted by DCO will be likely to require an Environmental Permit. Impacts of these works need to be considered both during construction and after in relation to flows during normal and flood conditions.</p> <p>Comment: The environmental impacts of construction phase activities that are not controlled through the DCO process may not be considered, risking potential harm to the environment should appropriate mitigation not be identified and increasing flood risk.</p> <p>Suggested solution: Early effects need to be considered both during construction and after in relation to flows of water during normal and flood conditions. In addition understanding of the activities likely to require Flood Risk Activity Permits needs to be understood at the earliest possible opportunity to avoid any delays to the project resulting from a failure to secure necessary consents in time.</p>	<p>The Outline CEMP (document reference TR010035/APP/7.2) will be submitted as part of the DCO submission and contains details of consents and licenses required. It is now proposed to include temporary flood compensation basins to reduce the risk of flooding during construction. This is included within the FRA submitted to Environment Agency for review / comment.</p>
Environment Agency	<p>In addition to the above comments, we have recently attended a meeting on 30 April 2018 at our offices with representatives from Arcadis to discuss flood risk issues.</p> <p>The purpose of the meeting was primarily to clarify issues relating to flood risk during the construction stage and the hydraulic modelling.</p> <p>We understand that Arcadis intend to submit their hydraulic models to us for review by the end of May 2018. The outcome of our modelling review is essential in informing the forthcoming FRA on which it is based, and the subsequent mitigation measures necessary to prevent an increase in flood risk.</p>	<p>Noted. The hydraulic models and FRA (document reference TR010035/APP/5.2) were issued to the EA for comment. A meeting is scheduled for 18 October 2018 to discuss the modelling in more detail.</p>

Consultee	Comment	Highways England Response
Environment Agency	<p>Fisheries, biodiversity and geomorphology</p> <p>In sections 7.2.20 and 7.2.22 (page 48), Main Dyke and Skippool Creek, are stated as separated watercourses when they are in fact the same Main River. The two Main River watercourses in this location are Main Dyke (also known as Skippool Creek) and Horsebridge Dyke. This should be corrected for the purposes of clarity and to avoid confusion if this error is carried over into future documentation.</p> <p>Any bridges should be clear spanning structures with the abutments set back to provide an acceptable bank width beneath the bridge and acceptable height above the bank top. This will maintain a continuous river corridor and provide for movement of wildlife.</p> <p>Any alteration to existing river structures should minimize the impact on the river corridor and provide for movement of wildlife.</p> <p>Any outfalls should not be over engineered. They should be in profile with the bank and not be placed at right-angles to the watercourse, but should instead be at 45 degrees to the watercourse to reduce potential for scour. SEPA has a good guide:</p> <p>SEPA - Engineering in the water environment- Outtakes and intakes Any scour protection associated with infrastructure should be an appropriate scale, designed to reduce further scour, minimise the impact on bed and banks and where possible incorporate bioengineering.</p>	<p>Noted.</p> <p>A number of mammal crossing are provided at watercourse crossings – these are shown on the Environmental Masterplan (document reference TR010035/APP/6.19)</p>
Environment Agency	<p>Contaminated land</p> <p>Please note that we hold records of an intrusive investigation within the DCO boundary, which relates to Poulton Wastewater Treatment Works, Old Mains Lane (to the North West of the site), and an intrusive investigation just outside the DCO boundary, which relates to Skippool Landfill Pipeline, Wyre Estuary (also to the north west of the site).</p>	<p>This information was requested from the Environment Agency.</p>

Consultee	Comment	Highways England Response
Environment Agency	<p>Environment Agency planning advice</p> <p>If you require further detailed planning advice from us following our response to this application, we may be able to provide this through our voluntary charged for service under our existing charging agreement with Arcadis based on our charges of £100 per person per hour (plus VAT). Any request for planning advice should be submitted to clplanning@environment-agency.gov.uk. Please note that we will be unable to offer this service where we consider that a request is unreasonable, goes beyond what we can advise on through our planning remit or where other operational activities and issues prevent us from doing so.</p>	Noted.
Historic England	<p>Historic England is an Executive Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport, with our funding agreement also signed by CLG and DEFRA. We are the UK Government's statutory adviser and a statutory consultee on all aspects of the historic environment and its heritage assets. This includes archaeology on land and underwater, historic buildings, sites and areas, designated landscapes and the historic elements of the wider landscape. We work in partnership with central government departments, local authorities, voluntary bodies and the private sector to conserve and enhance the historic environment, broaden public access to our cultural heritage, and increase people's understanding and appreciation of the past.</p>	Noted.
Historic England	<p>Chapter 6 of the Preliminary Environmental Information [PEI] Report, which has been compiled as a basis for the Environmental Impact Assessment [EIA] to be carried out on the proposed scheme, provides baseline data about known cultural heritage assets, identifies additional cultural heritage information to be obtained, and indicates potential effects during both construction and operation, as well as mitigation measures that may be required in order to avoid, reduce or remedy significant adverse effects.</p>	Noted.

