

A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.20 Applicant's comments on other parties' responses to first
round of written questions

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Rule 8(1)(b)

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(Examination Procedure) Rules 2010**

A428 Black Cat to Caxton Gibbet improvements

Development Consent Order 202[]

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1 Applicant's comments on other parties responses to first round of written questions

- 1.1.1 This document has been prepared by the Applicant to set out its comments on other parties' responses to the Examining Authority's (ExA's) first round of written questions.
- 1.1.2 These can be found in **Table 1-1**.

Table 1-1 Applicant's comments on other parties response to the Examining Authority's first round of written questions

No.	Question/Applicant's Comments
Q1.1	General and Cross Topic
Q1.1.1	General and Cross Topic
Q1.1.1.1 - Decarbonising Transport	
The Government recently published " <i>Decarbonising Transport</i> " document in response to the UK's 6 th Carbon Budget (2033-2037). What are the implications of " <i>Decarbonising Transport</i> " for the Proposed Development, including in terms of the Environmental Impact Assessment?	
CCC/HDC/SCD C (REP1-051):	We see nothing in Decarbonising Transport that would signal a move away from the Proposed Scheme or the approach taken in the ES regarding operational emissions. Decarbonising Transport does make some commitments around investment in ultra-rapid charge point infrastructure on the strategic road network, and we would welcome clarification from the applicant as to whether the Scheme will benefit from such provision.
Applicant Comment:	The inclusion of ultra-rapid charging point infrastructure has not been considered within the design of this Scheme as no appropriate locations to provide such facilities are available.
Q1.1.1.3 - National Planning Policy Framework	
Explain giving reasons, if you believe that aspects of the application need to be updated in light of the revised National Planning Policy Framework published on 20 July 2021.	
CCC/HDC/SCD C (REP1-051):	<p>NPPF para 183 and 184 requires the planning decision to ensure that the site is "<i>safe development</i>" and "<i>suitable for its proposed use</i>" taking into account any risks arising from land contamination. The draft DCO suggests that land contamination remediation would only be considered where "<i>Contaminated Land</i>" is found as defined under Part 2A of the EPA 1990. The level at which Contaminated Land is determined under Part 2A EPA is at a much higher risk level than "<i>Safe Development</i>" under the NPPF and the Councils suggest this is altered to ensure that if contamination is encountered, the land is remediated to a "safe" level.</p> <p>Furthermore, the NPPF in para 104 d and e states:</p> <p><i>"Transport issues should be considered from the earliest stages of plan-making and development proposals, so that the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and patterns of movement, streets, parking and other"</i></p>

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	<p><i>transport considerations are integral to the design of schemes, and contribute to making high quality places.”</i></p> <p>The lack of sufficient detail in respect of the environmental impacts of the scheme is extensively accounted for in the written representations made by the Cambridgeshire Authorities. Some of the key areas of concern are in relation to ecology. It is not possible to determine whether an acceptable level of mitigation has been secured as shown in the First Iteration EMP due to incomplete baseline survey for the following ecological receptors: Protected Road Verge (grassland of county importance), arable field margins (priority habitat), unimproved neutral grassland (potential priority lowland meadow habitat), aquatic habitat, terrestrial invertebrates, aquatic invertebrates, and bats There is also a lack of clarity on the assessment undertaken by Highways England in relation to biodiversity net gain.</p> <p>Each of the highlighted factors above contribute to potential adverse impacts which have not been taken into account as part of preparation of the application. As a consequence, because of the limited information provided in respect of these matters, it is considered that the overall scheme design may not contribute to making high quality places as the NPPF requires.</p>
<p>Applicant Comment:</p>	<p>It should be noted that paragraphs 104 d and e, 183 and 184 of the NPPF have not been revised in the recently updated National Planning Policy Framework. Therefore, the Applicant does not intend to make any changes to the application in relation to these sections. Notwithstanding this, the Applicant has commented on the points raised below.</p> <p>In relation to the point about contaminated land, Requirement 8 of the draft DCO [REP1-003] sets out the process for addressing contaminated land that has not previously been identified. This process is also set out in Annex I of the First Iteration Environmental Management Plan [APP-234]. The NPPF does not define what “safe development” means and for the purposes of the Scheme, the Applicant will seek to remediate land (where this is required) in accordance with Part 2A of the Environmental Protection Act 1990 since this is defined in legislation. Notwithstanding, where unexpected land contamination is encountered requiring remediation, the Applicant will consider both the requirement of the NPPF and Part 2A (whichever is stringent) in developing appropriate mitigation (remediation) to reduce to “reasonably acceptable levels” the potential short and long-term health and safety and environmental risks to sensitive receptors.</p> <p>Transport issues have been assessed and reported in the Transport Assessment Part 1 and Part 2 [APP-241 and APP-242] and Transport Assessment Annex [APP-243]. The Applicant has taken account of patterns of movement, streets and parking in the design of the Scheme where these matters have been relevant.</p> <p>In relation to the concerns raised on environmental impacts of the Scheme, including ecological matters, the Applicant refers the Cambridgeshire Authorities and the ExA to its responses to those matters within the Applicant's Comments on Written Representations [TR010044/EXAM/9.21] reference [REP1-048].</p> <p>The Applicant confirmed in its response to the ExA's Q1.3.2.1 [REP1-022] submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p>

No.	Question/Applicant Comment
Q1.2	Air Quality
Q1.2.1	Effects on human and ecological receptors
<p>Q1.2.1.1 - Effects on receptors</p> <p>ES [APP-074, paragraphs 5.9.38 – 5.9.40] states that the Proposed Development would have no significant adverse effects on human health or designated habitats sites during either construction or operational phases of the scheme. Do LAs and PHE agree with this conclusion? Explain with reasons.</p>	
<p>Bedford Borough Council (REP1-043):</p>	<p>Bedford Borough Council Environmental Health does not agree with this. At this time there has been little information supplied as to the potential impact of the construction of the borrow pits on nearby residents through dust. Without adequate information I cannot be satisfied that harm will not occur.</p>
<p>Applicant Comment:</p>	<p>The Applicant has prepared further information in relation to the borrow pits, which includes reference to (but is not limited to) the environmental assessment, excavation methodology, restoration of the borrow pits and the amount of soil to be removed from each borrow pit including the consideration of dust effects. This information is reported in the "Borrow Pits Excavation and Restoration Report" [TR010044/EXAM/9.24], which the Applicant has submitted to the Examination at Deadline 3.</p> <p>The Applicant's response to RR-025d [REP1-021] submitted at Deadline 1 further describes the dust management measures that would be implemented during construction of the borrow pits. The proposed measures to mitigate dust effects during the construction phase are set out in the Dust Management Plan within the First Iteration Environmental Management Plan [APP-234].</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>Generally, the methodology used in preparing the assessment is satisfactory and broadly aligns with the proposal outline in the initial scoping request, however there are a number of areas which have still not been included within this chapter that were specifically requested in the Councils' scoping opinion response (2 May 2019), and or included in the initial scoping request submitted by the Applicant, namely:</p> <ul style="list-style-type: none"> • Access to work and training. • Social cohesion and neighbourhoods. • Climate change. • The risk of suicide during both during the construction and operational phases. <p>Section 12.2.36, Chapter 12: Population and Human Health" of the Environmental Statement (APP-081) "local strategies" has mentioned</p>

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	<p>the Bedfordshire Health and wellbeing strategy and the Health and Wellbeing Board, there is no mention of the Cambridgeshire Board or Strategy.</p> <p>Section 12.3.22 contains the data sources used in the assessment, there is no mention of Cambridgeshire data or local Joint Strategic Needs Assessments (JSNAs) being used, these should be used and referenced in the assessment of impacts on Human Health, specifically the “Cambridgeshire Core Data Set”¹ and the “Cambridgeshire Transport and Health JSNA”².</p> <p>The Applicant should have considered if the assessment of “impacts on any feeder PRoWs between destinations, within 1km of the DCO site boundary” is appropriate considering that it is recommended to include walking and cycling as part of active travel to work and therefore distances travelled by NMU greater than 1km are not unusual, therefore consideration should have been given to extend the boundary to 5km, or consideration given to identifying relevant employment and leisure destination within 5 km of the DCO boundary, this was requested at the scoping request stage but doesn't seem to have be addressed or a justification for scoping it out given.</p> <p>The level of commitment to implementing the mitigation measures in Table 2-1 in Chapter 2 (APP-071), should be given. In addition, there appear to be no embedded mitigation measures proposed to address any impacts of the impacts on human health listed in section 12.3.15.</p> <p>Section 12.9.5 states that “the existing A428 between Caxton Gibbet junction and the Cambridge Road junction will experience closures for 43 months between August 2022 and March 2026”. It is not clear that there has been any assessment on the impact the diversion routes will have on villages, local residents and access to emergency services following the night closures of existing A428. Chapter 12 does not contain a map or a reference to other documents of these diversion/alternative routes which would be helpful. Specifically, the impact of night time closures on access to Cambridge University Hospital Trust (Addenbrookes) which is the Regional Trauma Centre requires clarification.</p> <p>From a public health perspective, the Councils do not believe that the Applicant's conclusion that the Proposed Development would have no significant adverse effects on human health or designated habitats sites during either construction or operational phases of the scheme has been adequately demonstrated.</p> <p>The health chapter of the ES (APP-081) states at paragraph 12.9.99 “During the operation of the Scheme, Chapter 11, Noise and Vibration of the Environmental Statement [TR010044/APP/6.1] identifies likely significant adverse noise effects at a number of sensitive locations” and at paragraph 12.9.100 “Therefore, the operational effect of the Scheme in terms of noise and vibration as a determinant of human health will result in a negative health outcome for the people living and working in the properties identified above in section 12.9.99 [of Chapter 12 of the ES (APP-081)]”. Therefore, it is not possible for the Applicant to conclude that the Proposed Development would have no significant adverse effects on human health during operational phases of the scheme. The ES has not quantified if this impact due to noise is significant or not, just that is it a negative impact, whereas the document has identified moderate-adverse significant impacts on recreational users or the River Great Ouse and to users of PROW 73/17 due to closure during construction.</p> <p>Specifically, the Eltisley Manor should be looked at in depth as any impacts are likely to be disproportionately felt by the occupiers of this</p>

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	<p>facility due to the health nature of the residents.</p> <p>Section 12.9.38 refers to the survey of footpath use. the sample period chosen is not representative of normal usage i.e., during covid in a period of increases in cases in between formal lock down restrictions, in addition only 3 days where chosen. The assessment has not referenced any times of the day the survey was undertaken – a snapshot of the results should be included within chapter 12.</p> <p>The benefit of using a Health Impact Methodology within the production of the Health Chapter of the EIA is that it enables the consideration the effects of the wider determinants of health on not only the physical environment but also the social environment. It is also known that these wider determinants are not distributed equally among populations (e.g., those people living in areas of deprivation tend to have poorer health outcomes). Therefore, the Chapter 12 should have included:</p> <ul style="list-style-type: none"> • An appraisal of the potential positive and negative health and well-being impacts of the proposed development on any planned new communities and the adjacent existing communities in the study area. • Highlight any potential differential distribution effects of health impacts among groups within the population by asking 'who is affected?' for the impacts identified. • Suggest actions / mitigations that aim to minimise any potential negative health impacts and maximise potential positive health impacts, referencing where possible the most affected vulnerable group(s). <p>It is recommended that the Applicant assesses the potential “after uses” for the borrow pits, in terms of them being available for recreation either as blue or green space.</p> <p>With regard to the operational phase of the development, it is agreed that the proposed A428 Black Cat to Caxton Gibbet improvements will not have a significant adverse impact in terms of air quality on human health within the Cambridgeshire districts with regard to the modelled outputs. These are based upon data within the transport assessment, therefore if any changes are made to the traffic data the potential impact of these changes on air quality will need to be demonstrated.</p> <p>Whilst the proposals are predicted to lead to improvements in air quality for a number of residents, it is noted that some small increases in the annual average concentration of Nitrogen Dioxide (NO₂) are predicted at a limited number of locations representative of sensitive residential receptors within the districts. The largest modelled increase within Huntingdonshire is predicted to be 0.8µg/m³ and 1.1µg/m³ within South Cambs. All modelled residential receptors are predicted to remain well below the relevant air quality objectives for NO₂ and the predicted impact is classed as non-significant.</p> <p>The construction dust risk potential is considered 'large' due to the large scale of the works proposed, however the general air quality/dust mitigation measures proposed within the First Iteration Environmental Management Plan (EMP) are appropriate, but will require confirmation through review and agreement of the Second Iteration EMP prior to construction works commencing to ensure all reasonable mitigation measures are utilised during the construction phase, whilst reflecting the scale, nature and location of the proposed construction</p>

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	<p>activities.</p> <p>¹ https://cambridgeshireinsight.org.uk/wp-content/uploads/2020/07/CP_JSNA_CDS_DRAFT_2020-FINAL_PUBLISHED20200706.pdf</p> <p>² https://cambridgeshireinsight.org.uk/wp-content/uploads/2017/08/Transport-and-Health-JSNA-2015.pdf</p>
<p>Applicant Comment:</p>	<p>The Applicant's comments are set out below and are in corresponding order to the response above:</p> <ol style="list-style-type: none"> a. A qualitative assessment of human health has been undertaken in accordance with LA 112, with this being the justification for the extent of the determinants considered as part of the scope. In respect of the areas listed, access to work and training has been considered as part of the assessment of severance. Social cohesion and neighbourhoods, Climate change, and the risk of suicide during both the construction and operational phases are not included in DMRB and so have not been considered directly. b. The Applicant can confirm that the Cambridgeshire data and JSNA has been considered, although it is acknowledged that this has not been listed in the data sources section of Chapter 12 Population and Health [APP-081] of the Environmental Statement. c. The DMRB guidance requires consideration of impacts on routes within 500m. This is the basis of the assessment, but the impact on journeys beyond this has been considered up to 1km given the potential for effects on connectivity up to this distance based on the geometry of other routes within this area. d. The embedded mitigation measures listed in respect of Air Quality and Noise have been referenced in the Embedded Mitigation Measures section of Chapter 12 Population and Health [APP-081] of the Environmental Statement on the basis that these relate to Human health. e. The Applicant acknowledges that there will be delays associated with intermittent closures due to diversions however it is not expected that this would have a material impact on receptors in the local area given a route will be available. Emergency access will be retained at all times via the provision set out in the Outline Construction Traffic Management Plan [APP-244]. f. The methodology for the assessment of Human Health impacts [APP-258] does not assess human health in terms of significance but instead in respect of outcome categories, including 'positive', 'neutral', 'negative' and 'uncertain' based on DMRB guidance as set out in the Scoping Report. Land use and accessibility impacts have been assessed in terms of significance in line with this guidance. g. See response to [RR-086] within the Applicants Response to Relevant Representations [REP1-021] in respect of Eltisley Manor. h. In relation to surveys undertaken by the Applicant of walkers, cyclists and horse riders, the full details of the locations and timings of these surveys are presented in Appendix 12.1, Public Rights of Way Survey [APP-216] of the Environmental Statement. These survey dates were selected by the Applicant to log movements on the network on a weekend, bank holiday and weekday in-between national

