

## Comments on responses to the Examining Authority's First Written Questions (WQ1)

This document sets out the comments on responses to the ExA's WQ1 by Cambridgeshire County Council (**CCC**), Huntingdonshire District Council (**HDC**) and South Cambridgeshire District Council (**SCDC**) (together, the **Councils**). Each respondent and the corresponding document reference number is set out below. The table then sets out the topic, question number and the Councils' comments on that respondent's response.

Except where expressly stated otherwise below, the Councils reiterate and rely on their comments submitted to the ExA at Deadline 1 and Deadline 2.

### Highways England – TR010044-001008 [REP1-022]

Topic	Question Number	Comment
General and cross topic – Decarbonising Transport	Q1.1.1.1	The Applicant states in their response that “The focus of the Transport Decarbonisation Plan ( <b>TDP</b> ) is more ‘blended’ transport, utilising less carbon intense transportation when possible.” and that the overarching aim of the TDP is to decarbonise road transport by 2050. Our initial comment still remains that we would welcome clarification as to whether the scheme will benefit from committing to and investing in ultra-rapid charge point infrastructure.
General and cross topic – National Planning Policy Framework	Q1.1.1.3	<p>Accepting that infrastructure applications have a different set of policies to guide design, and the crossover between them, we note that there are still several overlaps of existing landscape character assessments (and therefore the weaknesses and opportunities identified within them).</p> <p>Para 4.29. Road to Good Design (Highways England, 2018) <i>“Applying “good design” to national network projects should therefore produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction, matched by an appearance that demonstrates good aesthetics as far as possible.”</i></p> <p>The response from the Applicant refers to the analysis in the Case for the Scheme [<b>APP-240</b>, Appendix 8, row 4.28-4-29], which in turn refers to Chapter 7 of the ES Landscape and Visual Impact Assessment. We welcome cuttings and positioning to reduce visual effects. However, we</p>

		<p>do not consider that the LVIA [APP-076] gives adequate weight to Natural England’s National Character Areas Assessment of the (as recommended in paragraph 5.144 of the NPS NN) nor district landscape character assessment (as per paragraph 5.156 of the NPS NN). The following paragraphs of the NPS NN support proper consideration of existing published landscape character assessments within the assessment of landscape effects and mitigation proposals:</p> <p>4.30 <i>“It is acknowledged however, that given the nature of much national network infrastructure development, particularly SRFIs, there may be a limit on the extent to which it can contribute to the enhancement of the quality of the area.”</i></p> <p>4.33 <i>“The applicant should therefore take into account, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the scheme’s contribution to the quality of the area in which it would be located)...The use of professional, independent advice on the design aspects of a proposal should be considered, to <u>ensure good design principles are embedded into infrastructure proposals.</u>”</i></p> <p>The NPS NN sites the Natural England published profiles for National Character Areas (footnote 102), stating in paragraph 5.144 that a number of guides have been produced to assist in addressing landscape issues.</p> <p>Furthermore, paragraph 5.156 of the guide states that outside nationally designated areas, the proposals should give particular consideration to local development document policies based on landscape character assessment.</p> <p>Paragraph 4.34 <i>Whilst the applicant may only have limited choice in the physical appearance of some national networks infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting and design measures relative to existing landscape and historical character and function, landscape permeability, landform and vegetation.</i></p> <p>The Councils understand that further information in this regard will be submitted at deadline 3.</p>
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		This is welcome and further comments will be provided on review of that detail.
Air Quality – Effects on human health and ecological receptors	Q1.2.1.1	<p>The Councils wish to add the following comment by way of clarification. Whilst small increases are predicted at a limited number of locations representative of sensitive receptors within the districts, from the information within the assessment and available to us through our own monitoring, it is considered the proposal will not lead to a breach in national objectives or an unacceptable risk from air pollution for the residents of Cambridgeshire.</p> <p>There is a potential for significant impacts on air quality during the construction phase, however with appropriate mitigation this can be controlled to an acceptable level. The First Iteration Environmental Management Plan includes a range of measures to reduce potential environmental impacts and there is some provision within the dDCO to control this further with the requirement for a Second Iteration EMP which will need agreement prior to construction activities taking place. The Councils are discussing the role of the 2<sup>nd</sup> EP with the applicant and seeking additional control through the DCO or legal agreement.</p>
Air Quality – Dust control	Q1.2.1.4	The Councils agree that the level of detail provided in relation to dust control is appropriate for this stage of the scheme.
Biodiversity and ecological conservation	Q1.3.1.1	The Councils disagree with the Applicant. As set out in our response to ExA Q1. Insufficient evidence has been provided to demonstrate that NPSNN requirements (paragraphs 5.22 & 5.23) to clearly set out likely significant effects on designated sites, protected species and priority habitats / species (5.22) or have taken advantage of opportunities to conserve and enhance biodiversity. This is due to incomplete survey work and missed opportunities within the First EMP [ <b>APP-234</b> ] as detailed within our Written Reps and Joint Local Impact Report [ <b>REP2-003</b> ]
	Q1.3.2.1	The Councils welcome the submission of the Appendix to Q1.3.2.1 which clearly demonstrates how the DEFRA metric 2 / 3 provides a more detailed, representative assessment of the biodiversity value of existing and new habitats (including building in risk of creation).