Consultee	Comment	Highways England Response
Historic England	<p>The area selected for study, extending 1km from either side of the selected route, appears reasonable given the nature of the scheme and of the area through which it passes. Heritage assets, amounting to 10 Grade II listed buildings, two conservation areas, and 158 undesignated heritage assets have been identified at 6.2 ('Existing Environmental Conditions') and the gazetteer in Appendix B, and mapped on Figure 6.1 at Appendix A. The proposed cultural heritage walkover survey and analysis of easily accessible air photographs proposed at 6.3.1 and 6.3.2 respectively should</p> <p>reduce the risk of discovering previously unknown archaeological sites during the construction phase. The potential need to carry out further investigations in order to characterise sites discovered during this work, or to assess the likely impact of the scheme upon them, is acknowledged at 6.3.5.</p>	Noted.
Historic England	<p>Historic England supports the decision, set out at 6.4.1 and 6.4.2, to scope effects during construction and operation on a wide range of cultural heritage assets, including undesignated heritage assets and the historic landscape, into the EIA, on the basis that potentially significant effects cannot be ruled out at this stage. The initial assessment of the potential effects of the scheme during construction and operation outlined in Tables 6-1 to 6-6, and the measures proposed to manage them, appear reasonable on the basis of current information. The potential effects of the Scheme on the historic landscape are dealt with in Chapter 8 of the PEI Report. The proposals for assessing landscape effects appear to be in line with current best practice, although some cross-referencing between this chapter and that on cultural heritage in the Environmental Statement would be desirable, so that the overall impact of the Scheme on cultural heritage and the effectiveness of the mitigation measures proposed can be fully appreciated.</p>	Noted – additional cross referencing has been provided in Chapter 7: Cultural Heritage (document reference TR010035/APP/6.7).
Historic England	<p>Historic England considers that the baseline information and proposals for further assessment and investigation contained in the PEI Report should provide a sound basis for carrying out an EIA on the potential effects of the scheme upon cultural heritage, and for the compilation of the Environmental Statement.</p>	Noted- this information is within Chapter 7: Cultural Heritage (document reference TR010035/APP/6.7), Section 7.4.

Consultee	Comment	Highways England Response
Marine Management Organisation	<p>Comments in relation to the PEIR:</p> <p>The PEIR document does not contain sufficient scheme detail at this stage to determine what aspects may be within the licensable remit of the MMO and therefore, potentially subject to a deemed marine licence (DML) within any subsequent Development Consent Order (DCO). Without clarification on this point, at this stage, the MMO is unable to provide detailed comments.</p>	Noted.
Marine Management Organisation	<p>Further information required:</p> <p>The MMO requests further detail on aspects of the project that may extend below MHWS. Specifically, discussions between the MMO and Highways England (and contractor Arcadis) have identified the following areas as having potential to include activities within the MMO's licensing jurisdiction:</p> <ul style="list-style-type: none"> - Horsebridge Dyke culvert works. - Drainage works North of Bankfield Farm. 	A Deemed Marine License is provided within the draft DCO (document reference TR010035/APP/3.1).
Marine Management Organisation	<p>General Comments:</p> <p>The MMO have not been contacted for comment on the proposal prior to this statutory consultation. The Scoping Opinion (Pg 45, Part 4.9 (4)(6)) identified the MMO as a prescribed consultee. It is understood this is due to:</p> <ul style="list-style-type: none"> - The Draft Order red line boundary appears to extend below Mean High Water Springs (MHWS) on the tidal River Wyre in the area to the North of Bankfield Farm (PEIR Appendix part 1 of 9). - The requirement to discuss and agree the details of the drainage system with relevant consultees. 	Noted.