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	<p>lockdowns to ensure as representative a sample as possible of current use was recorded during the Covid-19 pandemic, in order to inform the assessment of effects on user movements and journeys.</p> <ul style="list-style-type: none"> i. An Equality Impact Assessment [APP-245] has been submitted which has considered distributional impacts. j. In respect of alternative uses for borrow pits, as set out in the "Borrow Pits Excavation and Restoration Report" [TR010044/EXAM/9.24], the Applicant has set out that land used for borrow pits will be restored so that it can be used for agricultural purposes. k. Climate impacts on population and human health were not assessed in Chapter 12, Population and Human Health [APP 0-81]. The impacts on population and human health have however been considered in Chapter 14, Climate. With regard to the Council's Scoping response (2 May 2019) Chapter 14, Climate in the Environmental Statement [APP-083] presents an assessment of the climate impacts of the Scheme. The assessment has been undertaken in line with the Design Manual for Roads and Bridges (DMRB) LA114 Climate and considers the impact of greenhouse gas emissions on the climate as a result of the Scheme and the vulnerability of the Scheme to the impacts of future climate change. The assessment considers impacts across the life of the Scheme including construction, operation, maintenance and in use over a 60-year period. It also considers in-combination climate change impacts (ICCI) on receptors in the surrounding environment including those on the population and human health. The outcome of the ICCI assessment is presented in table 14-13 of the Climate Chapter and Appendix 14.1. The assessment concluded that there would be no significant climate impacts as a result of the Scheme. l. The comments on the air quality assessment and construction dust mitigation measures within the First Iteration Environmental Management Plan [APP-234] are noted.
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Any move to decarbonising would not impact the use, as the shift to EV vehicles and carbon natural will still mean people using the route. Assist with the old road be detrunked for a local route at carbon zero.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the first part of the response; however further clarification is needed in order to comment on the second part.</p>
<p>Public Health England (REP1-090):</p>	<p>Based on the information contained within the application, namely air quality modelling, we are satisfied that there should be an insignificant impact on public health. This is based on the modelled outputs which indicate either that:</p>

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	<p>air quality objectives will not be exceeded at receptor locations or;</p> <p>that the new road layout will contribute only imperceptibly to air pollution at the seven locations with predicted levels of nitrogen dioxide above the air quality objective.</p> <p>It should be noted however that our position on air quality is that reducing public exposures to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards has potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure), and maximise co- benefits (such as physical exercise) and encourage their consideration during development design, environmental and health impact assessment, and development consent.</p>
Applicant Comment:	The Applicant notes the response from Public Health England.
<p>Q1.2.1.2 Sandy Air Quality Management Area</p> <p>ES [APP-074, paragraphs 5.9.12–5.9.13] states that the magnitude of NO₂ change is predicted to be imperceptible at the 7 identified receptors in Sandy. Does CBC agree with this assessment? If not, explain with reasons.</p> <p>Are there other design options or measures that should be considered to improve air quality at this location?</p>	
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>CBC do not agree with this assessment for the following reasons. Currently, our Air Quality Officer has observed regular congestion along the southbound A1 at the A603 roundabout, with queuing regularly stretching past the row of cottages fronting the A1, certainly during peak times (and sometimes beyond these periods), within the AQMA (declared for both the hourly and annual NO₂ Air Quality Objectives).</p> <p>The capacity of the A1 is already a concern, as colleagues from CBC Highways have advised. It is already operating at capacity and there is a need for realignment or an alternative (but significant) solution to be found and funded, outside of the DCO.</p> <p>The proposed works would enable the A1 southbound traffic to be free flowing at the Black Cat roundabout, but this traffic would be held up at the next stopping point (the A1/A603 roundabout), this is evidenced in part by the forecast increase in flows on the A1 north of the A1/A603 junction, with 12-hour flow increases of circa 12% and AM peak hour flow increases of circa 17%, as detailed within the Transport Assessment Annex (APP-243) and supporting model flow plots.</p> <p>Therefore, the free-flowing traffic would add to the existing congestion/delays at the A1/A603 and this in turn would increase the road transportation emissions from tailpipes and have a detrimental impact on the pollution concentrations within the AQMA. This is a known consequence of traffic dynamics, as increased queuing traffic at a given location generally leads to increased emissions from vehicle exhausts at that location.</p>

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	<p>There is a legal obligation for Local Authorities and Highways England to work to reduce concentrations of air pollutants. The applicants identified the potential for medium level impacts for the 7 properties that lie in the existing Sandy AQMA (as per section 5.5 of TR010044, Volume 7 7.9 Sensitivity Test using 2020 Uncertainty Log Data). However, because less than 30 properties are affected, they have simply classed this impact as “not significant”. The number of properties impacted is not the material factor as far as CBC is concerned – anything that likely to result in an adverse impact on the health of CBC residents at this highly sensitive location and is likely to counteract our fundamental efforts to improve air quality in the AQMA is not acceptable, particularly without mitigation measures to offset those adverse impacts.</p> <p>CBC have produced and published to our website an Air Quality Action Plan (AQAP) (which has been appended to the Council's written representation), which Highways England were invited to contribute to, which sets out a range of mitigation measures that CBC is looking to implement to improve air quality at this location. Measures are either:</p> <ul style="list-style-type: none"> Strategic (i.e. aimed at integrating air quality into all relevant areas of decision making within Central Bedfordshire Council); or Specific (i.e. aimed at promoting more sustainable travel choices and reducing traffic related emissions within the two AQMAs and the district as a whole). <p>Four ‘Package of Measures’ have been recommended for implementation at this time:</p> <ul style="list-style-type: none"> Package 1: reducing emissions through strategic measures Package 2: optimising traffic flow through the AQMAs Package 3: reducing transport emissions Package 4: promoting sustainable transport options <p>Whilst more detail is available in the AQAP, CBC would suggest that the following measures may be most relevant to the current project and mitigation secured as a requirement of the draft DCO:</p> <ul style="list-style-type: none"> Measure 1: Improve links with the Local Transport Plan (LTP) Measure 2: Improve links with the Local Planning and Development Framework Measure 4: Junction and Congestion Investigations Measure 7: Research impact on use of average speed cameras / change to speed limit Measure 10: reducing the emissions from goods vehicles within AQMAs <p>CBC know that junctions on the A1 are forecast to be operating at, or over, capacity, even prior to the addition of further traffic associated with the DCO scheme, as detailed within the submitted Transport Assessment Annex (APP-243). Therefore, investigation into the</p>

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	<p>junction/congestion at this location would be advantageous in highlighting problems and identifying actions to reduce congestion/queuing and thereby reducing emissions. Stop/start traffic tends to emit higher emissions.</p> <p>Limiting speeds have been explored at various locations on the HE network and there have been reductions in the speed limit on at least one section of the M1 and probably some other roads made with regard to minimising air pollutants. Speed limits need to be enforced and use of average speed cameras would help prevent drivers from slowing down for the safety camera before accelerating away and need to be secured as a requirement of the draft DCO.</p> <p>It is important that measures are put in place to ensure that the A1 can operate effectively and cope with the volume of traffic at this location, otherwise traffic may be pushed onto local roads creating higher levels of pollution in those locations.</p>
<p>Applicant Comment:</p>	<p>It is the Applicant's position that there have been no significant effects predicted as a result of the Scheme and therefore no mitigation measures are required in regard to the Sandy Air Quality Management Area (AQMA).</p> <p>As set out in the Applicant's response to the Authority's Relevant Representation [REP1-021], using the traffic models and data generated for the Scheme, the air quality effects within the Sandy AQMA are predicted to be, at worst, imperceptible, with some small improvements recorded. This is set out in Chapter 5, Air Quality [APP-074] of the Environmental Statement. In summary, predicted changes would be -0.7 to +0.2 µg/m³ in annual mean nitrogen dioxide. An imperceptible change (<1% of the objective value of 40µg/m³) is one so small as to not be measurable and is therefore not considered to be a worsening in air quality at these receptors.</p> <p>These effects are not considered to be significant for air quality based on advice within the Design Manual for Roads and Bridges (DMRB) LA 105 air quality standard applied. As such, no mitigation is required to manage air quality effects associated with the Scheme.</p> <p>As noted in the first Open Floor Hearing held on 19 August 2021, a sensitivity test has also been undertaken for an update to the traffic uncertainty log. This assessment is presented in Sensitivity Test Using 2020 Uncertainty Log Data [APP-249]. The purpose of the Sensitivity Test was to consider the potential impacts of updating the Uncertainty Log to determine whether design changes or further mitigation may be required. This involved comparing the traffic model forecasts using the 2020 Uncertainty Log with the forecasts derived from the 2018 Uncertainty Log that were prepared for the assessment presented in the Environmental Statement and associated documents. The Sensitivity Test concluded that the forecasts prepared using the 2018 and 2020 Uncertainty Logs were comparable and therefore the data used within the Environmental Statement was considered robust. As such, the assessment presented in the Environmental Statement is considered to represent the effects of the proposed Scheme.</p> <p>Even considering the Sensitivity Test, the effect on air quality due to the Scheme is not considered to be significant. Within the sensitivity test predictions only small (1-5% of the objective value) increases in annual mean NO₂ concentrations were predicted at seven receptors within the Sandy AQMA. A small increase in annual mean concentrations at this number of receptors is not considered to be a significant adverse effect.</p>

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	Where congestion is identified within the traffic model this is included within the air quality assessment as emissions from vehicles within the air quality model are calculated based on the congested condition of the road in the time period being modelled (e.g. the AM peak period).
<p>Q1.2.1.3 Future vehicle fleet</p> <p>The ES [APP-161] explains that the methodology used by the Applicant to undertake the Air Quality assessment. For clarity, does the methodology followed account for the phasing out of new petrol and diesel vehicles as described in the Government's Road to Zero Strategy, 2018 and Transport Decarbonisation Plan, 2021? If so, how?</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	From a carbon perspective, the Councils are supportive of the application of the precautionary approach to taking account of the pace of decarbonisation of road transport.
<p>Applicant Comment:</p>	<p>The Applicant notes the response from CCC, HDC, and SCDC.</p> <p>Greenhouse Gas (GHG) emissions from road users presented in Chapter 14, Climate of the Environmental Statement [APP-083] have been calculated using the DMRB calculator which is based on the Defra Emissions Factors Toolkit (EFT) along with the outputs of traffic modelling for the Scheme. This approach does not currently factor in the impact of recent government policy presented in the Transport Decarbonisation Plan (TDP), published in July 2021. The EFT used to calculate road user emissions only accounts for traffic fleet projections to 2030 and therefore no consideration has been given in the model to the targets presented in the TDP beyond that point, such as the end of the sale of new petrol and diesel cars by 2030 and the associated uptake of electric vehicles. This means that the GHG emissions from road users presented in the Environmental Statement represent a conservative estimate of carbon emissions as the calculations for the Design Year (2041) are based on the vehicle fleet anticipated in 2030.</p>
<p>Q1.2.1.4 Dust Control</p> <p>With specific regard to the control of construction dust, are LAs and PHE satisfied with the measures proposed in the first iteration EMP and the level of detail that will be secured in the dDCO through the First Iteration EMP [APP-234, Annex A, Tables A-1, A-2, A-3].</p>	
<p>Bedford Borough Council (REP1-040 and REP1-043):</p>	The Council is concerned that the only control over the borrow pits appears to be through the Environmental Management Plan (EMP). The EMP sets out a list of standard practices that could be applied to any similar development and is not site specific. The EMP contains no assessment of any potential impacts. The DCO contains two requirements for iterations of the EMP. Whilst the second iteration EMP may be expected to contain more detail on the borrow pits proposals, it is not clear what further impact assessments will be provided at this stage. This brings into question whether the DCO currently contains a sufficient description of the proposal or a proper environmental assessment.

No.	Question/Applicant Comment
Applicant Comment:	<p>The Applicant can confirm that the Development Consent Order application includes a thorough and comprehensive description of the preliminary design of the Scheme, as set out in Chapter 2, The Scheme [APP-071] of the Environmental Statement. Additional information regarding the borrow pits is reported in the "Borrow Pits Excavation and Restoration Report" [TR010044/EXAM/9.24], which the Applicant has submitted to the Examination at Deadline 3. The Applicant has prepared this document to assist interested parties in understanding how borrow pits have been considered since they have not been assessed as a single entity, but rather as part of the overall Scheme. The purpose of the report is to amalgamate information from the DCO application of specific relevance to borrow pits into one document so that it can be seen how they have been considered across all topics and assessments.</p> <p>The additional information provided includes reference to (but is not limited to) the environmental assessment, excavation methodology, restoration of the borrow pits and the amount of soil to be removed from each borrow pit. The "Borrow Pits Excavation and Restoration Report" [TR010044/EXAM/9.24] also sets out in Table 1-1 the relevant controls that apply to borrow pits from each management plan in the First Iteration Environmental Management Plan [APP-234]. The mitigation measures set out in Table 1-1 will ensure that the environmental effects relating to borrow pits are properly controlled.</p> <p>The Applicant's response to RR-008abj [REP1-021] submitted at Deadline 1 explains the detail included within the application at the preliminary design stage and confirms no further environmental assessment will be undertaken to inform the Second Iteration EMP.</p> <p>The Second Iteration EMP will be written and approved prior to the main construction works starting. Prior to approval by the Secretary of State of the Second Iteration EMP, Bedford Borough Council will have the opportunity to review this document and provide comments to ensure that all mitigation measures are detailed and satisfactory. Additionally, the Applicant would work closely with Bedford Borough Council prior to submission of any permits/licence applications, to ensure all relevant information is included.</p>
CCC/HDC/SCDC (REP1-051):	<p>Good general dust control measures. Specific dust monitoring requirements will be drawn up in the Second Iteration EMP.</p> <p>The general air quality/dust mitigation measures proposed within the First Iteration Environmental Management Plan (EMP) are appropriate, but as highlighted earlier will require confirmation through review and agreement of the Second Iteration EMP prior to construction works commencing to ensure all reasonable mitigation measures are utilised during the construction phase, whilst reflecting the scale, nature and location of the proposed construction activities.</p>
Applicant Comment:	<p>The Applicant notes the response from the Cambridgeshire Authorities.</p>