	Q1.3.3.1	The Councils welcome clarification that an overall increase in hedgerow will be provided and look forward to reviewing the detail.
Climate Change and carbon emissions	Q1.4.1.1	<p>A) No comment at this stage.</p> <p>B) No comment at this stage.</p> <p>C) No comment at this stage.</p> <p>D) While these emissions appear small when presented against a national budget, they still represent an increase in emissions. The Committee on Climate Change, in their recent June 2021 progress report to parliament have noted that “decisions on investment in roads should be contingent on analysis justifying how they contribute to the UK’s pathway to Net Zero.” This analysis should demonstrate that the proposals would not lead to increases in overall emissions. The Councils would therefore welcome clarification as to how these residual emissions will be dealt with, for example via carbon offset.</p> <p>E) No further comment beyond the requests the Councils have already made for greater clarity on precise mitigation measures through the next iteration of the EMP as well as commitments related to the roll out of ultra rapid charge point infrastructure in line with Decarbonising Transport [REP1-051].</p>
Approach to construction and proposed programme	Q1.6.1.1	CCC as local highway authority emphasises that there may be the need for works to be carried out as part of de-trunking, beyond those identified by the Applicant in its response, in order to bring the highways to be de-trunked into compliance with the standards applicable to the local highway network. Such works should be agreed between the Applicant and the LHA and carried out by the Applicant pursuant to the Handover Plan prior to de-trunking. CCC reiterates its request for a set of standards to be agreed between the LHA and the Applicant. The required for certification by the LHA of the roads to be de-trunked prior to de-trunking taking place must be secured in the DCO.
Borrow pits, construction compounds, waste management	Q1.6.2.2	In relation to noise mitigation, there is no requirement to set a maximum height for any hoarding. Generally a tall acoustic barrier is more effective than a short one. The height of hoarding is a balance between acoustic benefit and visual amenity and will depend on site specifics. If the location of the construction compounds have been identified, it should also be possible to

		<p>specify the hoarding height (and acoustic properties) within the Construction Compound Management Plan contained within the First Iteration Environmental Management Plan [<b>APP-234</b>].</p> <p>The Applicant is to provide further details at the detailed design stage and further detail is expected in the 2nd Iteration of the EMP. The Councils would expect this to include the relevant site-specific noise mitigation details (including specifications for temporary noise barriers and locations where they will be used during construction) as has been requested previously (see section 9 of the Councils' Written Representation (<b>WR</b>) [<b>REP1-048</b>]).</p>
Environmental Management Plan – pre-commencement works plan	Q1.6.3	<p>The Councils reiterate their comments on the exclusions from the definition of “commence” in Article 2 of the draft DCO [<b>REP1-003</b>] and their concerns that this could result in a number of significant works which would not be subject to controls which would otherwise apply to the construction works [<b>REP1-103</b>]. We note that the Applicant has deleted references to the ‘pre-commencement works plan’ from the revised draft DCO [<b>REP1-002</b>]. If there is pre-commencement works plan, the Applicant must explain how such works will be adequately controlled.</p>
Environmental Management Plan – roles and responsibilities	Q1.6.3.3	<p>With regard to noise and land contamination, we are satisfied with the response from the applicant. The relevant roles are: The Principal Contractor’s Environmental Specialist and Environmental Manager as outlined in the First Iteration EMP [<b>APP-234</b>].</p>
Draft Development Consent Order – definition	Q1.7.2.1	<p>The Councils note the Applicant’s clarification that only the Biodiversity Pre-Commencement Plan and Archaeological Mitigation Strategy will apply to all those operations excluded from the definition of “commence” in the dDCO [<b>REP1-003</b>]. The Councils reiterate their concerns in relation to the absence of control over the works excluded from the definition of “commence” [<b>REP1-103</b>].</p> <p>The Councils consider that defining the various pre-commencement works would be useful, but the primary concern is to ensure that they are adequately controlled. If there is to be no further controls on such works, it may be that certain</p>