Consultee	Comment	Highways England Response
Marine Management Organisation	<p>General Comments:</p> <p>The MMO have not been contacted for comment on the proposal prior to this statutory consultation. The Scoping Opinion (Pg 45, Part 4.9 (4)(6)) identified the MMO as a prescribed consultee. It is understood this is due to:</p> <ul style="list-style-type: none"> - The Draft Order red line boundary appears to extend below Mean High Water Springs (MHWS) on the tidal River Wyre in the area to the North of Bankfield Farm (PEIR Appendix part 1 of 9). - The requirement to discuss and agree the details of the drainage system with relevant consultees. <p>The MMO welcomes further engagement with the applicant to establish what aspects of the project may be within the marine area and therefore subject to marine licensing requirements.</p> <p>The MMO advises the following guidance is reviewed to inform discussion: https://www.gov.uk/guidance/do-i-need-a-marine-licence https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2012/04/Advice-note-11-Annex-B-MMO.pdf</p>	A Deemed Marine License is provided within the draft DCO (document reference TR010035/APP/3.1).
Marine Management Organisation	<p>Conclusion</p> <p>The MMO notes that to date, engagement on the project has been limited. The MMO welcomes further discussion to inform any requirements for a DML within the DCO.</p>	A Deemed Marine License is provided within the draft DCO (document reference TR010035/APP/3.1).

Consultee	Comment	Highways England Response
Public Health England	Our response focuses on health protection issues relating to chemicals, poisons and radiation. The advice offered is impartial and independent. In order to ensure that public health is comprehensively considered the Environmental Statement (ES) should provide sufficient information to allow the potential impacts of the development on public health to be fully assessed.	Noted – Human Health is covered in Chapters 6: Air Quality (document reference TR010035/APP/6.6), Section 6.7, Chapter 11: Noise and Vibration (document reference TR010035/APP/6.11), Section 11.7, Chapter 12: Road Drainage and the Water Environment (document reference TR010035/APP/6.12), Section 12.7, Chapter 13: Geology and Contaminated Land (document reference TR010035/APP/6.13), Section 13.7 and Chapter 10: People and Communities (document reference TR010035/APP/6.10), Section 10.8.
Public Health England	We have reviewed the A585 Windy Harbour to Skippool Improvement Scheme PEIR document (dated March 2018) and accept the general approach proposed for assessing potential impacts on human health.	Noted.
Public Health England	In order to assist the production of an ES, we have included an appendix which outlines the generic considerations that we advise should be addressed by all promoters when they are preparing an ES for an NSIP.	Noted – this appendix was issued as part of the Scoping Response and was incorporated as part of the Environmental Statement (document reference TR010035/APP/6.1-6-14).

Consultee	Comment	Highways England Response
Public Health England	We note that a separate section summarising the public health impacts of the proposed development on public health is not proposed but is to be included within the 'People and Communities' chapter; we ask that this section be included, in line with the recommendations in the appendix that follows.	Human Health is covered in Chapter 6: Air Quality (document reference TR010035/APP/6.6), Section 6.7, Chapter 11: Noise and Vibration (document reference TR010035/APP/6.11), Section 11.7, Chapter 12: Road Drainage and the Water Environment (document reference TR010035/APP/6.12), Section 12.7, Chapter 13: Geology and Contaminated Land (document reference TR010035/APP/6.13), Section 13.7 and Chapter 10: People and Communities (document reference TR010035/APP/6.10), Section 10.8. There is a summary of all the health commentary within Chapter 17: Summary (document reference TR010035/APP/6.17).

Consultee	Comment	Highways England Response
Public Health England	We note that within the air quality assessment PM10 and NO2 modelling will be carried out, but fine particulate matter (PM2.5) is excluded and justification for this is not provided. PM2.5 is of particular interest with regard to transport emissions and the impact of air quality upon public health. We would therefore request that this be considered in the air quality assessment.	Highways England has reviewed the latest measured PM2.5 concentrations collected across the UK and calculated increases in PM2.5 associated with an example of a large increase in vehicles by the edge of a motorway. On the basis of this, Highways England determined that there is no risk that an individual scheme would exceed the PM2.5 EU limit value and consequently, Highways England has not undertaken an assessment of PM2.5 for this Scheme.
Public Health England	In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. Our view is that the assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal. Where a promoter determines that it is not necessary to undertake detailed assessment(s) (e.g. undertakes qualitative rather than quantitative assessments), if the rationale for this is fully explained and justified within the application documents, we consider this to be an acceptable approach.	Noted.
Fylde Borough Council	The proposed A585 Windy Harbour to Skippool scheme was considered by Fylde Council's Planning Committee on 18 April 2018 when Members resolved to make the comments set out in this letter in response to your consultation under Section 42 of the Act.	Noted.