No.	Question/Applicant Comment
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>Good general dust control measures. Specific dust monitoring requirements will be drawn up in the Second Iteration EMP.</p> <p>The applicants have stated that dust control measures in accordance with IAQM guidance for controlling construction dust will be followed and those set out in Annex A to The First Iteration EMP (APP-234) appear to accord with this. CBC are generally satisfied with this in principle. However, our experience is that the failure in site dust controls that give rise to complaints tend to be because of poor implementation and management controls. Again Annex A and the associated tables set out a number of management measures that will be implemented to ensure dust controls are effective, and CBC is encouraged by this. Whilst the measures include a website where residents can report complaints, our experience is that residents prefer to complain to their LA rather than the source of the problem. Therefore, close liaison and contact details for relevant Site Managers or other Senior Officials will need to be clearly established to deal with issues as and when they arise. In Table A-3 of the First Iteration EMP it talks about liaison and states: "Regular liaison would be undertaken with the relevant local authorities, this would include discussing any complaints that had been received." However regular is not defined and is therefore open to interpretation.</p>
Applicant Comment:	<p>The Applicant's resources include a dedicated customer team who will work with the local authorities to ensure complaints are managed in a timely and effective manner. They will also provide a direct means of contact with the team and will not rely on meetings as the only means of interaction and collaboration. Frequency of meetings will be agreed in consultation with each local authority. However, we expect customer interaction may fluctuate and have the means to adjust resources according to demand.</p> <p>The Second Iteration EMP will be written and approved prior to main construction work starting in late 2022. Prior to approval by the Secretary of State, Central Bedfordshire Council will have the opportunity to review this document and provide comments to ensure that all mitigation measures are detailed and satisfactory. Additionally, the Applicant would work closely with Central Bedfordshire Council prior to submission of any permits/licence applications, to ensure all relevant information is included.</p>
Public Health England (REP1-090):	<p>Based on the information contained within the application, we are satisfied that there should be an insignificant impact on public health during the construction phase, as the submitted documentation indicates that industry standard/good practice measures will be put in place to manage fugitive construction dust. The proposed measures are typical of those used on similar construction projects.</p>
Applicant Comment:	<p>The Applicant notes the response from Public Health England.</p>

No.	Question/Applicant Comment
Q1.3	Biodiversity and Ecological Conservation
Q1.3.1	General
Q1.3.1.1 Protecting and improving biodiversity Have all reasonable opportunities for protecting and improving biodiversity been taken, in line with the policy requirements in the NPS NN (paragraphs 5.20-5.38)?	
Bedford Borough Council (REP1-043):	<p>The applicant has completed a suitable range of up-to-date ecological surveys which are based on evidence from the Bedfordshire & Luton Biodiversity Recording and Monitoring Centre and pre-application discussions. There are Phase 1 maps for the whole of the DCO area with suitable habitats surveyed in more detail for a range of notable species or wildlife assemblages. These surveys include invertebrates, reptiles, Great-crested Newts, breeding and wintering birds along with specific surveys for Barn Owl, Red Kite and Hobby, bats and Badgers. The results of these surveys have been used to design the scheme, propose mitigation and include enhancements. The timing of many of these measures will be critical to their ability to protect and improve biodiversity. For example, in Bedford Borough woodland planting is included along some sections of the route to add height to the landscaping to try and avoid Barn Owls being involved in traffic collisions. Whilst this would probably work well once the woodland is established this takes time, therefore the timing of the planting to maximize the height of the landscaping upon the route becoming operational is important. The ongoing monitoring and management of the landscaping and key mitigation measures, such as the bat tunnel, are also vital to the delivery of the biodiversity mitigation and enhancement measures. More information on both these topics is expected in the second iteration of the Biodiversity Management Plan.</p>
Applicant Comment:	<p>The planned maintenance regime is presented in outline within the Landscape and Ecology Management Plan, included in Annex L of the First Iteration Environmental Management Plan [APP-234]. This planting will take place in the first available planting season and at a time of the year appropriate to the species being planted, thereby minimising the time required for it to provide its intended functions once the Scheme is operational.</p> <p>The Second Iteration Environmental Management Plan will be written and approved prior to main construction works starting, the content of which will be substantially in accordance with the First Iteration Environmental Management Plan [APP-234]. Prior to approval by the Secretary of State, Bedford Borough Council will be consulted on the content of the Second Iteration Environmental Management Plan as set out in Requirement 3 of the dDCO [APP-025]. Following approval, the Scheme will be landscaped in accordance with the detailed Landscape and Ecology Management Plan.</p>

No.	Question/Applicant Comment
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>No. There has been lots of survey work and ecological mitigation proposed as part of the scheme but unfortunately, much more could have been achieved. Early survey work was undertaken from 2016-2018, but gaps in information were not addressed in the following years for some ecological receptors. In addition, given the lack of comprehensive information, it is still not possible to determine the full impact of the scheme on ecology receptors.</p> <p>From a landscape perspective the routing of the new road has managed to avoid the majority of the woodland blocks but there are missed opportunities for creating biodiversity rich habitats characteristic of the local area and resilient to climate change; and does not adequately avoid/mitigate/compensate for the loss of Priority habitats such as arable field margins, hedgerows and standing open water.</p> <p>The design of the scheme has been based on incomplete baseline (ecological) survey work or assessment. The assessment is based on insufficient information about the design of the scheme, including lighting and design of bat underpasses and WFD enhancements of the watercourses. This is further compounded by inaccuracies in the assessment, such as wrongly assuming 18 ponds will be created, enhancements of two existing GCN ponds, lack of consideration of impact to connectivity of the hedgerow network and that the Protected Road Verge is located outside of the scheme limit.</p> <p>Whilst work has been undertaken to incorporate ecology into the Environmental Masterplan/LEMP, there are outstanding impacts that could have been easily mitigated/compensated, and potentially provided benefits within the scheme. For example, using species-rich grassland mixes and woodland/hedgerow mixes that include species characteristic of the local area would have greatly enhanced the scheme and better mitigated impact to habitats of local-county importance.</p> <p>While protection of the existing biodiversity interest (e.g. arable field margins) and restoration of the temporary site compounds, soil storage areas and borrow-pits could have off-set many of the residual impact & provide enhancement to habitats (arable field margins, neutral grassland, ponds) and species (farmland birds, terrestrial & aquatic invertebrates, Great Crested Newt, reptiles), particularly those that could never be mitigated within close proximity to a road scheme.</p> <p>There will be increased lack of connectivity within the landscape due to the loss of 87 of the 93 hedgerows and the barrier of a new road across existing habitats without enhancements such as green bridges. which would contribute to connectivity of the ecological network. This represents a huge missed opportunity to increase net biodiversity gain and contribute to healthy, well-functioning, resilient ecological networks (Biodiversity 2020: A strategy for England's wildlife and ecosystem services, Natural Environment White Paper (NPS NN Section 5.20)3).</p> <p>Given the above, it is a clear demonstration that the reported 20.5% net gain in biodiversity value is not a true reflection of the current scheme. This is due to a poor quality BNG calculator being used, instead of Defra's BNG model.</p>

No.	Question/Applicant Comment
<p>Applicant Comment:</p>	<p>Please refer to the response to RR-076o [REP1-021] within the Applicants Response to Relevant Representations, submitted at Deadline 1 of the Examination for an explanation on Biodiversity Net Gain.</p> <p>The Applicant has recognised the need to ensure that the baseline of biodiversity information is:</p> <ul style="list-style-type: none"> • Up to date as per criteria set out in Chartered Institute of Ecology and Environmental Management (CIEEM) guidance (CIEEM,2019). • Spatially comprehensive including surveying areas that had not been surveyed previously. • Cognisant of any short-term changes, e.g. creation by Badger of new setts. • Fit to inform detailed mitigation and enhancement planning. <p>To this end, biodiversity surveys have been undertaken during 2021 for terrestrial and aquatic habitats, bats, Barn Owl and Great Crested Newt as well as a review of any recent background information. These surveys will be submitted into the Examination at Deadline 4. .</p> <p>Additionally, pre-construction surveys will be undertaken, e.g. a Badger survey.</p> <p>The Applicant is pleased that the Cambridgeshire Authorities have acknowledged the considerable effort made by the whole design team to avoid woodlands including ancient woodland. This applies to all habitats of principal importance and to sites designated for their biodiversity value (including Regional and Local Sites), parkland and veteran trees.</p> <p>The planned maintenance regime is presented in outline within the Landscape and Ecology Management Plan, included in Annex L of the First Iteration Environmental Management Plan [APP-234]. This planting will take place in the first available planting season and at a time of the year appropriate to the species being planted, thereby minimising the time required for it to provide its intended functions once the Scheme is operational.</p> <p>The Second Iteration Environmental Management Plan will be written and approved prior to main construction works starting, the content of which will be substantially in accordance with the First Iteration Environmental Management Plan [APP-234]. Prior to approval by the Secretary of State, Bedford Borough Council will be consulted on the content of the Second Iteration Environmental Management Plan as set out in Requirement 3 of the dDCO [APP-025]. Following approval, the Scheme will be landscaped in accordance with the detailed Landscape and Ecology Management Plan.</p> <p>The Applicant confirmed in its response to the ExA's Q1.3.2.1 [REP1-022] submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p> <p>With respect to Department for Transport (2014) National Policy Statement for National Networks (NPS NN) 5.30 to 5.38, Natural England has acknowledged that the Scheme will have no likely significant effects on any sites designated for their internationally significant</p>

No.	Question/Applicant Comment
	<p>biodiversity value (except for Eversden and Wimpole Woods Special Area of Conservation for which further information has been requested), Sites of Special Scientific Interest, Regional or Local Sites (of biodiversity importance) (paragraph 5.31 of the NPS NN) nor on any irreplaceable habitats including ancient woodland and veteran trees (paragraph 5.32 of the NPS NN). Paragraph 5.30 of the NPS NN, Marine Conservation Zones do not apply. The Applicant has drawn attention to the connectivity that the Scheme creates between sites of regional and local biodiversity value, for example woodland and wetland.</p> <p>the Applicant confirmed in its response to the ExA's Q1.3.2.1 [REP1-022] submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p> <p>The Scheme has recognised that individual wildlife species receive statutory protection under a range of legislative provisions (see also responses from Natural England) and that <i>“Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England ...”</i> with conservation action being taken with respect to a number of species (5.34 and 5.35). The Applicant considers that this applies to all those species assessed and mitigated in Chapter 8 Biodiversity, whilst recognising that there is disagreement that this applies to the bat species, Barbastelle, with respect to Eversden and Wimpole Woods SAC.</p> <p>The Applicant has included appropriate mitigation measures as an integral part of the design of the Scheme, including identifying where and how these will be secured (First Iteration Environmental Management Plan [APP-234]), in accordance with paragraph 5.36 of the NPS NN. In particular, the Applicant has demonstrated that:</p> <ul style="list-style-type: none"> • During construction, it will be ensured that activities will be confined to the minimum areas required for the works (Biodiversity Management Plan). • During construction and operation, best practice will be followed to ensure that the risk of disturbance or damage to species or habitats is minimised (Biodiversity Management Plan). • Habitats will, where practicable and appropriate, be restored after construction works have finished, e.g. hedgerows and watercourses (Environmental Management Plan). • The Scheme has been designed and landscaped to provide green corridors and minimise habitat fragmentation where reasonable (Environmental Management Plan). • Opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals, for example, woodlands, wetlands and grassland, and through techniques such as the provision of a strategically located bat tunnel (suitable for other mammals as well) (Environmental Management Plan). <p>The Applicant has agreed or is in the process of seeking agreement from Natural England regarding mitigation measures with respect to protected species and the relevant licences (paragraph 5.38 NPS NN).</p>

No.	Question/Applicant Comment
	<p>A re-survey of arable field margins within the Scheme is being written up currently. The results of these surveys are being used to provide updates to those data collected in 2018-19 and have not found any arable weeds of any significance within the Scheme boundary. The results of the re-survey will be communicated to CCC, SCDC and HDC and the Examination by Deadline 4.</p> <p>The Applicant confirmed in its response to the ExA's Q1.3.2.1 [REP1-022] submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Within the CBC area we believe they have.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Central Bedfordshire Council</p>
<p>Natural England (REP1-088):</p>	<p>As indicated in our Relevant Representation and Written Representation Natural England is generally satisfied that all reasonable opportunities for protecting and improving biodiversity have been taken in line with Government policy requirements set out within National Planning Policy Statement for National Networks paragraphs 5.20 – 5.38. We are satisfied that the applicant has sought to avoid significant harm to biodiversity and geological conservation interests, through application of the mitigation hierarchy to avoid impacts where possible and consideration of reasonable alternatives.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Natural England.</p>
<p>Environment Agency (REP1-076):</p>	<p>Providing principals of the mitigation hierarchy are adopted (avoid, mitigate, enhance), and biodiversity net gain is delivered, these will help to protect and improve biodiversity.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from the Environment Agency.</p>

No.	Question/Applicant Comment
Q1.3.1.3 Surveys	<p>The EA makes reference to updating ecological surveys as the scheme progresses [RR-036]; NE also refers to various updated surveys [RR-076]. Do you intend to undertake any specific updates to ecological surveys to provide up-to-date information as the scheme progresses? If so, which and when; if not, why not?</p>
CCC/HDC/SCDC (REP1-051):	<p>The Councils support further surveys to provide evidence of the impact on the Barbastelle bat population in Eversden and Wimpole SAC (if requested by Natural England). HE has provided a Joint Position Statement on matters relating to Habitats Regulations Assessment and mitigation.</p> <p>Protected Road Verge S8 (Brockley Road) should be considered in the assessment (see Q1.3.1). The results of a recent Wildlife Trust survey will be available early September.</p> <p>The aquatic surveys were conducted in a particularly dry year (2018) and so are not representative of average conditions for fish and aquatic invertebrates. We would support further surveys to provide evidence of species present.</p> <p>For information the Councils' response on ecological surveys is set out in section 7 of our Written Representation.</p>
Applicant Comment:	<p>The Applicant acknowledges the position of CCC/HDC/SCDC and has agreed with Natural England to undertake further bat surveys, subject to obtaining the necessary consents and agreements, the scope of which seeks to collate further evidence to inform the available baseline. These surveys are being undertaken without prejudice to the Applicant's position that sufficient information already exists to rule out likely significant effects on Eversden and Wimpole Woods SAC. It is intended that the results of these further surveys would be submitted to the Examination at Deadline 6.</p> <p>A reassessment of Protected Road Verge (PRV) S8, Brockley Road, Elsworth (west side) in July 2021 in the form of a detailed survey confirmed that the southern section of this PRV had been damaged and that the site was in unfavourable condition and declining in line with the most recent assessments undertaken by the Wildlife Trust (2019) which considered the southern section had <i>"been destroyed by roadworks and should be removed from the PRV"</i>. The results of these surveys will provide any updates to those data collected in 2018-19 and will be communicated to CCC, HDC and SCDC and the Examination by Deadline 4.</p> <p>The aquatic habitat surveys were undertaken within the period recommended for such surveys, both scoping surveys (2007) and the aquatic habitat surveys (2018). The survey period in 2018 was very warm and dry, and a number of the brooks, ditches and ponds were dried out. To ensure a comprehensive database, sites found to be dry were re-visited in April, June and July 2021 and were again found to be dry or with very little water. In the case of the watercourses, this is explained by the drainage of the intensive arable agriculture and in the case of ponds due to terrestrialisation especially where surrounded by trees. The results of these surveys are being used to provide any updates to those data collected in 2018-19 and will be communicated to CCC, HDC and SCDC.</p>