		categories of works need to be removed from the definition proposed (for example remedial work in respect of ground contamination) so that such works cannot be carried out until the Second Iteration EMP is in place and applicable.
dDCO – limits of deviation	Q1.7.3.7 and Q1.7.3.8	The Councils remain concerned that the Applicant has not addressed the issues that the Councils raised in the Councils' Written Representation ( <b>WR</b> ) at 3.15-3.23 [ <b>REP1-048</b> ] and LIR [ <b>REP2-003</b> ] around the severe legal, practical and financial problems that arise if highways, public rights of way ( <b>PROW</b> ) and private means of access ( <b>PMA</b> ) are not constructed in accordance with the Rights of Way & Access Plans [ <b>APP-013</b> ]. An amendment is required to Article 9, alongside the introduction of lines of deviation for PROW in particular on the Rights of Way & Access Plans [ <b>APP-013</b> ] and the Councils are of the view that this ought to reflect the approach taken for utilities, with a separate, defined limit of deviation applying to each PROW, rather than allowing the PROW to be constructed anywhere within the shaded areas on the Works Plans [ <b>APP-009</b> and <b>APP010</b> ]. The Councils note the discussions in relation to this matter at ISH2 and note that the Applicant is considering this matter further.
dDCO – Article 13 – Construction and maintenance of new, altered or diverted streets and other structures	Q1.7.3.10	As set out at ISH2 on 23 September 2021, CCC as local highways authority continue to have significant concerns around the drafting of Article 13, as set out in the Councils' responses to the ExA's first Written Questions [ <b>REP1-051</b> ] and the Councils' WR [ <b>REP1-048</b> ]. The Councils require the mechanism for certifying that the works are complete to be secured via the dDCO to ensure that incomplete roads and highways are not vested in the local highway authority as a matter of law. It is expected that further detail as to the standards applying to the certification process would be set out in the legal agreement.
dDCO – Article 55 – Traffic Regulation	Q1.7.3.23	CCC as LHA disagrees that the date of "opening of the authorised development for public use" is a matter solely for the Applicant.  The "authorised development" comprises the whole scheme and will necessarily have an interface with the local traffic authority. CCC as LHA reiterates its request that the Applicant to clarify how these provisions will function and to provide draft revised drafting accordingly.



dDCO – Article 9 – limits of deviation	Q1.7.3.27	The Councils wish to reiterate that CCC as the LHA will only accept land that is necessary for highway purposes. It will not accept areas of, for example, landscaping that hold no specific highway function. Please see further comments at section 3.10 of the Councils' WR <b>[REP1-048]</b> .
dDCO – Requirements	Q1.7.5.2	The Councils agree with the ExA that the word 'reasonable' in requirement 6(4) is superfluous, as it is considered that the term leaves the acceptable standard of landscape implementation open to interpretation and the potential for debate as to whether the relevant standard is reasonable or not. The Councils are of the view that the landscaping is either in accordance with the relevant standard or it is not.  None of the structural elements referred to will become the responsibility of the County Council.
Requirement 12 – Detailed Design	Q1.7.5.4	The Councils are keen that the detailed design of any assets to be adopted by the Local Authorities, particularly Highway assets, are approved by the relevant adopting organisation, and that this provision is secured through the DCO. This continues to be discussed with the Applicant.
dDCO – Requirement 19 – Construction Hours	Q1.7.5.6	The exceptions to normal construction hours "k" and "m" are acceptable, however, exception "n" allows earthworks to exceed normal construction hours during the summer (when it is dry and with more daylight hours). It is acknowledged that these conditions are positive for progressing construction work but does not take into account noise at residential receptors when people are more likely to be outside enjoying their gardens. Exception "n" is therefore unacceptable unless at a sufficient distance from noise sensitive dwellings.
Flood risk – climate change resilience	Q1.9.4.2	1.9.4.2b) The applicant has submitted hydraulic modelling of the watercourse network including climate change allowances to demonstrate that the scheme will not increase flooding from these sources. The attenuation for the scheme has also been designed to hold water for the 100 year storm event, including a 40% allowance for climate change (based on rainfall intensity) with no flooding.  1.9.4.2d) Risk of surface water flooding has been considered in line with national legislation and

		<p>guidance, with consideration for climate change. Groundwater has been discussed, and the LLFA is aware that areas which are affected by shallow groundwater will be lined to ensure no groundwater ingress. However, this will be considered case by case during detailed design.</p> <p>1.9.4.2f) It was raised by the LLFA in the written representations that we are less supportive of proprietary treatment systems, which are proposed in areas at higher risk of pollution such as roundabouts, due to increased maintenance and chances of failure if not maintained suitably. This could be better treated through the use of reed planting or other natural solutions to provide treatment, while increasing biodiversity of the scheme. The use of proprietary treatment, albeit meeting the pollution mitigation requirements should be seen as a last resort.</p>
Good design	Q1.10.2.1 b)	<p>The Applicant's response states that "<i>..the local highway authorities will be consulted in relation to the detailed design of the local roads.</i>" To date CCC's technical objections regarding departures from standards have not been addressed. CCC requires the Applicant to obtain Technical Approval for the design, and for a process to achieve this to be secured through the DCO.</p>
Good design	Q1.10.2.2	<p>Please see CCC's comments on Q1.10.2.1b). The submission of the local road design for Technical Approval would provide a form of design review. Whilst it is noted that the Applicant's design takes account of DMRB, CCC considers that the design does not fully comply with DMRB. Further comments are set out at section 4 of the Councils' Written Representation <b>[REP1-048]</b>.</p>
Highways – network and structures – transport modelling	Q1.11.1.1	<p>a) No further comment at this stage</p> <p>b) Listing the meetings and the matters covered does not address the point that in the Council's view there are still outstanding issues which are under discussion, as set out in the Council's Written Representation.</p> <p>c) The Applicant states "<i>As can be seen from a) and b) above the LHAs have been fully engaged in the preparation of the traffic models. The Applicant has also sought to engage with the LHAs to provide clarification on queries raised by the LHAs throughout this process. The Applicant</i></p>