Consultee	Comment	Highways England Response
Fylde Borough Council	<p>Policy T1 of The Fylde Local Plan to 2032 acknowledges the need to improve this section of highway and supports the provision of the A585 Skippool – Windy Harbour improvements. However the economic benefits of delivering the road must be balanced against its potential environmental effects.</p> <p>Accordingly, the justification for Policy T1 (as modified) sets out that proposals for new roads and strategic highway improvements will need to comply with the requirements of Policy GD7 – Achieving Good Design in Development, ENV1 Landscape, ENV2 Biodiversity and Policy ENV5 on Historic Environment. The justification goes on to say that “The Council will work with LCC, as the Highway Authority, and Highways England to minimise landscape, biodiversity, drainage, severance and noise impacts. There will be a commitment to environmentally sensitive design, mitigation and habitat restoration.” These policies contain the context against which the proposed works need to be assessed.</p>	<p>The Planning Statement and National Policy Statement Accordance (document reference TR010035/APP/7.1), Section 4 provides details of how the Scheme meets local policy together with national policy.</p>
Fylde Borough Council	<p>Accordingly, Fylde Council support the principle of the construction of the proposed relief road, subject to:</p> <ul style="list-style-type: none"> • Appropriate mitigation being incorporated to minimise the impact of the proposed development on the amenity of neighbouring residential properties. 	<p>Visual and noise impacts are to residential receptors are outlined within Chapter 9: Landscape (document reference TR010035/APP/6.9) Section 9.7 and Chapter 11: Noise and Vibration (document reference TR010035/APP/6.11), Section 11.7.</p>
Fylde Borough Council	<ul style="list-style-type: none"> • The provision of an ecological mitigation scheme that incorporates further blocks of woodland planting (with an agreed programme of maintenance) in order to offset the impacts of the loss of protected woodland resulting from the scheme (TPO 1974.1 Singleton). 	<p>A full suite of mitigation is presented on the Environmental Masterplan (document reference TR010035/APP/6.19) and is also discussed in Chapter 7: Cultural Heritage (document reference TR010035/APP/6.7), Section 7.6.</p>

Consultee	Comment	Highways England Response
Fylde Borough Council	<ul style="list-style-type: none"> The provision of a “Heritage Improvement Scheme” in order to offset any adverse impacts on the setting of locally, nationally and non-designated heritage assets 	A full suite of mitigation is presented on the Environmental Masterplan (document reference TR010035/APP/TR010035/APP/6.19).
Fylde Borough Council	<ul style="list-style-type: none"> Consideration of any consequential impacts of the proposed relief road along the remainder of the A585, particularly within Fylde Borough. 	Noted.
Fylde Borough Council	In order to expand upon the comments set out above, I have attached two reports that set out in more detail Fylde Council’s assessment of the proposed development on the Landscape/woodland and the heritage assets in the local area.	<p>As identified in Annex 2 of the report from Fylde it is noted 3 woodland groups protected by TPO 1974.01 would be impacted by the Scheme, however to confirm the design does not result in the loss of any woodland group in its entirety.</p> <p>Where woodland loss occurs, this would be replanted in order to mitigate for this, but also provide visual screening for adjacent receptors, and enhancement to biodiversity through improved linkages helping integrate the scheme within the landscape setting. This is discussed in Chapter 7: Cultural Heritage (document reference TR010035/APP/6.7), Section 7.6.</p>