No.	Question/Applicant Comment
Q1.3.2	Biodiversity Net Gain (BNG)
	<p>Q1.3.2.1 Metric for calculating BNG</p> <p>The Applicant has calculated that the Proposed Development would deliver 20.5% BNG using the HE metric. The BNG is primarily due to the creation of new woodland and grassland habitats, together with the creation of wetland habitats, and restoration works to sections of watercourses [APP-077, paragraph 8.10]. Applicant, what would the BNG score be using the DEFRA 2.0 metric?</p> <p>NE, in your RR you have stated that DEFRA 2.0 is your preferred metric because it considers habitat condition and other key criteria [RR-076, paragraph 2.12.9]. Provide further explanation.</p> <p>The ExA is aware of the more recent NE Biodiversity Metric 3.0. In light of this, can NE confirm that DEFRA 2.0 metric is still the preferred metric to calculate the BNG on the Proposed Development, or update your position?</p> <p>NE and Applicant, explain the differences between the three Metrics in temporal, qualitative and quantitative terms, and how the measure of BNG would change?</p>
CCC/HDC/SCDC (REP1-051):	<p>We consider that the net gain calculations would be more accurate using the DEFRA 2.0 metric. The DEFRA 3.0 metric was launched early July 2021, and the Councils note that Natural England may take the lead role in this decision but could be part of this discussion.</p> <p>The HE Calculator does not appear to have been through the same scrutiny as the DEFRA Metric. It is based on a pilot Warwickshire Model (2012), but with no apparent separation of linear and regional biodiversity. There is no estimation of future habitat condition (all is assumed to be poor), and there is no separation of pre-construction habitat types.</p> <p>For example, all dense scrub is represented by the same distinctiveness and condition score. However, different areas of the same broad habitat can have different condition scores. Similarly, different geographical locations across the UK will have different distinctiveness scores from the model which was designed to assess Warwickshire habitats. Cambridgeshire habitats are different to those of Warwickshire.</p>
Applicant Comment:	<p>The Applicant confirmed in its response to the ExA's Q1.3.2.1 [REP1-022] submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p>

No.	Question/Applicant Comment
<p>Natural England (REP1-088):</p>	<p>Natural England wish to update our position, since the more recent release of the Biodiversity Metric 3, we would wish to reflect that this should be the preferred metric. The Biodiversity Metric 3 features significant updates and changes to the previous Biodiversity Metric 2.0, following consultation and the incorporation of feedback from external stakeholders, experts and partners.</p> <p>The Environment Bill covers Town and Country Planning Act (TCPA) developments and following Government's response to the Dasgupta Review, Nationally Significant Infrastructure Projects (NSIPs) down to the mean low water mark. The Environment Bill will also require the measure of biodiversity gains using a biodiversity metric, which is likely to be the Biodiversity Metric 3 or most up to date subsequent version. Whilst we referenced version Biodiversity Metric 2.0 at the time of our previous response, in light of the recent publication of the Biodiversity Metric 3 we would recommend using the most recently published version where appropriate, (however we do recognise that the scheme has been designed utilising a different metric which may be best applied to 2.0 rather than Biodiversity Metric 3).</p> <p>The differences between biodiversity metric 2.0 and 3 are available online: http://nepubprod.appspot.com/file/6511288110022656. We are not in a position to comment on the differences with the HE metric, as is not our metric and we are not privy to the details.</p>
<p>Applicant Comment:</p>	<p>The Applicant confirmed in its response to the ExA's Q1.3.2.1 [REP1-022] submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p> <p>The Applicant notes Natural England's statement regarding the organisation not being privy to the details of the National Highways Biodiversity Net Gain metric; however, the Applicant wishes to clarify to the ExA that full details of the National Highways Biodiversity Net Gain metric methodology were shared with Natural England via email on 22 July 2020. This information was exchanged following Natural England expressing an interest in better understanding how the Applicant's metric related to the methodology set out in the Defra Metric 2.0.</p>

No.	Question/Applicant Comment
Q1.3.3	Hedgerows
<p>Q1.3.3.1 Clarification on net loss</p> <p>A net loss of hedgerows within the Order Limits is shown in Table 8-9, but a net gain in Table 8-10 – which is it [APP-077]?</p> <p>Provide clarification on any other related inconsistencies in the ES.</p>	
CCC/HDC/SCDC (REP1-051):	<p>The Councils note that 87 of the 93 hedgerows will be fully/partly lost to the scheme, including hedgerows of district/county importance. Appendix 8.19 shows that 0.82 km of hedgerow will be permanently lost due to the scheme (please note that the figures are listed in a column headed “Area (ha)”; whereas hedges should be measured in km, therefore we assume these are km). Natural England will take the lead role in this discussion.</p>
Applicant Comment:	<p>The Applicant confirmed in its response to the ExA’s Q1.3.2.1 [REP1-022] submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p> <p>The updated calculation includes revised values relating to hedgerow losses and gains.</p>
Q1.3.4	European Designated Sites
<p>Q1.3.4.1 Ouse Washes SPA, SAC and Ramsar site and Portholme SAC</p> <p>The RR from NE [RR-076, paragraph 3.5.1] states that the NSER [APP-233] demonstrates beyond reasonable scientific doubt that the Proposed Development will not have an adverse effect on the integrity of the Ouse Washes SAC, SPA and Ramsar site and Portholme SAC.</p> <p>Can NE confirm that it is content that the measures incorporated within the Proposed Development to mitigate for pollution events and polluted surface water runoff are not necessary for a negative screening, and, that the intervening distance and natural dilution and settlement rates are sufficient on their own to conclude no likely significant effect on the relevant European Sites listed above?</p>	
Natural England (REP1-088):	<p>It appears we are being asked if we are satisfied that a no ‘likely significant effect’ conclusion could have been reached, based on distance alone, without the embedded pollution prevention mitigation measures – which are required for wider environmental protection. It is not our role to advise on whether or not certain measures are ‘embedded’ and some are ‘essential’. We are not aware that the applicant has undertaken an assessment of the scheme without these measures, which makes it difficult to provide advice. Our view is that the mitigation measures proposed are being delivered in any event, so with these, and the distance the HRA is able to conclude no LSE. We suggest that</p>

No.	Question/Applicant Comment
	the applicant could provide greater clarity on whether water pollution measures are 'embedded' or 'essential' and therefore whether they should be tested within an Appropriate Assessment.
Applicant Comment:	Based on the intervening hydrological distances between the Scheme and the Ouse Washes SPA, SAC and Ramsar site and the Portholme SAC (20 km and 43.2 km respectively) and natural dilution rates (mean flow of 967 thousand cubic metres per day (tcmd) or 11.2 cubic metres per second ($m^3 s^{-1}$) at Roxton to 1,356 tcmd or a mean flow of 1,356 tcmd or 15.7 ($m^3 s^{-1}$) at Denver Sluice immediately downstream of the Ouse Washes), and settlement rates, these are sufficient on their own to conclude no likely significant effect on these sites. This accords with Natural England's agreement that the Habitats Regulations Assessment: No Significant Effects Report [APP-233] has demonstrated beyond all reasonable doubt that the Scheme would not result in likely significant effects on the integrity of the Ouse Washes SAC. SPA and Ramsar site, and Portholme SAC, the Applicant does not believe further analysis or testing of the environmental measures to be delivered as part of the Scheme is necessary.
<p>Q1.3.4.2 Eversden and Wimpole Woods SAC</p> <p>NE does not consider there is sufficient information available in the NSER [APP-233] to rule out likely significant effects with regard to the Eversden and Wimpole Woods SAC Barbastelle bat population [RR-076, paragraph 3.5.1].</p> <p>Applicant, are you intending to undertake the assessments and bat surveys requested by NE? When will these be completed, and submitted to the Examination?</p> <p>NE, in the absence of information on the home range of the maternity colonies, main foraging area and flight lines as well as the seasonal changes in habitat use in the SAC Barbastelle bat population, can sufficient mitigation measures be proposed to conclude that the Proposed Development will not adversely affect the integrity of the site?</p>	
CCC/HDC/SCDC (REP1-051):	As in Q1.3.1.3, we support further surveys to provide evidence of the impact on the Barbastelle bat population in Eversden and Wimpole SAC (if requested by Natural England).
Applicant Comment:	The Applicant notes the position of the Cambridgeshire Authorities and further detail regarding this issue is set out in response to Natural England below.

No.	Question/Applicant Comment
<p>Natural England (REP1-088):</p>	<p>Crossing point mitigation features for bats need to be located precisely on existing commuting routes and flight lines and therefore crossing point surveys should be used to determine the number and location of such mitigation features. A single bat underpass located toward the west of the scheme has been proposed to date and few details have been provided regarding its design. Further mammal underpasses are proposed but have not been designed specifically for bats and it is unclear whether they will be suitable for use by bat species.</p> <p>Surveys should be used to inform the location of mitigation features and not doing so runs the risk of the mitigation feature not being used by bats and the scheme severing connectivity in other locations.</p> <p>In our opinion therefore, the project should adopt the precautionary principle and design a mitigation strategy that assumes SAC barbastelle bats do use the area that would be affected by the project. Such measures are best tested within an Appropriate Assessment.</p>
<p>Applicant Comment:</p>	<p>The Applicant acknowledges Natural England's request for further bat surveys to be undertaken and its recommendations regarding the adoption of the precautionary principle in designing a mitigation strategy.</p> <p>As set out in the Joint Position Statement on matters relating to Habitats Regulations Assessment and mitigation [REP1-033] submitted at Deadline 1 of the Examination, the Applicant has committed to undertaking further bat surveys within the remainder of 2021, the scope of which has been discussed with Natural England and includes the trapping and tagging of Barbastelle bats within Eversden and Wimpole Woods SAC.</p> <p>Should Natural England and/or the ExA conclude from a review of the 2021 bat survey data that likely significant effects cannot be discounted in relation to the SAC's conservation objectives, then the Applicant will prepare and submit a Stage 2 Habitats Regulations Assessment Report to the Examination. This will demonstrate how the information gathered has been applied in relation to the tests applicable to the Habitats Directive (in particular whether the Scheme will adversely affect the integrity of the European site).</p> <p>The Applicant remains of the view that the embedded mitigation measures illustrated on the Environmental Masterplan [APP-091] for all bat species would function to adequately mitigate any potential effects on Barbastelle including those associated with Eversden and Wimpole Woods SAC, in the event that the Habitats Regulations Assessment needs to progress to Stage 2.</p> <p>The level of detail presented within the application documents relating to the bat tunnel and other underpass structures reflects the Scheme's preliminary design status.</p> <p>It is not possible at this stage to provide for additional mitigation for Barbastelle, were it to be found necessary, when we do not know where this needs to be targeted. This can only be done once the surveys currently being undertaken are complete.</p>

No.	Question/Applicant Comment
	<p>Q1.3.4.3 Eversden and Wimpole Woods SAC</p> <p>Can the Applicant provide any evidence of recent tracking or surveys of Barbastelle Bats from the Eversden and Wimpole Woods SAC that they have undertaken?</p> <p>Can the Applicant, NE and relevant LAs provide any evidence to support the assertion that the Eversden and Wimpole Woods SAC is functionally linked to other identified Barbastelle Bat roosts in the area? Please describe the functional linkages.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>There is an indicative functionally linked habitat around Eversden and Wimpole Woods SAC identified in SCDC's Biodiversity Supplementary Planning Document Consultation Draft (July 2021). This shows hedgerow adjacent to the proposed route which falls within the SAC's 10 km wider conservation area (Natural England) which would be negatively impacted.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response of the Cambridgeshire Authorities and is aware of SCDC's Biodiversity Supplementary Planning Document Consultation Draft (July 2021).</p> <p>The Applicant wishes to note that:</p> <ul style="list-style-type: none"> • The Habitats Regulations Assessment: No Significant Effects Report [APP-233] was prepared prior to the publication of this document • This document is currently in draft status and has yet to be formally adopted by SCDC. <p>Whilst this document identifies indicative functionally linked habitat within 10km of Eversden and Wimpole Woods SAC, it does not present any evidence that demonstrates that Barbastelle bats from the SAC rely on the hedgerows within the Scheme's Order Limits noted in the Cambridgeshire Authorities' response.</p>
<p>Natural England (REP1-088):</p>	<p>Natural England would like to clarify that currently not enough is known about the behaviour and interaction of Barbastelle bats from the SAC with other populations in the surrounding area as the majority of data has been collected during the maternity season when the range of barbastelles tends to be smaller. Further surveys would help contribute to our understanding of how the barbastelle population from the SAC interacts with the wider landscape. What we do know is that Barbastelle bats are known to travel up to 20km (or possibly longer) from their roosting sites, which places the project boundary well within reach. It seems reasonable to assume that SAC bats have some degree of interaction with other Barbastelle roosts in the general area. A number of studies have been undertaken which have attempted to trap, tag and track Barbastelle bats from the SAC, however whilst these are helpful to some degree, the number of tracked bats is limited (so the sample size is small) and the sex and seasonality of bats was also limited (to lactating females at the maternity roost). There are therefore data gaps in our collective knowledge of the SAC bats, which means that a precautionary approach should be taken. In our opinion, it would be reasonable (and legally safer) for these matters to be tested within an Appropriate Assessment.</p>