		<p><i>has provided a detailed response to all the queries raised in the issues log provided by CCC, the Applicant has prepared Technical Note 73 dealing with Junction Modelling. This has been submitted at Deadline 1 [TR010044/EXAM/9.10]. The Applicant is not aware of any outstanding requests for information from the LHAs but will continue to engage with the LHAs to resolve, as far as possible, any outstanding concerns of the LHAs in relation to traffic modelling”</i></p> <p>Whilst the Applicant has responded to the issues raised by the Councils, the Applicant has not sought to address the issues raised, instead reiterating the Applicant’s view that the modelling requested is not required. The result is that despite raising CCC’s concerns relating to the junction modelling over several months CCC still lacks the information necessary to form a view on the impact of the scheme on the local road network, as discussed a ISH2 and as set out in our Written Representation and Local Impact Report.</p> <p>CCC have reviewed [TR010044/EXAM/9.10] <b>[REP1-030]</b> and remain of the opinion that the use of the flows directly from the Strategic model is not acceptable as the base year Saturn flows do not accurately reflect the turning proportions in the observed count data. Therefore CCC do not have confidence in the flows used in the future year junction models and as a result CCC do not have sufficient information on which to assess the impact of the scheme on the local road network.</p>
<p>Highways – network and structures – transport modelling</p>	<p>Q1.11.1.2</p>	<p>CCC have reviewed the latest information submitted by the applicant and remain of the opinion that further modelling is required to be undertaken to enable us to fully assess the impact of the scheme on the local road network in a number of locations.</p> <p>This includes re-doing the junction modelling using best practice, as set out in CCC’s proposed Appendix to the Joint Submission on modelling matters submitted at Deadline 3, but also the modelling of additional junctions on Great North Road and Cambridge Road in St Neots to ensure that these junctions can accommodate the additional traffic indicated by the strategic transport model.</p>

Highways – network and structures – transport modelling	Q1.11.1.4	<p>The additional information supplied by the Applicant in the form of the Technical note looking at Coton [REP1-028] shows that the model is wrong in this location and this begs the question where else it is wrong. CCC has provided further commentary on the Technical Note as part of the submissions for Deadline 3.</p> <p>None of the other issues raised by CCC have been investigated to date.</p>
Highways – network and structures – road layout and junctions	1.11.2.1 b)	<p>The Applicant has taken on board some of CCC’s comments at Cambridge Road junction, Eltisley Link and Caxton Gibbet junction. The Applicant has not addressed CCC’s feedback requesting the provision of a compliant carriageway width/cross section at both B1046/Potton Road and Toseland Road.</p> <p>In addition in October 2020 CCC requested further information to justify the selection of the simple priority junction for the B1046/Potton Road. The Applicant’s traffic figures indicate that the junction should be upgraded to a ghost island junction, but the traffic figures remain under discussion. Currently there is nothing to indicate that the Applicant intends to amend the design on the asset to be passed over to the Local Highway Authority, they are simply repeating speed related concerns. Further discussion of these issues is required.</p>
Highways – network and structures – road layout and junctions	Q1.11.2.4	<p>To date there has not been any technical discussion with CCC of the alternative southern roundabout for Eltisley Link. The Councils note the Applicant’s concerns regarding “<i>road geometries that are below desirable minimums...</i>”, which seems inconsistent with their approach to seeking to impose departures for carriageway width/cross section at other locations.</p> <p>The Eltisley junction is one of the junctions that CCC are seeking further information on as the current flows indicate that this junction is larger than required but until such time as CC has confidence in the traffic flows used it is not possible to confirm this is the case.</p>
Highways – network and structures – monitoring of transport and traffic effects	Q1.11.2.8	During construction:

		<p>A) during the A14 construction traffic monitoring was installed on Huntingdon Road and Kings Hedges Road by the A14 project.</p> <p>B) the monitoring gave a break down of vehicles using the road during closures on the A14 and showed an increase in HGVs using route during closure periods.</p> <p>C) increased signage showing the correct diversion route and installation of a Vehicle activated sign to try to reduce speeds.</p>
Highways – network and structures – signage and lighting	Q1.11.3.1	The councils consider that the LVIA adequately considers the presence of gantries and signage through the narrative element of the assessment. Consultation with local authorities should take place at detailed design stage for gantries and signage to ensure the same is in keeping with the assessment narrative.
Highways – network and structures – signage and lighting	Q1.11.3.2	Biodiversity - the Applicant's answer to (b) does not clarify how the lighting design has been developed to minimise light-spill onto adjacent habitats, which is a key part of mitigation for bats identified in Chapter 8 of the ES (paragraph 8.9.73) [APP-077]. The Councils would welcome further detail in this regard.
Highways – network and structures – operational effects beyond the extent of the proposed scheme	Q1.11.4.1 and Q1.11.4.2	Both these issues are instances where the model is incorrectly coded and is therefore showing impacts that might not occur therefore monitor and manage should be a reasonable approach in these locations, subject to further discussion and agreement.
Highways – network and structures – de-trunking proposals and new local highway infrastructure	Q1.11.5.1	<p>CCC would expect the Legal Agreement to contain provisions regarding joint inspections of infrastructure to be de-trunked.</p> <p>The Applicant's response concentrates on pavements and structures, but CCC wishes to note that assessment of condition and agreement of remedial works should be undertaken for all assets to be subject to de-trunking. Vehicle restraint systems and drainage infrastructure are of particular relevance.</p> <p>CCC would expect the Legal Agreement to not only include provisions regarding the existing condition of the assets to be subject to de-trunking, but also to include provisions regarding the agreed condition at the point of handover.</p>

		<p>CCC wishes to emphasise that it seeks linkage of the Legal Agreement with the DCO, such that de-trunking cannot take place without the provisions of the Legal Agreement having been satisfied.</p> <p>See CCC's comment at Q1.7.3.10 above – this issue was raised at ISH2 on 23.09.21 and the Examiners have encouraged the Applicant to amend article 14(8) by Deadline 4 to include this requirement.</p> <p>The Councils do not believe that any condition data has yet been shared with CCC, contrary to what is stated in the response.</p>
<p>Highways – network and structures – de-trunking proposals and new local highway infrastructure</p>	<p>Q1.11.5.2</p>	<p>The speed limits on the existing de-trunked sections will remain as is, but the speed limits on any 'new build' sections will be determined by DMRB design principles.</p> <p>Any departures from standard would need to go through Road Safety Audit and would be subject to the traffic regulation order process.</p>
<p>Highways – network and structures – Non-motorised users</p>	<p>Q1.11.6.1</p>	<p>a) The Applicant states that 'The Case for the Scheme [APP-240], Appendix A, sets out an assessment of the Scheme against the NPSNN'. The assessment does not show that the new sections of NMU provision will deliver the social benefit stated as the new sections do not form continuous routes between destinations. Using Designated Funds as suggested by the Applicant will not guarantee the provision of continuous NMU routes which would provide some of the mitigation necessary for the scheme. CCC therefore does not agree with the Applicant that the Proposed Development complies with NPS NN para 3.3 with regard to provision for NMUs.</p> <p>The Applicant states that the scheme objectives include 'to ensure the safety of cyclists, walkers and horse riders and those who use public transport by improving the routes and connections between communities.' The existing PRoW are maintained but some proposals require long diversions for users and the opportunity has not been taken to provide for all NMUs across all of the new bridges to future proof these routes for cyclists and horse riders. As above the new sections of NMU infrastructure proposed in Cambridgeshire do not remove barriers to cycling and walking between existing communities as the infrastructure is not continuous – for example between Eltisely and</p>