Consultee	Comment	Highways England Response
Fylde Borough Council	<p>In order to reduce the impact of the development, it is considered that the proposed “land bridge”, which was set out in the consultation material as being an option that could be explored further has a number of significant benefits that would help to mitigate the impact of the development. In addition to helping to reduce the degree of noise impact on the residential properties in the Lodge Lane area, such a feature would also:</p> <ul style="list-style-type: none"> -reduce the visual impact of the retaining structures associated with the Lodge Lane bridge/cutting revetments, - help maintain the visual connection between Singleton Hall and the Edward Milner designed parkland to the north, - reduce the impact on the setting of a number of heritage features, and - allow the driveway to Singleton Hall to be retained closer to its original alignment. 	Noted.
Fylde Borough Council	<p>Fylde council has concern that the proposed improvement scheme would simply serve to move congestion to other parts of the A585, in particular the stretch between the Windy Harbour Junction and M55 Jn3. This length of the A585 passes close to residential properties and has a number of junctions that cause traffic to queue. Of significant concern to the council is the A585/B5269 (Thistleton/Mile Road) junction which has seen a number of serious accidents. It is considered that any increase in the capacity of the A585 has potential to increase the risk of accidents at this junction and the opportunity should be taken to examine impacts of the scheme on the safety of the wider network.</p>	Noted.

Consultee	Comment	Highways England Response
Fylde Borough Council	Finally, I can also advise that the Planning Committee delegated authority to myself to act on behalf of Fylde Council, in consultation with a small group of local Councillors, as the project moves through the Development Consent Order process. In order to facilitate this and to ensure our prompt response to any future consultations and notifications, please would you ensure that any future email correspondence is also sent to planning@fylde.gov.uk . Fylde Council is committed to working with Highways England to deliver this project. Accordingly, if you would like to discuss any aspect of the Council's response further, please do not hesitate to contact me.	Noted.
Wyre Council	The council wishes to set out its full support for the development proposal in principal and welcomes the investment in to the A585 in order to provide greater capacity and quicker journeys along the A585.	Noted.
Wyre Council	Highways England must acknowledge, however, that this proposal should only be a part of what must be a wider solution to the problems of the A585 particularly having regard to additional housing and employment growth proposed (which includes a Government designated Enterprise Zone) which will rely on a 'fit for purpose' A585. It is essential that this proposal is not seen as a panacea for the problems of the A585 but as the first phase of a suite of measures which must include key junctions to the north of the development (Norcross and Victoria Road roundabouts) and to the south as far as, and including Junction 3 of the M55 (e.g. staggered junction with the B5269).	Noted.

Consultee	Comment	Highways England Response
Wyre Council	<p>With regards to the details of the scheme as shown, the council has a number of points:</p> <p>1. There is concern that having two signalised junctions in close proximity will result in queuing particularly if each one has multiple phases. There is an existing problem of long queue lengths at the junction of the A588 and A585 and the council does not wish to see this simply moved further down.</p>	<p>The operation of the 2 proposed signalised junctions (Skippool and Skippool Bridge) has been reviewed in detail using a micro-simulation computer model and this indicates that, even with multiple traffic phases, the risk of queuing during peak periods is less than has occurred with the existing Skippool roundabout.</p>
Wyre Council	<p>2. The council is surprised to see no changes to the junction of the A585 mains Lane with the A588. Will this junction still need to be signalised? Would a 3 way roundabout not be a better proposal in order to keep traffic flowing through this junction?</p>	<p>It is assumed this refers to the junction of A588 Shard Road with Mains Lane. An improvement is proposed to the traffic signal junction layout to accommodate the predicted traffic flows considering that there would be a significant reduction in through traffic using Mains Lane. An alternative roundabout was also considered and would work effectively but would require considerably more land to be acquired.</p>
Wyre Council	<p>3. The council is surprised to see the proposed creation of a new roundabout replacing the existing Singleton junction, particularly as the role of this junction (and traffic volumes) is to be reduced significantly. Is a roundabout necessary? Why not simply retain the existing lights but change the phasing as necessary?</p>	<p>Following the statutory consultation the arrangement of Little Singleton Junction was reviewed and the existing traffic signal junction would be modified to include a U-turn arrangement – due to Garstang New Road being proposed to be a no through road. This layout would be very similar to the existing layout.</p>