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Applicant Comment:	As set out in the Joint Position Statement on matters relating to Habitats Regulations Assessment and mitigation [REP1-033] submitted at Deadline 1 of the Examination, the Applicant has committed to undertaking further bat surveys within the remainder of 2021, the scope of which has been discussed with Natural England and includes the trapping and tagging of Barbastelle within Eversden and Wimpole Woods SAC. As agreed with Natural England, these data will close the gaps either enabling Natural England to agree that there are no likely significant effects or necessitating these matters to be tested within an Appropriate Assessment.
Q1.3.5	Habitat Fragmentation
<p>Q1.3.5.1 Adequacy of mitigation measures</p> <p>The Proposed Development includes a four-lane highway, three grade separated junctions and associated works; the existing A428 would be retained and de-trunked. Roads are barriers to the movement of various terrestrial and aquatic species, and the scheme proposes various measures, such as underpasses and culverts, to mitigate this, which are partially referenced in the Schedule of Mitigation [APP-235, Table 4]. Habitat creation and restoration are also proposed.</p> <p>NE and LAs, with reference to the habitats to be lost and gained in the area [APP-077, Table 8-9], is the provision of certain types of habitat particularly important to biodiversity in this area, and if so which types?</p> <p>With reference to the habitats to be lost and gained in the area [APP-077, Table 8-9], would there be an increase or reduction of such habitats as a result of the proposed mitigation?</p> <p>NE and LAs, Would the design, number and location of underpasses and culverts be sufficient to prevent aquatic and terrestrial habitat fragmentation?</p> <p>Applicant, why are only some of these measures referenced in the Schedule of Mitigation [APP-235], and then only in limited terms (e.g. mammal ledges)?</p> <p>NE and LAs, would the size and locations of the proposed habitats be sufficient to create or link to existing functional habitats and so support biodiversity?</p>	
Bedford Borough Council (REP1-043):	<p>Most of the Scheme's area in Bedford Borough is characterized by arable farmland with hedgerows and small woodlands. It supports a good assemblage of farmland birds, bats and other wildlife. The provision of a strong network of diverse and well-managed hedgerows which link the woodlands is of particular importance along with the habitats along the River Great Ouse. There are few wildflower rich grasslands in this area and so the creation of this habitat would be welcomed.</p> <p>Table 8-9 is for the whole scheme and not broken down into local authority areas. This makes analysis of the impacts on each habitat within each local authority's area difficult. It seems likely that Bedford Borough would see a net gain in woodland and grassland and a net loss in hedgerows and cultivated land which reflects the pattern over the scheme as a whole.</p> <p>In Bedford Borough the most significant aquatic feature is the River Great Ouse. The river is an important habitat in itself as well as a main commuting and foraging route which is crossed by the scheme. It is one of the main points where bats cross the route and the bankside</p>

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	<p>habitats were also used by badgers. Otters are also known to use the area, although no evidence of a holt was recorded. The road crosses the river on a viaduct which is a continuation of the structure used to cross the Black Cat Quarry area. There are no piers in the river and during normal river flow some bank would be available on both sides of the river under the viaduct. This would allow species like badgers and otters to pass easily. There would be a break in the bankside vegetation as a result of the deep shade cast by the road. Overall, it is unlikely to provide a significant barrier to movement along the river corridor. Terrestrial habitat fragmentation is more of a concern. The hedgerows to the north of St John's Wood were highlighted in the results of the surveys as key commuting and foraging routes for both badgers and bats, including Barbastelle bats, between the woodlands. The bat underpass is located along the line of the most used hedgerow, however, wider connectivity in this area will be lost. There is some evidence that bat tunnels work, however, much more research is needed into their effectiveness generally. Although just outside the Bedford Borough boundary, the habitats along the sides of the East Coast Mainline Railway are of significance for some species, particularly reptiles, and it also provides a corridor for wildlife movement. Measures to protect wildlife during construction and maintain connectivity will be required.</p> <p>The proposed woodland, hedgerow and grassland planting in the area north of St John's Wood CWS does link to some of the smaller woods in the wider landscape beyond the Scheme's limits. The ongoing management of these habitats would be important to ensure they successfully develop and maintain any benefits to local biodiversity.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Bedford Borough Council.</p> <p>The Applicant confirmed in its response to the ExA's Q1.3.2.1 [REP1-022] submitted at Deadline 1 its intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric. Accordingly, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p> <p>The Applicant is able to confirm that the embedded mitigation within the Scheme design will link woodlands along the route due in part to the extent of woodland creation (net gain of 30.4 ha in the Bedfordshire section) and also through the construction of a mammal tunnel linking Sir John's Wood County Wildlife Site to Alington Hill Plantation (the Clump) and Boys Wood (and Lady's Wood) (Annex D of the First Iteration Environmental Management Plan [APP-234]). The extent of grasslands within the Bedfordshire section of the Scheme will increase from 43.7 ha to 69.9 ha.</p> <p>The importance of the River Great Ouse as a County Wildlife Site and as a river corridor in the landscape is acknowledged in the Chapter 8 Biodiversity [APP-077] of the Environmental Statement and the Scheme design has reflected this in terms of maintaining connectivity, avoiding in-channel structures and strengthening the landscaping along the riparian zone (refer to the Environmental Masterplan [APP-091]). The clearance of 3 metres (minimum) will maintain connectivity for species including Otter, bats and Badger.</p> <p>The use of the bat tunnel by bats and other mammals will be strengthened by appropriate planting on either side of the corridor (Environmental Masterplan [APP-091]). Evidence of the functioning of bat tunnels is limited. In one study based on a sample of three underpasses, it was concluded that where an underpass was located on a pre-construction commuting route that allowed bats to pass without changing flight height or direction, a high percentage proportion of bats (96% in the instance of one of the three underpasses (30m</p>

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	<p>long, 6m wide and 3m high)) will fly through the underpass in preference to crossing the road (Berthinussen, A. and Altringham, D. 2012. Do bat gantries and underpasses help bats cross roads safely? Plos One, https://doi.org/10.1371/journal.pone.0038775). The bat tunnel included in the Scheme is 5.0m wide and 4.5m high and located on an existing commuting route.</p> <p>As with the River Great Ouse, Chapter 8, Biodiversity [APP-077] of the Environmental Statement recognises the habitats along the sides of the East Coast Mainline Railway as of significance for some species such as reptiles. Measures will be taken to protect biodiversity along the railway during construction and maintain connectivity (Biodiversity Management Plan, Annex D of the First Iteration Environmental Management Plan [APP-234]).</p> <p>The Applicant welcomes the acknowledgement by BBC that the increase in area of habitats within the landscape such as woodland and grassland will create a "mainland" in terms of biogeography with a positive impact on the smaller widely dispersed woodlands. Whilst we recognise the importance of the ongoing management of these habitats to ensure they successfully develop and maintain those benefits to local biodiversity; this is beyond the Applicant's control.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>A) Table 8-9 & particularly important habitat within this area</p> <p>Table 8-9 doesn't provide habitat lost gains for all habitats impacted by the scheme. It doesn't include unimproved neutral grassland. It also doesn't include dense/continuous scrub, scattered scrub, parkland and scattered trees (broadland), swamp (reedbeds), standing water (ponds) and bare ground habitats identified in the Biodiversity Net Gain Assessment (Appendix 8-19, 6.3 ES).</p> <p>The provision of woodland and hedgerows are particularly important within the largely sterile, intensive agricultural landscape of Cambridgeshire. Huntingdonshire supports clusters of ancient woodland, but they are often fragmented and poorly connected to other woodland habitat (<i>Natural Cambridgeshire (2018) A Natural Future for Cambridgeshire and Peterborough</i>, page 7). Therefore, the proposed new woodlands and hedgerows have the potential to help strengthen connectivity with remnant areas of woodland habitats along the route. Albeit there will still be severance across the scheme.</p> <p>Natural Cambridgeshire's vision for the route of the scheme is flower-rich field margins, lanes and hedgerows help wildlife move across the landscape and colonise new areas (<i>Natural Cambridgeshire (2018) A Natural Future for Cambridgeshire and Peterborough</i>, page 7). Table 8-9 doesn't differentiate between high quality, flower-rich habitat within cultivated land (e.g. arable field margins) and semi-improved grassland (species-rich grassland) and the wider low-quality grassland / arable field habitats. Therefore, it is unclear whether flower-rich margins/hedgerows/wildlife corridor will be delivered.</p> <p>B) Table 8-9 - increase or reduction of such habitats as a result of the proposed mitigation?</p> <p>For the habitats that are contained within Table 8-9:</p> <p>Woodland (priority habitat) – there will be an overall increase in areas of broad-leaved woodland habitat. However, the proposed habitat will be lower quality than some the woodland lost to the scheme as a result of the proposed planting mix, which does not include key</p>

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	<p>characteristic of woodland surveyed. It will not mitigate impact to woodland of district importance.</p> <p>Hedgerow (priority) – there will be an overall increase in area of intact hedgerow. However, the proposed habitat will be lower quality than hedgerows lost to the scheme as a result of the proposed planting mix, which does not include reflect local character. It will not mitigate impact to hedgerows of districtcounty importance. In addition, the proposed mitigation does not mitigate the severance of hedgerow connectivity across the road.</p> <p>Neutral grassland (semi-improved) – there will be a there will be an overall increase in area of neutral grassland (semi-improved). However, this will mainly comprise species-poor open grassland that doesn't contain wildflowers and it therefore lower quality that neutral grassland lost to the scheme as a result of the proposed planting mix, which is not characteristic of the local area. In addition, creation of semi-improved neutral grassland will not mitigate the loss of unimproved neutral grassland.</p> <p>Arable Field Margin (priority habitat) – it is not possible to determine the loss/gains of this habitat because it has not been included within Table 8-9. It is assumed arable field margin has been included within the cultivated/disturbed land figures and therefore it's not possible to separate out the losses of this habitat from the areas of intensive agricultural land.</p> <p>C. Underpasses sufficient to prevent terrestrial habitat fragmentation?</p> <p>A Great Crested Newt European Protected Species mitigation licence will be required from Natural England or the applicant should apply to the District Level Licensing scheme. This is not referred to in the applicant's Biodiversity Pre-Commencement Plan (Feb 2021).</p> <p>We would expect an outline lighting strategy to be submitted or evidence that there will be no lighting of hedgerows or tree belts as there must be certainty of likely impacts on bats (European Protected Species). There is an indicative functionally linked habitat around Eversden and Wimpole Woods SAC identified in the SCDC's Biodiversity Supplementary Planning Document Consultation Draft (July 2021)⁴. This shows hedgerow adjacent to the proposed route which falls within the SAC's 10 km wider conservation area (Natural England) which would be negatively impacted.</p> <p>Eight underpasses are shown as mitigation measures for otters and badgers in the applicant's Environmental Statement, Chapter 8: Biodiversity (and bats are mentioned in the text and in the Environmental Masterplan). However, there do not appear to be any plans to install underpasses that are a suitable height for bats, or green bridges, which may be a better alternative. There is scientific evidence that underpasses have the potential to reduce the number of bats killed by traffic and increase the permeability of roads for bats to maintain connectivity across the landscape, but they must be built on pre-construction commuting routes (Berthinussen A, Altringham J (2012) Do Bat Gantries and Underpasses Help Bats Cross Roads Safely? PLoS ONE 7(6): e38775⁵). We would expect evidence that bat underpasses are being constructed in appropriate locations.</p> <p>The Environmental Masterplan cites 'creation of habitat to encourage bat movement under the viaduct and along the River Great Ouse'. These measures are not specified.</p>

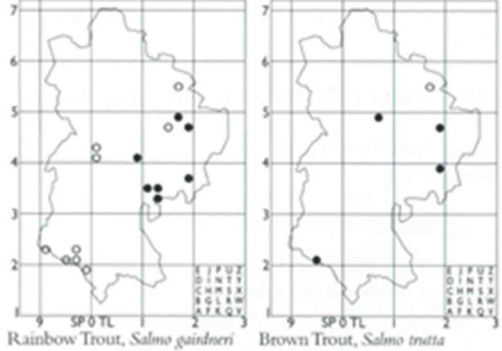
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	<p>C. Culverts sufficient to prevent aquatic habitat fragmentation?</p> <p>Insufficient evidence has been provided to determine the appropriateness of the culverts to prevent aquatic habitat fragmentation. Neither the number of watercourses to be culverted, nor the severance of the watercourses or any proposed mitigation has been discussed within the biodiversity assessment (Chapter 8, 6.3 ES). The Schedule of Mitigation (document 6.9) does not include any mitigation measures for severance of watercourses drains for aquatic species.</p> <p>Some of the watercourses are already impeded and identified as poor quality around existing culverts. These will be enhanced as part of the scheme. This will help to off-set the impact of new culverts, if the connectivity of the overall watercourse is improved. However, no details are provided to demonstrate whether these measures are sufficient to mitigate fragmentation.</p> <p>E. Size and location of proposed habitats Please see responses to A, B and C above.</p>
<p>Applicant Comment:</p>	<p>Refer to the Applicant's response to Q1.3.3.1 [REP1-022] within the Applicants Response to the ExA's First Round of Written Questions, submitted at Deadline 1, which provides corrected information regarding hedgerows impacted by the Scheme.</p> <p>Standing water and a reedbed apart, the habitats mentioned as not being present in Table 8-9 do not occur in the Order limit. Parkland, for example, was specifically avoided early on in the design process and, as the authorities identify the Scheme is "within the largely sterile, intensive agricultural landscape of Cambridgeshire". On this basis, the habitat creation within the Scheme design has focused on woodland, grassland and wetland habitats, for which a biodiversity net gain will be achieved. These significant areas of habitat will support clusters of such habitat in the wider landscape including ancient woodland, helping to realise the ambition of Natural Cambridgeshire (2018) A Natural Future for Cambridgeshire and Peterborough.</p> <p>B. Further to the Applicant's intention to recalculate the performance of the Scheme using the Defra Metric 2.0 metric, this updated calculation has been prepared and submitted into the Examination at Deadline 3 [TR010044/EXAM/9.25].</p> <p>A re-survey of arable field margins within the Scheme is being written up currently. The results of these surveys are being used to provide updates to those data collected in 2018-19 and have not found any arable weeds of any significance within the Scheme boundary. The results of the re-survey will be communicated to CCC, SCDC and HDC and the Examination at Deadline 4.</p> <p>C. Underpasses. The main underpasses embedded in the Scheme are at the crossing of the River Great Ouse, the main line railway bridge, the tunnel at Alington Hill/Sir John's Wood, Hen Brook underpass and Pillar Plantation underpass, the dimensions of all of which allow passage of bats (Environmental Masterplan [APP-091]). Additionally, there are three further underpasses, the design of which will allow the passage of Otter and Badger bats (Environmental Masterplan [APP-091]).</p> <p>The lighting strategy will be reported at the detailed planning stage with respect to requirement 17 of the dDCO. The Scheme proposes</p>

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	<p>lighting at conflict areas, typically roundabouts (see orange hatched carriageway in General Arrangement Plans [APP-011]) at most of which locations there is already lighting. For the majority of the Scheme and for the bat tunnel and other underpasses, there will be no lighting and hence there will be no impact from lighting on bats. Neither the River Great Ouse viaduct nor the Toseland Road bridge will be lit.</p> <p>C. Culverts. In addition to the underpasses summarised in C Underpasses above, there will be six culverts with ledges to facilitate the movement of mammals such as Otter and amphibians the locations of which are shown in the First Iteration Environmental Management Plan [APP-234].</p> <p>E. See Applicant's comments on A and B above.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>a) There are no particular issues/concerns within CBC.</p> <p>b) No impact on significant land within CBC.</p> <p>c) CBC believe the provision of underpasses and culverts within the CBC area is satisfactory.</p> <p>d) N/A.</p> <p>e) CBC believe this to be satisfactory in the CBC area.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Central Bedfordshire Council.</p>
<p>Natural England (REP1-088):</p>	<p>The key species to which these questions relate are bats, badger, GCN and otter. Natural England will be pleased to review a draft bat licence application as soon as this is submitted to us for comments.</p> <p>With regard to GCN the applicant is entering into a DLL scheme which will fully address mitigation requirements, including to address habitat loss, for GCN.</p> <p>As indicated in our Relevant Representation there will be minor adverse impact to farmland birds through temporary loss of habitat / nesting habitat, disturbance and direct loss of areas of arable land, hedgerows and scrub. Natural England is satisfied in principle with the mitigation measures set out in the BMP for farmland birds, subject to agreement of the detail.</p> <p>As indicated in our Written Representation Natural England is satisfied in principle, with the outline mitigation proposed for otters, subject to agreement of the detail following completion of survey updates.</p> <p>Potential impacts on badgers have been identified and will be mitigated through creation of a new sett and provision of underpasses. Natural England have assessed a draft licence application and issued a 'letter of no impediment' confirming that it sees no impediment to</p>