		<p>Caxton Gibbet and onto Cambourne. The latest solutions are not retrofitted and it is not safe and easy for cyclists to use junctions – the scheme does not comply with LTN 1/20 or CD 195 resulting in inadequate setback from the carriageway and unsafe crossings. We therefore do not agree that the Proposed Development complies with NPS NN para 3.17.</p> <p>The Applicant states that the scheme will also enhance the suitability of the existing A428 single carriageway for cyclists by reducing traffic flow on this section. The evidence from the previous A428 dualling between Hardwick to Cambourne is that traffic on the old A428 is not as significantly reduced as predicted whilst the speed of traffic has increased making it unsuitable as a cycle route so this is unlikely to be an enhancement that will encourage modal shift. The Applicant has provided short sections of shared path or footpath along the re-aligned sections of the A428 but as these do not provide continuous routes with safe crossings they do not address existing severance issues and so do not comply with NPS NN para 5.205.</p> <p>As stated above, it is not accepted that it will be easier for walkers and cyclists to cross or move alongside the old A428 route due to the likelihood of increased traffic speeds. Furthermore, for some NMU users such as horseriders and disabled persons, the perception of higher speeds and potential difficulties associated with this at crossing points in particular, may result in a deterrent to using these routes.</p> <p>b) The Applicant outlines some of the pre-existing severance issues that have been addressed but opportunities have been missed where users will still have to cross the existing and newly aligned A428 without any crossing facilities such as the Abbotsley Rd/Toseland Rd junction, between Eltisley and Caxton Gibbet, across the A1198 between the services and the bridleway crossing east of the Cambridge Rd junction. Whilst traffic volumes may decrease speeds are likely to increase and crossing will still be difficult, particularly for school children travelling from Eltisley to Cambourne.</p> <p>The Councils have previously expressed concerns, which remain, that the design of Cambridge Road junction crossing points will not be safe for NMU users. The design does not</p>
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		<p>reflect provision elsewhere on the A428 route by the Applicant e.g. at Cambourne where slips roads are designed for NMU users and have signalised crossing points.</p> <p>The Councils note that Cam Cycle and BHS comments are generally supportive of the Council's position, particularly in reference to the need for safe crossing points, and a direct NMU route between Cambourne and St Neots (and other settlements along the route).</p> <p>The only secondary school in the area is located in Cambourne and whilst the school bus caters for journeys to and from local villages such as Eltisely at the beginning and end of the school day it does not provide for other journeys such as transport from after school clubs. The survey was undertaken on a Sunday during the school holidays and so does not show existing school journeys or any evidence of suppressed demand.</p>
<p>Highways – network and structures – Non-motorised users</p>	<p>Q1.11.6.2</p>	<p>CCC made a detailed representation on the WCHAR Consultation to the Applicant in October 2020, and disagrees with the Applicant's general position about adequacy of NMU provision that the Scheme should deliver. Representation was made about this at the ISH2 and included the public benefit need in respect of the St Neots-Cambourne growth corridor; active travel and modal shift strategy; health and well-being; need to provide for future pedestrian and cycle leisure demand arising from major housing development at Wintringham Park.</p> <p>CCC requests clarity as to why the Applicant will not consider the provision for horses on the new A428 roadside NMUs, in accordance with the Cambridgeshire ROWIP and Health &amp; Well-being Strategy. Provision for horses on NMUs was provided on the A14 project and enables an extra category of vulnerable user to be removed from the carriageway with very little additional expense. The existing A428 is too heavily trafficked to make an accurate assessment of the suppressed demand once the new A428 is open for use.</p>
<p>Highways – network and structures – Non-motorised users</p>	<p>Q1.11.6.3</p>	<p>To not allow equestrians NMU access through the A428 DCO creates an unnecessary additional burden on the local authority to implement a legal status change after the event. The relevant paragraph is at 6.5.1 of the</p>



		Councils' Joint Written Representations (document reference CLA.D1.WR) [REP1-048].
Highways – network and structures – Non-motorised users	Q1.11.6.4	<p>The Councils note the Applicant's answer at ISH2 in response to the discussion about proportionality and has reviewed the statement that the overall net gain was 4km. In fact, as demonstrated in the Applicant's summary table of net gain for PROW (attached as an appendix to their Comments on Relevant Representations) [REP-021], half of that total is represented by an on-road diversion of the current off-road FP59/1 and 278/7. As pointed out in the discussion of agenda item 6b)(iii) at ISH2. This is a very long diversion for leisure users and making it a roadside footway completely changes the character. Whilst the provision of the roadside footway could be useful as a more utilitarian use, it is unlikely to perform effectively as a replacement for the off-road green link. This could affect the types of people willing to use it, and could affect local residents' mental and physical health and well-being. It is known, for example, that there are local residents who value the path for dog-walking and leisure purposes. Arguably, in fact, the proposal is an extinguishment of the path for the purpose it currently serves. Therefore it is reasonable for the Councils to seek recompense in the form of significantly improved NMU facilities.</p> <p>To have a gain of only effectively 2km, for the whole scheme, of which only 1.155km is bridleway, is extremely poor and certainly disproportionate to the scheme. It is an insufficient response to local and national policies requiring improvements enabling a sea-change in modal shift, in helping to tackle the carbon budget agenda.</p>
Outline CTMP real-time monitoring	Q1.11.7.6	The Councils consider that the approach proposed by the Applicant is reasonable.
Compliance with construction route restrictions	Q1.11.7.7	The Councils agree that this is a practical approach and in line with how compliance with construction route restrictions was managed on the A14 scheme.
Construction road closure timings and frequency	Q1.11.7.8	The Councils appreciate the confirmation that the works will be nights or some full weekend closures when necessary for specific phases. The Councils understand it would be difficult to predict at this stage the detailed requirements on