Consultee	Comment	Highways England Response
Wyre Council	4. What is proposed for the decommissioned section of Garstang Road? Will it remain an adopted highway? A turning head will be required to enable vehicles to turn around, particularly if any larger vehicles/articulated vehicles go down by accident.	Garstang New Road is proposed to remain as an adopted highway for use by farm traffic and pedestrians and cyclists travelling between Little Singleton and Windy Harbour Junction. A turning head would be provided at the eastern end of the no through road. A security gate or similar arrangement will be provided at the western end of the road (near the Little Singleton junction) to prevent vehicles entering the no through road accidentally.
Wyre Council	5. The council is concerned that the new signalised junction at the end of Mains Lane will experience significant queues and delays due to the high volumes of traffic and necessary phasing of the signals. It is considered that vehicles travelling west from Windy Harbour and seeking to go north on the A588 should be signposted to do so by a direction to take the third junction at the new Poulton Junction roundabout, taking them to mains line via the revised Singleton junction. Likewise vehicles travelling south on the A588 and seeking to go east towards Windy Harbour, should be directed to turn left at the junction of the A588 and Mains Lane and not towards the new signalised junction.	It is not intended to direct traffic to use the part of Mains Lane south of its junction with A588 Shard Road and A586 Garstang Road East towards the proposed Poulton Junction as part of the aim of the scheme is to provide relief from through traffic in Little Singleton.

Consultee	Comment	Highways England Response
Wyre Council	6. The new Poulton Junction should be designed such that it can accommodate a fifth arm to the south if needed in the future as part of any future highway works necessary to allow for the further growth of Poulton.	Adding an extra arm to this junction would have a significant effect on its capacity and reduce the benefits of providing the bypass. However, following the statutory consultation the arrangement of Poulton Junction has been altered to a skewed traffic signal controlled cross roads to better cope with the predicted flows from all directions and to provide safe crossing facilities for pedestrians and cycles travelling along A586 Garstang Road East. If a future need is identified to make a connection from the south, it is considered that a signal controlled T-junction with A586 Garstang Road East west of the proposed Poulton Junction and east of the Main Dyke bridge may fulfil this future aspiration.
Lancashire County Council	The County Council's position remains as set out in the Fylde Coast Highways and Transport Masterplan approved in July 2015. Whilst the County Council continues to protect the line of the M55 to Norcross Link 'Blue Route' for development control purposes, with an estimated cost potentially approaching £360m the Council does not believe that the 'Blue Route' is deliverable in the foreseeable future as a local major transport scheme. Alternative solutions to what are very real, day-to-day problems in the corridor and its nearby roads therefore need progressing.	Noted.

Consultee	Comment	Highways England Response
Lancashire County Council	The masterplan commits the County Council to working with Highways England to carry forward a programme of cost effective, viable improvements to remove the last remaining pinch points on the route. The preferred route put forward for consultation represents a major step towards this aim, addressing the current bottleneck at Little Singleton and improving the A585 Mains Lane / A588 Shard Road junction. It could also remove rat-running traffic from Singleton.	Noted.
Lancashire County Council	In its response to the previous consultation in September 2016, the County Council concluded that a southern bypass of Little Singleton but without a junction at Garstang New Road east of the village would represent the best overall solution to the problems experienced on this length of the A585. The Council is therefore pleased to see that this option has emerged as the preferred solution.	Noted.
Lancashire County Council	Once the application for a Development Consent Order has been accepted for examination and with the benefit of more detailed design proposals and accompanying environmental information, the County Council may take the opportunity to express its views on the likely effect of the development, as part of the submission of a Local Impact Report (LIR). The County Council may also make separate representations setting out the Council's opinion on the detailed aspects of the scheme's design, delivery, impacts and mitigation.	Noted.

Consultee	Comment	Highways England Response
Lancashire County Council	<p>Previously, the County Council's continuing support was contingent on Highways England working with the County Council to identify solutions that will address the problems experienced elsewhere along the route, in particular, the unimproved section between M55 Junction 3 north of Kirkham and the Windy Harbour traffic signals. The Council is now working through Transport for the North and its partners including Highways England to identify priorities for the next and subsequent Road Investment Strategies. Outwith that process, an early priority for intervention should be the staggered priority junction with the B5269 Mile Road / Thistleton Road west of the village of Thistleton, which is of particular concern to local residents in terms of east-west movement across the A585. I would therefore welcome an update on your thinking in this regard.</p>	<p>Noted – the approach and outcomes of the consultations are discussed within the Consultation Report (document reference TR010035/APP/5.1) and in Chapter 3: Consultation (document reference TR010035/APP/6.3).</p>