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	granting a licence in the future subject to the outlined issues with the method statement being addressed before the licence application is formally submitted.
Applicant Comment:	<p>No bat roosts have been found within or sufficiently close to the Scheme to warrant the submission of a draft licence (Appendix 8.5 Bats [APP-192]). However, the Applicant notes that bat roost surveys are being undertaken at the time of writing and this situation might change.</p> <p>In relation to Great Crested Newts, the Applicant has made a submission to NatureSpace to join the Bedfordshire District Level Licence scheme and is preparing a draft European Protected Species mitigation licence for those waterbodies in Cambridgeshire.</p> <p>In relation to Otter, the Applicant will undertake a pre-construction Otter survey.</p> <p>The Applicant acknowledges Natural England's satisfaction that:</p> <ol style="list-style-type: none"> Minor adverse impact to farmland birds through temporary loss of habitat / nesting habitat, disturbance and direct loss of areas of arable land, hedgerows and scrub will be mitigated for as described in the Biodiversity Management plan, subject to agreement of the detail. Outline mitigation proposed for Otter is adequate, subject to agreement of the detail following completion of pre-construction survey updates. Potential impacts on Badger and Natural England issuing a 'letter of no impediment' confirming that it sees no impediment to granting a licence in the future.
Q1.3.6	Aquatic Environment and Biodiversity
	<p>Q.1.3.6.1 Mitigation measures</p> <p>How should the various measures identified under Biodiversity, in the appendix to your RR [RR-036], be addressed by the Proposed Development, such as by updating the dDCO or through the EMP iterations?</p> <p>When should works to watercourses be restricted to support fish spawning times?</p>
Environment Agency (REP1-076):	<ol style="list-style-type: none"> Given the duration of the project, it is likely that further ecological assessments will be required as the scheme progresses to ensure plans and works are based on up to date ecological information. The Chartered Institute of Ecology and Environmental Management (CIEEM) have produced an advice note on the lifespan of ecological reports and surveys (https://cieem.net/resource/advice-note-on-the-lifespan-of-ecological-reports-and-surveys/). The river Great Ouse in this area supports a coarse fishery. The annual statutory close season for coarse fish is 15th March – 15th

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	<p>June, inclusive. Works that could affect spawning coarse fish and their habitat should be timed to avoid this period. Alternative timings would apply if fish surveys should identify brown trout populations in any of the affected watercourses. The annual statutory close season for nonmigratory trout in Anglian region is 30th October – 31st March, inclusive. If trout are found to be present then works that could affect spawning trout and their habitat should be timed to avoid this period (https://www.gov.uk/guidance/regional-rod-fishing-byelaws-anglian-region).</p>
<p>Applicant Comment:</p>	<p>a) With regards to ongoing and further ecological surveys, the Applicant can confirm that since submission of the DCO application a suite of surveys covering terrestrial habitats, aquatic habitats and certain species has been, and continued to be, undertaken in addition to carrying out searches for any new records of flora and fauna. The following lists indicate the surveys currently being undertaken or already completed during 2021 which will be reported to the Examination by Deadline 4, and the pre-construction surveys that are likely to be undertaken in 2022:</p> <p>2021 Ecological Surveys</p> <ul style="list-style-type: none"> • Terrestrial habitats including Phase 1 Habitat and flora surveys – survey(s) completed. • Aquatic habitats – Survey(s) completed. • Bats – Surveys ongoing. • Barn Owl – survey completed. • Reptile – Completed. • Great Crested Newt: survey complete. <p>2022 Pre-construction ecological surveys</p> <p>The following pre-construction are currently envisaged to be undertaken in the applicable survey windows in 2022:</p> <ul style="list-style-type: none"> • Terrestrial habitats including Phase 1 Habitat and flora surveys • Aquatic habitats • Bats • Badger • Otter and Water Vole

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	<ul style="list-style-type: none"> • Breeding birds • Wintering Birds • Hobby • Red Kite • Barn Owl • Reptiles • Great Crested Newt • Invasive non-native species <p>b) As described in the Biodiversity Management Plan, indirect effects upon the River Great Ouse will be managed by avoiding:</p> <ul style="list-style-type: none"> • Lighting at night directly shining into the channel. • Any spills/pollution incidents that could lead to local water quality issues and potential fish kills if not mitigated for. • Any disturbing works during the fish spawning/close season which is March 15th – 15th June including high levels of noise and, or vibration that might disrupt spawning behaviour. <p>Coarse fish spawning species like Chub and Barbel will spawn in gravels whereas other species such as Bream, Pike and Perch will spawn on macrophytes. These habitats are abundant along this section of the River Great Ouse.</p> <p>Trout is not present within this section of the River Great Ouse (Winter, 1997, 2000 (Figure 1) and Bates (2013-2020) (Appendix 8-1 Background Information).</p> <p>Distribution of trout species in Bedfordshire (Winter, 2000)</p>

No.	Question/Applicant Comment
	 <p>Rainbow Trout, <i>Salmo gairdneri</i> Brown Trout, <i>Salmo trutta</i></p> <p>Bates, R. 2013-2020. Fish. Bedfordshire Naturalist, 67-74. Winter, H.R. 1997. The fish of the Bedfordshire Great Ouse. Bedfordshire Naturalist, 51, (1), 49-52. Winter, H.R. 2000. Fish. Bedfordshire Naturalist, 54, (1), 37-42.</p>
Q1.3.7	Arboreal Environment
Q1.3.7.1 Arboreal Environment	<p>With reference to the application documents, identify all veteran trees and groups, ancient woodland and protected trees that you are concerned about relative to the Proposed Development [APP-183]–[APP-187].</p> <p>In your RR [RR-111], why has specific reference been made to trees at Reference G61, instead of to others of seemingly, at least comparable value [APP-183]–[APP-187]?</p>
The Woodland Trust (REP1-101):	<p>Our main concern relates to G61, a group of cherry plum trees regarded as veteran specimens in the Arboricultural Report [APP-183] that are scheduled for removal to facilitate this proposal. We also seek clarification on the Root Protection Area (RPA) afforded to T311, a veteran elm tree also referenced within the Arboricultural Report [APP-183]. Further details are outlined in our Relevant Representation [RR-111] and our accompanying Written Representation.</p> <p>Whilst the Woodland Trust would like to see the retention of all healthy, mature trees where possible, our campaigning remit focuses solely on the protection of ancient woodland and ancient/veteran trees. On this basis, we have assessed the potential impact of this scheme on all ancient woods and ancient/veteran trees referenced within the Arboricultural Report, Natural England's Ancient Woodland Inventory and the Trust's own Ancient Tree Inventory¹. If any trees not currently recognised as ancient/veteran trees are</p>

A428 Black Cat to Caxton Gibbet improvements
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	subsequently recorded on the Ancient Tree Inventory or are later considered to be ancient/veteran by the applicant, we will in turn, re-assess the potential impacts posed.
Applicant Comment:	<p>The Applicant responded to the Woodland Trust's queries within the Applicant's Response to Relevant Representations [REP1-021] submitted at Deadline 1. Responses RR-111a and RR-111b [REP1-021] cover the points regarding veteran trees and the confirmation of the root protection area (RPA) for T311. Following clarification on the above matter through continued dialogue between the Woodland Trust and the Applicant on the above matters, the Woodland Trust informed the Applicant that it has confirmed to the Planning Inspectorate in writing on 8 September 2021 that it wishes to withdraw its objection to the Scheme.</p> <p>The Applicant notes the response from the Woodland Trust.</p>

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Q1.4	Climate Change and Carbon Emissions
Q1.4.1	Emissions
<p>Q1.4.1.1 Emissions</p> <p>The Applicant considers that the impacts of the Proposed Development, in the context of overall UK emissions, would not materially affect the UK Government meeting its legally binding carbon reduction targets [APP-083, paragraphs 14.9.17–14.9.28].</p> <p>a) What is the cumulative effect of the Road Investment Strategy 2 (RIS2) schemes in terms of Greenhouse Gas (GHG) emissions?</p> <p>b) What is / would be the cumulative impact of the various Road Investment Strategies on UK Carbon budgets?</p> <p>c) What consideration has been given to the likely future operational emissions over the lifetime of the Proposed Development?</p> <p>d) What is the likely effect of the Proposed Development on the 6th Carbon budget (2033-2037) and on future carbon budgets up to 2050?</p> <p>e) Have all reasonable opportunities to limit carbon emissions during construction and operation been taken?</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>a) No comment.</p> <p>b) No comment.</p> <p>c) We are supportive of the applicant taking a precautionary approach to assessing the impact of road transport decarbonisation on the operational emissions of the scheme.</p> <p>d) The Scheme will result in an increase in carbon emissions, both during the construction phase and during the schemes operational phase. Table 14-9 of the climate change chapter of the Environment Statement (ES-APP-083) indicates construction stage emissions of 208,380 tCO₂e. Operational emissions in the year of opening are shown to rise by 35,280 tCO₂e from the do minimum scenarios to the do something scenario. This increase is due to the increase in vehicle kilometres travelled as a result of the scheme (ES-APP-083 paragraph 14.9.12).</p> <p>While it is noted that the Environment Statement (ES – APP-083, paragraph 14.2.5) was drafted prior to the adoption of the Sixth Carbon Budget by Government, the scheme will be in operation during the period covered by that budget, and as such its impacts do need to be considered against it.</p> <p>Reference is made in the ES to the emissions associated with the operational phase only representing less than 0.117% of the total emissions allowed for in the budget period. While these emissions appear small when presented against a national budget, they still represent an increase in emissions.</p>

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	<p>e) We would welcome greater detail on how the assessment of construction stage emissions has been reached. Table 14-9 (Environment Statement, APP-083, page 24) includes a breakdown of emissions by construction activity. At 11,600 tCO₂e per km of road, it is noted that the calculation of emissions associated with the Scheme fall below the average benchmark of 19,090 t CO₂e to 35,900 tCO₂e per km of road (APP-083, paragraphs 14.7-8), which is to be welcomed. However, in the absence of any further detail as to how this has been achieved it is difficult to verify the figures included in the ES. We recognise that this is a level of detail that is yet to be included in the first iteration of the EMP, and would recommend that the next iteration includes further detail and commitments to the measures that will be taken to reduce the embodied carbon associated with materials used for the construction of the Scheme in order that the figures referenced in the ES can be achieved. In addition, it is imperative that the quality of construction materials used is not diminished for short-term cost savings and that the materials selected have demonstrable suitability for tolerance to higher and rapidly fluctuating temperatures. Notwithstanding, the request for further information the Council would like to voice its support for the re-use of materials arising from demolition of the existing infrastructure and maximisation of sourcing construction materials from local borrow pits to minimise the emissions from lorry movements transporting materials in the construction phase.</p> <p>Regarding operational emissions, Decarbonising Transport makes commitments around investment in ultra-rapid charge point infrastructure on the strategic road network, and we would welcome clarification as to whether the Scheme will benefit from such provision in order to support decarbonisation of transport.</p>
<p>Applicant Comment:</p>	<p>a) No further response</p> <p>b) No further response</p> <p>c) The applicant notes the response from CCC/HDC/SCDC.</p> <p>d) An assessment of GHG emissions from the Scheme in the context of the 6th Carbon Budget has been undertaken and is presented in 9.2 Applicant's Response to Examining Authority's First Round Written Questions, question 1.4.1.1d. [REP1-022]. In summary the assessment against the 6th carbon budget concluded that emissions from the Scheme during the 6th Carbon Budget period (2032 to 2037) would equate to 226,637tCO₂e, representing 0.024% of the total 6th carbon budget. On this basis the Scheme is not considered to have a material impact on the UK Government meeting its carbon reduction targets.</p> <p>As stated in the Applicant's Response to Examining Authority's First Round Written Questions [REP1-022], question 1.1.1.1, GHG emissions from road users presented in Chapter 14, Climate of the Environmental Statement [APP-083] have been calculated using the DMRB calculator which is based on the Defra Emissions Factors Toolkit (EFT) along with the outputs of traffic modelling for the Scheme. This approach does not currently factor in the impact of recent government policy presented in the Transport Decarbonisation Plan (TDP), published in July 2021. The EFT used to calculate road user emissions only accounts for traffic fleet projections to 2030 and therefore no consideration has been given in the GHG model to the targets presented in the TDP such as the end of the sale of new petrol and diesel cars by 2030 and the associated uptake of electric vehicles.</p>

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	<p>e) The Applicant notes the comments from CCC/HDC/SCDC with regard to providing further details on construction GHG emissions and GHG mitigation measures. Mitigation measures appropriate to the design stage of the Scheme at DCO application i.e. preliminary design, are presented in Chapter 14, Climate [APP 0-83] and the first iteration of the Environmental Management Plan (EMP) [APP - 234]. The Applicant will include further information on construction emissions mitigation in the second iteration of the EMP. It would not be appropriate to provide a detailed carbon footprint in the second iteration of the EMP. The Applicant can commit to providing a Technical Note providing a detailed breakdown of construction carbon emissions for Deadline 4.</p> <p>Also, in July 2021, National Highways published its own 2030/2040/2050 net zero highways plan. This plan includes commitments to ensure that National Highways' corporate emissions become net zero by 2030, its maintenance and construction activities will become net zero by 2040 and road user emissions on the strategic road network will become net zero by 2050.</p> <p>National Highways recognise that they have a key role in the development and maintenance of a strategic road network that will facilitate the journey to net zero emissions. As part of this the National Highways net zero plan sets out commitments to develop a blueprint for EV charging and energy storage by 2023 and to report to government on global HGV technology trials and set out proposals for trials in the UK in 2022.</p> <p>The inclusion of ultra-rapid electric vehicle charging infrastructure have not been considered as part of the design of this Scheme as there are no appropriate locations for its installation.</p>
<p>CPRE Cambridgeshire and Peterborough (REP1-056):</p>	<p>The CPRE response to the written question and the Applicants comments on this response are set out in Appendix A of this document.</p>
<p>Applicant Comment:</p>	<p>See Appendix A of this document.</p>