		<p>closures. The Councils request that CCC is consulted and engaged as the detailed construction traffic management plan is developed.</p>
Frequency and timing of construction HGVs	Q1.11.7.9	<p>The Councils agree that this is a reasonable approach and similar to the approach taken on A14 scheme. The Councils agree that allowing light vehicles only into villages and towns to support local businesses will have benefits for these businesses.</p>
Highway Condition	Q1.11.7.11	<p>Section 59 of the Highways Act 1980 is applicable to the extraordinary traffic, including diverted and construction traffic, that will be using the local network. Accordingly, CCC is seeking that the relevant provisions of Section 59 are contained within the Legal Agreement. CCC understands that the Applicant has no objection to this approach.</p>
Historic Environment	Q1.12.1.1a and b	<p>The Councils wish to add that 'Full excavation' and 'Excavation' are referred to in the AMS and propose higher or lower percentages of a site's investigation. 'Full excavation in the Local Authorities' brief means that 100% of something will be excavated, whether the structural remains of a building, an inhumation or an important feature.</p> <p>'Full excavation' in the AMS is misleading as it refers to a scale of investigation of ditches for the categorised sites ([<b>APP-238</b>] paragraphs 8.1.2, 8.3.7 and 9.1.1, 9.2.9).</p>
Visual impact – design and visual appearance	Q1.13.2.1	<p>The Applicant states it will provide a revision to the First Iteration Environmental Management Plan [APP-234], which explains the design process and specific principles applied to the design of structural elements, to the ExA. This should assist the ExA in advising the SoS on matters relating to visual appearance, in particular: scale, height, massing, alignment and materials. This is welcomed by the Councils and it is considered that the Councils should be consulted on the content of the revision prior to determination.</p> <p>Notwithstanding the above information regarding scale, height, massing, alignment and materials, the Councils support the methodology adopted for the LVIA [<b>APP-076</b>] in so far as signage and gantries, vehicular bridges and grade separated</p>

		<p>junctions have been considered, but note that the lack of detail relating to the appearance of NMU in particular is a limitation to the study. With this in mind there is a risk that the form of the bridges will be driven by the allowances and mitigation proposed at present in the Environmental Masterplan [APP-091], as opposed to delivering “beautiful” design that contributes to a sense of place, and responds to its context through materials, massing and form, and then varying the mitigation accordingly.</p> <p>Due to the above two points it is re-iterated that there should be scope for variation in the Environmental Masterplan [APP-091] and First Iteration Environmental Management Plan [APP-234] if agreed with the local authorities to allow for amendments to be made following the detailed design of structures.</p>
<p>Need for Development and Consideration of Alternatives – Parameters and description</p>	<p>Q1.15.1.1</p>	<p>The Councils draw the ExA’s attention to the Councils comments on 9.9 Assessing the Potential Impacts of COVID 19 – The implications for traffic forecasts for the Scheme - Rev 1 [REP1-029] submitted at deadline 3.</p>
<p>Need for Development and Consideration of Alternatives – Effect on BMV agricultural land</p>	<p>Q1.15.3.2</p>	<p>The absence of a reference to the proposed borrow pits and Policy 24 Sustainable Use of Soils of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) is noted. The reliance on national policy without reference to local policy is concerning. The Councils wish to highlight that the borrow pit design and restoration is yet to be finalised. Consequently, assertions made by the Applicant in response to this question should not be accepted without an understanding of the uncertainties involved and how that may impact compliance with both national and local policy.</p> <p>Assessment of the scheme’s compliance with Policy 24 will have a bearing on how it complies with Policy 19 Restoration and Aftercare which requires that borrow pits restored to agriculture must be restored to the same or better agricultural land quality as it was pre-development. The requirement to restore the land in accordance with Policy 19 is referred to in Policy 7 Borrowpits. All three policies are interlinked and stem from Policy 7. Further detail is set out at section 13 of the Councils Written Representation [REP1-048].</p>

Significant cumulative effects	Q1.17.1.1	The Councils have no issue with the assessment of cumulative effects with regard to noise, air quality for the construction stage.
Significant cumulative effects – Assessment of cumulative effects	Q1.17.2.2	A) The Councils raise no issues from an air quality perspective. The First Iteration EMP includes a range of measures to reduce potential environmental impacts. Requirement 3 under Schedule 2, Part 1 of the dDCO requires a Second Iteration EMP to be submitted and agreed prior to construction, which will refine and update these control measures, and where necessary include location or area specific mitigation. This requirement also provides the Councils with an opportunity to review and comment on the control measures contained within the Second Iteration EMP prior to approval.
Significant cumulative effects – Assessment of combined effects	Q1.17.3.1	The proposed mitigation and additional control contained within the dDCO is considered sufficient from an air quality aspect.
Socio-economic effects – local and national economic activity and employment	Q1.18.2	<p>As part of the direct job creation it would be helpful if more ambitious, longer term and sustainable employment opportunities were created by linking the A428 development with the East West rail project to support the region's economic recovery.</p> <p>As part of the support to all demographic groups, linking with DWP locally to link low skilled / redundant workers after furlough and those who have been economically inactive for longer back into work and for those workers who can be retrained and upskilled to play an active role in A428 (and longer term east west rail) partnership working with CPCA Skills Hub and local construction FE hubs such as Huntingdon college. Given the potential for friction in terms of the demand and supply of workers a more dynamic and supportive approach may be needed to ensure the project meets key milestones. As the employment and skills plan is developed the Councils would recommend a Steering Group be formed, attended by appropriate stakeholders to help contribute and shape the plan to maturity.</p>

### Environment Agency – TR010044-001022 [REP1-076]

Topic	Question Number	Comment
Aquatic environment and biodiversity	Q1.3.6	The Councils support EA's comment that further ecological assessment will be required as the scheme progresses and support the proposal for programming of works to River Great Ouse to minimise the impact on fish.
Articles	Q1.7.3	CCC as LLFA supports this request.