No.	Question/Applicant Comment
Q1.4.1.2 Emissions	<p>A number of Interested Parties make reference to the Proposed Development increasing carbon emissions by over 3 million tonnes, and to being the third worst scheme in the RIS2 such as [RR-116].</p> <p>a) Provide evidence to support your claims of GHG emissions for the proposed scheme, including relative to other RIS2 schemes.</p> <p>b) What sources of GHGs are considered to be missing from the applicant's approach?</p> <p>c) What would be the implications of the scheme on carbon emissions given the ban on the sale of new petrol and diesel vehicles from 2030 and the expected increased future use of electric or non-GHG emitting vehicles in the future?</p>
CCC/HDC/SCDC (REP1-051):	Requests have been made via written representations and the Local Impact Report to alter some of the species mix to improve climate resilience of planting strategies.
Applicant Comment:	The Applicant notes the response from the Joint Cambridgeshire authorities. Please see the Applicant's response to the Joint Cambridgeshire authorities written representation set out in document [TR010044/EXAM/9.21], submitted at Deadline 3.
Transport Action Network (REP1-097):	The response from Transport Action Network covers parts a, b and c of question 1.4.1.2. Transport Action Network also set out a section on "other issues" setting out that the issue of timing has not been picked up in question 1.4.1.2, Within this section are points relating to the Committee on Climate Change, Transport Decarbonisation and the carbon test.
Applicant Response:	<p>Further responses to the Transport Action Network response are provided below:</p> <p>a) The Applicant notes the response from Transport Action Network.</p> <p>A response to question 1.4.1.2a was provided by the Applicant at Deadline 1 in [REP1-022] Applicant's Response to Examining Authority's First Round Written Questions.</p> <p>b) A response to question 1.4.1.2b was provided by the Applicant at Deadline 1 in [REP1-022] Applicant's Response to Examining Authority's First Round Written Questions.</p> <p>c) Implications on the Scheme of the sale of new petrol and diesel cars - User emissions: GHG emissions from road users presented in Chapter 14, Climate of the Environmental Statement [APP-083] have been calculated using the DMRB calculator which is based on the Defra Emissions Factors Toolkit (EFT) along with the outputs of traffic modelling for the Scheme. This approach does not currently factor in the impact of recent government policy presented in the Transport Decarbonisation Plan (TDP), published in July 2021. The EFT used to calculate road user emissions only accounts for traffic fleet projections to 2030 and therefore no consideration has been</p>

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	<p>given in the model to the targets presented in the TDP such as the end of the sale of new petrol and diesel cars by 2030 and the associated uptake of electric vehicles. This means that the GHG emissions from road users presented in the Environmental Statement represent a conservative estimate of carbon emissions. It is anticipated that future use of electric and non GHG emitting vehicles will align with the TDP and as such road user emissions from the Scheme will decarbonise by 2050 in line with the TDP forecast.</p> <p>Responses to 'Other issues' raised in the response produced by TAN:</p> <ol style="list-style-type: none"> 1. <u>Emissions from land use clearance and loss of habitat</u>: Net emissions due to land use change and biodiversity loss have been calculated according to the methodology and factors set out in the EU Commission's guidelines for the calculation of land carbon stocks¹. This method provides carbon values for different types of habitat and land use types per hectare. The net value of carbon due to land use change has been calculated by taking into consideration the type and carbon value of land use before and after the Scheme. The applicant agrees that the positive net balance of carbon presented would be achieved over the lifetime of the Scheme rather than during the construction phase as presented in the Climate Assessment. However, this method doesn't not provide any means for calculating the temporal impact of this land use change and as such it has not been possible to include this. The net positive carbon emissions from land use change are calculated at -5,850tCO₂e over the life of the Scheme. The equates to less than 3% of total emissions (208,374tCO₂e) from construction of the Scheme. 2. <u>Operational emissions</u>: For the purpose of the GHG assessment operational emissions have included GHG emissions from the generation of electricity for street lighting along with the embodied carbon associated with materials used for ongoing maintenance and energy use by plant during maintenance. Operational emissions included in the climate assessment have been presented in the table below. <table border="1" data-bbox="472 970 1615 1294"> <thead> <tr> <th data-bbox="472 970 1043 1034">Emissions source</th> <th data-bbox="1043 970 1615 1034">Emissions over 60-year lifetime (tCO₂e)</th> </tr> </thead> <tbody> <tr> <td data-bbox="472 1034 1043 1098">Road lighting</td> <td data-bbox="1043 1034 1615 1098">304.37</td> </tr> <tr> <td data-bbox="472 1098 1043 1161">Maintenance plant</td> <td data-bbox="1043 1098 1615 1161">3,406</td> </tr> <tr> <td data-bbox="472 1161 1043 1225">Maintenance materials</td> <td data-bbox="1043 1161 1615 1225">6,665</td> </tr> <tr> <td data-bbox="472 1225 1043 1294">Total emissions</td> <td data-bbox="1043 1225 1615 1294">10,365</td> </tr> </tbody> </table>	Emissions source	Emissions over 60-year lifetime (tCO ₂ e)	Road lighting	304.37	Maintenance plant	3,406	Maintenance materials	6,665	Total emissions	10,365
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² <https://highwaysengland.co.uk/media/eispcjem/net-zero-highways-our-2030-2040-2050-plan.pdf>

No.	Question/Applicant Comment
	<p>3. Consequence of increasing car use and more dispersed and low-density development, greater car use and ownership: TAN have stated that lifecycle costs associated with car use and ownership such as manufacturing emissions should be included in the GHG calculations. The Applicant does not consider that for the purpose of an EIA, lifecycle emissions from the manufacture and ownership of vehicles, including EVs is in Scope. The GHG emissions from the manufacture and ownership of vehicles using the Scheme are not considered either a direct or indirect effect of the Scheme for the purposes of assessment under the EIA Regulations.</p> <p>4. Wider synergetic effects:</p> <p>5. The consideration of the cumulative effects of the scheme with other existing and/or approved projects is inherent within the methodology followed in the Climate Chapter of Environmental Statement [APP-083] through the inclusion of the scheme and other locally committed developments within the traffic model. UK Carbon Budgets, used to put emissions from the Scheme into context, are inherently cumulative as they consider emissions across all sectors of the economy Accordingly, Highways England do not consider that GHG emissions on account of this scheme alone, including on a cumulative basis, is likely to have any significant effect on climate or the UK's ability to comply with its carbon budgets. In addition, cumulative emissions are taken into consideration both during the calculation of construction emissions and through the traffic model used as the basis for calculating road user emissions</p> <p>6. In relation to RIS 2, the Applicant notes it was held in the recent case of R (Transport Action Network Limited) v Secretary of State for Transport and Highways England Company Limited (2021) EWHC 2095 (Admin) that in relation to the judgment reached regarding the entirety of the carbon emissions from all schemes within RIS 2.</p> <p><i>"I see no reason to question the judgment reached by the DfT that the various measures of carbon emissions from RIS 2 were legally insignificant, or de minimis, when related to appropriate comparators for assessing the effect on climate change objectives."</i> (paragraph 159)</p> <p>7. Therefore, the High Court has concluded that the total amount of carbon emissions from the schemes listed in RIS2 programme is de minimis in the context of appropriate comparators for assessing the effect on climate change objectives. Since that is the conclusion reached in relation to all schemes within RIS 2, the proposed scheme can be seen in the context of an overall programme which is <i>de minimis</i> in terms of its impact upon carbon reduction commitments. Accordingly, National Highways do not consider that GHG emissions on account of this scheme alone, including on a cumulative basis, is likely to have any significant effect on climate or the UK's ability to comply with its carbon budgets.</p> <p>8. With regard to section 5 of the TAN response the Applicant notes the views of Transport Action Network (TAN) in these matters. he Applicant also notes the views of TAN in relation to their section entitled, "Ridiculous Carbon Test", but does not agree with their assertion that the conclusions in this part of the ES are under-estimated. As set out in our response above a full GHG lifecycle assessment has been undertaken to determine the impact of the Scheme on the climate based on available data at the preliminary</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's comments on other parties' responses to first round of written questions

No.	Question/Applicant Comment
	<p>design stage. No sources of data that would make a material impact have been omitted from the assessment. Further, as per the response to 'c' above, government policy on the decarbonisation of transport, was produced prior to the undertaking of the GHG assessment and is therefore not accounted for As such road user emissions presented in the Environmental Assessment are estimated to be conservative. Road user emissions from the Scheme are anticipated to reduce in line with the Transport Decarbonisation Plan.</p>
<p>CPRE Cambridgeshire and Peterborough (REP1-056):</p>	<p>The CPRE response to the written question and the Applicants comments on this response are set out in Appendix A of this document.</p>
<p>Applicant Comment:</p>	<p>See Appendix A of this document.</p>

No.	Question/Applicant Comment
Q1.5	Compulsory Acquisition and Temporary Possession
Q1.5.2	Protective Provisions
<p>Q1.5.2.2 Access to land for development</p> <p>In addition to your RR [RR-008b] as landowner, provide a plan of the land marked for development and indicative access requirements. Also highlight the "landlock effect" resulting from the utility diversions and construction works.</p> <p>Provide your suggested covenants or management agreements for the 12 hectares of land identified for permanent acquisition for flood compensation.</p>	
<p>Bedford Borough Council (REP1-043):</p>	<p><u>Plan of land marked for development</u></p> <p>Please find a plan attached as Appendix 1 (which is taken from Highways England General Arrangement Plan, Sheet 1).</p> <p>The land marked for development approximately corresponds with the Proposed Site Compound Area shown.</p> <p><u>Indicative access requirements</u></p> <p>The indicative access arrangements for the development will be via the proposed quarry and Greenacres access arm of the new Black Cat junction. This has been designed to accommodate the swept paths of large articulated vehicles, and its spacing is such that it achieves appropriate separation from the upstream access onto the roundabout from the A428 westbound off-sliproad, and the downstream sliproad onto the A1 southbound, and therefore meets safety requirements for the largest type of vehicles that would be expected to use the proposed commercial development on Bedford Borough Council's land (the 'Proposed Development').</p> <p>The proposed access arm allows a single lane into the site from the roundabout and a single lane exiting the site back onto the roundabout. It is a priority access, so vehicles leaving the site give way to traffic already circulating on the roundabout.</p> <p>The capacity of the roundabout has been tested by the Applicant and is reported in the Transport Assessment that has been submitted as part of the DCO application (application document reference TR010044/APP/7.2). Section 6.7 of the Transport Assessment summarises the modelling of this capacity testing, noting that:</p> <ul style="list-style-type: none"> – The junction operates well within all future scenarios tested (2025 and 2040 AM and PM peak hours); – Queues on the approaches to give ways and traffic signals are short and there is sufficient capacity to accommodate them. – There are no significant queues on most junction arms. On the Bedford Road approach in 2040 there is a slightly longer queue forming but the queues dissipate quickly.

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	<p>The Proposed Development would involve the diversion of existing traffic that is already passing through the junction and reassign this traffic into the site, rather than generating entirely new traffic to the junction (apart from staff trips). The capacity findings of the Transport Assessment indicate that the proposed junction is expected to operate within capacity, as noted above. The Proposed Development would involve a reassignment of trips through the junction to the site access arm, the resulting capacity impacts of which would need to be tested, and this may indicate that some minor modifications to the site access arm are required to accommodate the traffic expected to divert into the site. These could involve widening of the exit arm leaving the site back onto the roundabout, and potentially signalisation of the site access arm. These modifications could take place within the existing proposed alignments of the roundabout. We would want to work with the Applicant to test these minor modifications and agree the proposed improvements.</p> <p><u>“Landlock effect” resulting from the utility diversions and construction works</u></p> <p>The “landlock effect” would result from the permanent acquisition of Plot 1/8r, and not from the utility diversions and construction works. By way of illustration, sheets 1 and 3 of Highways England’s A428 Black Cat to Caxton Gibbet improvements Land Plans are attached at Appendix 2.</p> <p>With reference to Sheet 1, the Council’s Land will be accessed from the new highway approximately in the location of plot 1/8p.</p> <p>With reference to Sheets 1 and 3, if Highways England are granted powers to acquire the freehold of plot 1/8r, the Council will no longer have access from the public highway to their retained land at Plots 3/3b and 3/3c, hence this retained land would be “landlocked”.</p> <p><u>Suggested covenants or management agreements for the 12 hectares of land identified for permanent acquisition for flood compensation</u></p> <p>Works number 24 of the draft Development Consent Order describes the development to be authorized as follows:</p> <p><i>“As shown on sheets 1 and 3 of the works plans the construction of flood compensation areas, south and east of the Black Cat junction circulatory (Work No. 13).”</i></p> <p>The Council and their advisors met virtually with the Highways England Project Team on 24th June 2021. In that meeting Highways England agreed as an action to review their detailed flood mitigation requirements in this location and propose a mechanism for agreement based on temporary possession and covenants. The Council awaits hearing in this respect. If necessary following review of Highway England’s proposed approach, the Council will submit further details on a proposed mechanism to the Examining Authority.</p> <p>The Council also considers the mechanism for flood mitigation works authorised in ‘The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transport Order’ (2013) (Order no. 3244) to be relevant. The authorised works were for “Flood mitigation works and construction working area” (Work No. 1A) comprising lowering ground levels to create a large area of flood compensation at Land south-east of Long Ashton Park and Ride (plot 02A/03).</p> <p>Order no. 3244 authorised Temporary Possession only of the land required for Work No. 1A (Article 28 ‘Temporary use of land for construction of works’) and not permanent acquisition. Article 28(5) of Order no. 3244 provides as follows:</p>

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	<p><i>"The promoter is not required to reinstate plot numbers 01A/10, 02A/02 or 02A/03 following the completion of Work No. 1A."</i></p> <p>The Council considers that the mechanism used to authorise flood mitigation works in Order no. 3244 is relevant to the question of whether permanent acquisition is necessary for Works Number 24 of the Proposed Scheme.</p>
<p>Applicant Comment:</p>	<p><u>Indicative access requirements</u></p> <p>The Applicant has previously set out why the Authority's proposed development cannot be accommodated within the DCO application in the Applicant's Response to Relevant Representations [REP1-021] (see Applicant response to [RR-008b]). The additional information provided in the Authority's response does not alter our position. The proposed adjustments are to satisfy the Authority's unapproved development and are not driven by the needs of the Scheme. They cannot therefore be justified for inclusion within the Scheme. National Highways are committed to working with all developers in proximity to the SRN, including the Authority when they have secured the required approval, which is outside of the DCO process.</p> <p><u>Landlock effect</u></p> <p>As stated in the Applicant's response to the Relevant Representations [REP1-021], the Applicant has met and discussed this land with BBC. The Applicant will continue to work with BBC to ensure that the issue of access to the landlocked areas is resolved. Options that are being discussed include granting rights of access over the permanent land-take, acquiring the land permanently or transferring the permanent land-take back to BBC once works are completed with a restrictive covenant.</p> <p><u>Suggested Covenants/management agreements</u></p> <p>The Applicant will continue to engage with Bedford Borough Council on this matter and notes the Authority's comment on the mechanism for authorising flood mitigation works and confirms that the proposed flood mitigation works, as set out in the Flood Risk Assessment [APP-220], are as required and will need to be implemented to ensure the flood mitigation remains permanently effective for the Scheme and the surrounding properties.</p>