### Natural England – TR010044-001027 [REP1-088]

Topic	Question Number	Comment
Protecting and improving biodiversity	Q1.3.1.1	The Councils note Natural England is generally satisfied that all reasonable opportunities for protecting and improving biodiversity have been taken in accordance with NPSNN.
metric for calculating BNG	Q1.3.2.1	The Councils note Natural England's preferred metric is Biodiversity Metric 3.0.
Eversden and Wimpole Woods SAC	Q1.3.4.2	The Councils support Natural England's position.
Eversden and Wimpole Woods SAC	Q1.3.4.3	The Councils support Natural England's position.
Adequacy of mitigation measures	Q1.3.5.1	The Councils note that Natural England is satisfied in principle with the mitigation measures set out in the Biodiversity Management Plan for farmland birds, subject to agreement of the detail.
Mitigation	Q1.13.3.1	The Councils agree with Natural England's position regarding further information on lighting design.
General	Q1.19.1.1	It is noted that Natural England consider the scheme will not cause harm to water environment dependent species.

### British Horse Society – TR010044-000870 [REP1-093]

Topic	Question Number	Comment
Compliance with NPS NN	Q1.11.6.1	The Councils note that Cam Cycle and BHS comments are generally supportive of the Councils' position that NMU provision should be inclusive of equestrians; the need for safe crossing points; and for a direct NMU route

		between Cambourne and St Neots (and other settlements along the route).
WCHAR Survey Data	Q1.11.6.2	<p>The BHS cite the need for a survey of suppressed demand, and CCC agrees that this would be helpful, particularly a survey of numbers and locations of stables and horse numbers. As CCC explained in response to agenda item 6b) at the ISH2 on 23.09. 21, the fact that data may not itself provide evidence of actual usage does not mean that the demand is not there. The severance and safety problems caused by the existing A428 dissuades users from using the routes that are available, and the very fragmented nature of the bridleway network also makes it difficult for them to use it. These two points are reflected in CCC's ROWIP Statements of Action 2 and 5. The PROW network is very important in supporting the health and well-being of local communities, reflected in the Cambridgeshire &amp; Peterborough Health &amp; Well-being Strategy (see 6.2.3-6.2.6 Joint WR) <b>[REP1-048]</b>.</p> <p>As noted in the Councils' comment on the Applicant's response to Q1.11.6.4 above, to have a gain of only effectively 2km, for the whole scheme, of which only 1.155km is bridleway, is disproportionate to the size of this major scheme and the opportunity it presents to redress the balance of a low starting point in NMU provision along this important growth corridor. It is an insufficient response to local and national policies requiring improvements enabling a sea-change in modal shift, in helping to tackle the carbon budget agenda. In addressing these issues, there is no reason why most NMU provision cannot be inclusive of equestrians at very little additional cost, if planned in at the time of design.</p>

**Woodland Trust – TR010044-001011 [REP1-101]**

Topic	Question Number	Comment
Veteran trees, ancient woodland and protected trees	Q1.3.7.1a	<p>The Councils support the Woodland Trust's concern in relation to the group of cherry plum trees.</p> <p>In relation to the veteran elm tree, the Councils are satisfied with the root protection area</p>



		contained within the Arboricultural Impact Assessment [APP-183].
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**National Farmers Union – TR010044-001026 [REP1-084]**

Topic	Question Number	Comment
Biodiversity Net Gain	Q1.5.2.3	It is noted that Biodiversity Net Gain has subsequently been reduced to 16% from 20% by the use of the DEFRA 2.0 metric. We have no further comment.
Borrow Pits	Borrow Pits Q1.6.2.1: Detail on Borrow Pits	<p>It is noted that the National Farmers Union (NFU) share some of the Councils' concerns regarding the detail relating to the proposed borrow pits.</p> <p>The NFU (para. 2.2) state that they believe that the borrowpits would be permanent land take. That is not what the Applicant advised. The Applicant explained that the borrow pits would be returned to the landowners as the Applicant's view is that the landowners should be responsible for aftercare/management of the restored land. The Councils have previously commented that the depth &amp; restoration the BPs was being driven by the landowners [REP1-051, page 19].</p>