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	<p>Q1.5.2.3 Changes to CA and TP</p> <p>National Farmers Union [RR-074] and Bedford Borough Council [RR-008b], have expressed concerns that areas identified for CA and TP are excessive.</p> <p>a) Does the Applicant believe that the land identified for CA and TP can be further rationalised or reduced? Explain with reasons.</p> <p>b) If so, provide a timetable of how these changes could be reasonably accommodated within this Examination. State the Applicant's intentions.</p> <p>c) If not, would the Applicant like to provide any further justification (in addition to the responses to the relevant representations) to the Statement of Reasons and annexes [APP-030]?</p>
<p>National Farmers Union (REP1-084):</p>	<p>The NFU would like to receive clarification in regard to the land take highlighted for habitat mitigation. Highways England (HE) have now highlighted in a Statement of Common Ground with the NFU that no land is being sought through compulsory acquisition for the sole purpose of contributing towards the delivery of the Scheme's biodiversity net gain (BNG) score of 20.5%. The NFU would like to understand how this score is being achieved if land is not being compulsory acquired to achieve it.</p> <p>The NFU has highlighted issues over land take for balance ponds and the location of balance ponds within existing fields. The NFU feels that with further design and negotiation over the size and location of balance ponds with farmers land take could be reduced.</p>
<p>Applicant Comment:</p>	<p>The Applicant refers the NFU to its comment on [REP1-085a] in [TR010044/EXAM/9.21] submitted at Deadline 3.</p> <p>The Applicant has located ponds as close to the Scheme as possible, considering design factors such as floodplains and drainage outfall levels. The size of all Scheme ponds has been designed in accordance with the Design Manual for Roads and Bridges (DMRB) CG 501 with outfall discharges restricted to Greenfield Qbar flows rates to ensure there is no increase in flood risk to surrounding lands from Scheme surface water runoff.</p>
<p>Deloitte on behalf of The Church Commissioners for England (REP1-094):</p>	<p>1.2.1 The above question identifies that the National Farmers Union and Bedford Borough Council (BBC), have expressed concerns that areas identified for compulsory acquisition (CA) and temporary possessions (TP) are excessive and seek clarity as to whether the land identified for CA and TP can be further reduced. If changes can be made, the Examining Authority (ExA) requests a timetable of how these changes could be reasonably accommodated within the Examination or, if changes cannot be made, questions whether the Applicant would like to make any further justification.</p> <p>1.2.2 Whilst the questions are posed to the Applicant, we wish to reiterate the concerns raised regarding the extent of the land identified for CA and TP. As detailed within the WR submitted on behalf of CCfE, there are deep concerns regarding the extent of the permanent acquisition of Plot 14/6e, part of which is understood to be sought as a construction site and borrow pit. It is not considered that the extent of this land take has been justified. With regards to temporary possession, again there are concerns regarding the significance of a number of plots to be possessed temporarily. The WR details the concerned plots but of particular</p>

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	<p>note are Plots 13/10d, 13/10e, 13/4k and 14/6c which are substantial in scale and again, the justification for such areas is questioned.</p> <p>1.2.3 It is proposed that a Framework Agreement could be entered into with the Applicant, allowing it to access the above-mentioned plots by licence in an agreed form, in order to carry out the proposed development. Initial discussions regarding the use of a Framework Agreement have commenced with the Applicant however, in the instance that this cannot be agreed, CCfE reserves its right to uphold its concerns regarding the extent and justification for CA and TP.</p>
<p>Applicant Comment:</p>	<p>The Applicant is confident that the land identified for Compulsory Acquisition (CA) and Temporary Possession (TP) cannot be further rationalised or reduced. The Applicant is content that the land included within the Order is no more than is reasonably necessary to deliver the Scheme and is proportional to the proposed works. Further justification for the land and rights in land that are sought through the Order can be found in the Statement of Reasons [APP-030], Annex A.</p> <p>In relation to land required as a borrow pit, the Applicant has commenced discussions with those landowners affected to explore the possibility of securing the land by way of a lease where the landowner in question is keen to ensure retained ownership of the land. This matter was discussed in a meeting held with the Church Commissioners for England on 17 September 2021.</p>

No.	Question/Applicant Comment
Q1.6	Construction methods and effects
Q1.6.1	Approach to construction and proposed programme
<p>Q1.6.1.1 Approach to construction</p> <p>The ES states that construction will take place in six stages. Should tie-in works and detrunking be included in the stages of construction and in the construction programme. Explain with reasons.</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The Councils consider that tie-in works, and detrunking and handover should be included but will review the Applicant's response to this question. Tie-in works can involve the use of noisy plant and equipment and there are some proposed tie-in works that are close to noise sensitive residential receptors (within Huntingdonshire). This work should be regulated in the same way as other construction work.</p>
<p>Applicant Comment:</p>	<p>The Applicant's response to Q1.6.1.1 set out in Applicants Response to the ExA's First Round of Written Questions [REP1-022], submitted at Deadline 1 confirms that the programme for the section of main construction works includes the tie in works and minor works that may be associated with the preparation for the detrunking process. The plant and equipment that will be required for the tie in works has been considered in a similar way to other construction activities and the impact on noise sensitive receptors assessed and reported.</p> <p>These works will be regulated in the same way as other construction activities.</p>
<p>Q1.6.1.2 Construction programme</p> <p>Update the construction programme in the ES, if required [APP-071, Section 2.6].</p> <p>What confidence is there that the length of the construction programme will not be exceeded?</p> <p>What are the principal risks of delay and what contingencies have been included?</p> <p>What allowances for variations in the construction programme have been included in the assessments? Please provide references.</p> <p>What is the potential for a longer construction programme to give rise to any materially new or materially worse adverse environmental effects in comparison with those assessed in the ES?</p>	
<p>Deloitte on behalf of The Church</p>	<p>Q1.6.1.2 is posed to the Applicant and in part asks for the construction programme to be updated if necessary and queries what confidence there is that the length of the construction programme will not be exceeded. In addition to seeking confidence regarding</p>

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Commissioners for England (REP1-094)	the proposed length of the proposed construction programme, on behalf of CCfE clarity is also sought as to what extent the farming calendar has been given consideration in the formulation of the programme.
Applicant Comment:	<p>The Applicant has provided a response to Q1.6.1.2 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022], submitted at Deadline 1 on the status of the construction programme and the contingency included.</p> <p>Calendars that constrain ecological mitigation works in the rural environment of the Scheme have been included in the programming of these works; however, there has been no specific consideration of particular farming calendars.</p> <p>In the development of the detailed construction programme, farming (timings) and constraints will be evaluated and where possible and practicable the programme will accommodate these timings.</p>
Q1.6.2	Borrow pits, construction compounds, waste management
Q1.6.2.1 Borrow Pits BBC, you have expressed concerns about the level of detail about the borrow pits, how they will be worked and restored, and about the first iteration EMP [RR-008a]. What further detail do you think should be provided for Examination, and secured in the dDCO?	
Bedford Borough Council (REP1-043):	<p>The DCO should contain a detailed description of how each will be worked based upon a worst case scenario of extraction to the maximum depth identified for each of them. This would include:</p> <ul style="list-style-type: none"> • Identifying the area, height and location of soil stockpiles. • Method of extraction and numbers of plant and machinery on site. • The method of delivery to the road scheme. • Maximum daily numbers of HGV/material moving vehicles using haul routes. • Any processing of material on site. • Any phasing of the site. • How waste materials will be backfilled. • Operating times.

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	<ul style="list-style-type: none"> • What happens if the amount of material extracted does not equal the amount of material backfilled. • Appropriate plans and cross sections to support the above. • Each section of the ES to be updated to assess the impact of the proposals. • The noise levels of equipment used within the borrow pits and the level of attenuation towards the nearby sensitive premises. What level of impact will remain and how that impact will be mitigated to ensure an acceptable acoustic environment. • Details of control of dust emissions from the site for material heaps and other sources of dust beyond the tractor and bowser attempt to control dust on roadways.
<p>Applicant Comment:</p>	<p>Additional information regarding the borrow pits is reported in the “Borrow Pits Excavation and Restoration Report” [TR010044/EXAM/9.24], which the Applicant has submitted to the Examination at Deadline 3. The additional information provided includes reference to (but is not limited to) the environmental assessment, excavation methodology, restoration of the borrow pits and the amount of soil to be removed from each borrow pit. The proposed measures to mitigate dust effects during the construction phase, including measures for the borrow pits, are set out in the Dust Management Plan within the First Iteration Environmental Management Plan [APP-234].</p> <p>Refer to the response to RR-008ax within the Applicant's Response to Relevant Representations [REP-021] at Deadline 1 of the Examination for a description of the assumptions adopted in the assessment of construction noise impacts from all works, including the borrow pits and noise and vibration management measures during the construction of the Scheme.</p> <p>Refer to the response to RR-025d within the Applicant's Response to the Relevant Representations [REP1-021] at Deadline 1 of the Examination for a description of dust management measures.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The Councils note that this question is addressed to Bedford Borough Council but would like to represent on this topic.</p> <p><u>Restoration and aftercare – compliance with relevant policy</u></p> <p>The Borrow Pits Excavation and Restoration Report (“BPERR”) refers to the Cambridgeshire and Peterborough Minerals and Waste Local Plan (“MWLP”) Policy 7 (Borrow Pits). Policy 7 refers to Policy 19 (Restoration and Aftercare) but the BPERR does not. The Councils would expect the restoration scheme for each borrow pit to comply with the aims of Policy 19:</p> <ol style="list-style-type: none"> a) Phasing schedule – although to comply with Policy 7 the borrow pits must be restored within the same timescale as the project they serve, there may be scope to do so sooner depending on what part of the project they are linked to. b) Reflect strategic and local objectives for countryside enhancement and green infrastructure. The Councils understand that borrow pits will be restored to agricultural land and the Councils request further justification for why countryside enhancement and green

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	<p>infrastructure has not been considered appropriate.</p> <p>c) Contribute to flood risk management if feasible. The Councils request further detail from the Applicant as to whether this policy aim has been considered.</p> <p>d) Demonstrate biodiversity net gain – The Councils request further detail from the Applicant as to how the restoration proposals contribute to biodiversity net gain.</p> <p>e) Protect geodiversity (not applicable)</p> <p>f) Incorporate amenity uses (probably not appropriate)</p> <p>Policy 19 is clear that “Where it is determined that restoring the land to agricultural use is the most suitable option (in whole or in part), then the land must be restored to the same or better agricultural land quality as it was pre-development”. [Highways England have provided the ALC grades in the BPE&RRR – both Caxton Gibbet BPs are Grade 2 so Highways England need to demonstrate how this will be matched or bettered in the restoration.]</p> <p>In addition, the Councils consider that policy 20 (biodiversity and geodiversity) of the MWLP is not met. The proposed restoration of borrow pits does not adequately mitigate or compensate for adverse impacts to biodiversity.</p> <p>5 years aftercare is standard for agricultural restoration. According to the PPG on Minerals⁶:</p> <p><i>“Aftercare conditions are required to ensure that, following site restoration, the land is brought up to the required standard which enables it to be used for the intended afteruse.”</i> Amongst other things <i>“The mineral planning authority should seek to ensure that the operator provides:</i></p> <ul style="list-style-type: none"> - <i>an outline strategy of commitments for the 5 year aftercare period (or longer if agreed between the applicant and the mineral planning authority);</i> <p style="text-align: center;"><i>and</i></p> <ul style="list-style-type: none"> - <i>at the start of aftercare, and in each year of the aftercare period, a review of the previous years’ management and a detailed programme for the forthcoming year...</i> <p><i>“The outline strategy should broadly outline the steps to be carried out in the aftercare period and their timing within the overall programme. These should include, as appropriate:</i></p> <ul style="list-style-type: none"> - <i>timing and pattern of vegetation establishment;</i> - <i>cultivation practices;</i>

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	<ul style="list-style-type: none"> - secondary treatments; - drainage; - management of soil, fertility, weeds etc; - irrigation and watering. <p><i>A map should accompany the outline strategy, identifying clearly all areas subject to aftercare management, with separate demarcation of areas according to differences in the year of aftercare and proposed management. Where a choice of options is retained this should be made clear together with criteria to be followed in choosing between them.</i></p> <p><i>“The detailed programme should:</i></p> <ul style="list-style-type: none"> - elaborate on the outline strategy for work to be carried out in the forthcoming year; - confirm that steps already specified in detail in the outline strategy will be carried out as originally intended; - include any modifications to original proposals eg due to differences between actual and anticipated site conditions.” <p>The Councils require these principles to be applied to borrow pit restoration and presented to the Examination. These should be secured as a requirement of the dDCO. The Councils require to be satisfied that borrow pit restoration is deliverable and clarity on the party responsible for the borrow pits during the 5 year aftercare period.</p> <p><u>Borrow pits – biodiversity matters</u></p> <p>The Councils are unable to determine the impact of the proposed scheme on biodiversity associated with the borrow-pits due to inconsistencies and lack of information provided by the Applicant.</p> <ol style="list-style-type: none"> 1. The borrow pits were excluded from the Biodiversity Net Gain assessment for the overall A428 improvement scheme, so it cannot be determined whether there will be no net loss / net gain in biodiversity (habitats) as part of the proposed borrow-pits. 2. The proposed restoration of the borrow pits sites 3 & 4 is unclear at this stage. The Environmental Masterplan shows the areas are being restored to agriculture. The General Arrangement Plan shows the areas to be restored to open grassland, but it is understood open grassland is <i>“mainly on embankments and cutting slopes and areas with poor access”</i> (mix LE1.6, paragraph 1.10.7, page 128, First Iteration EMP). There is no reference to the proposed restoration of the borrow pits within the First Iteration EMP. Therefore, we cannot be sure if the sites will be restored to arable (current state?) or to open grassland, which would affect its capacity to deliver no net loss in biodiversity value. <p>The Scheme has failed to demonstrate that the mitigation hierarchy (avoid, minimise, and where this is not possible compensate impacts) has been followed and the Councils are concerned it will result in the following impacts:</p>

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	<p>3. Borrow pit site 4 will result in the loss of Great Crested Newt habitat. The Applicant has not demonstrated that the Scheme will have no adverse impact on the favourable conservation status of a European Protected Species. Highways England state that a District Level Licence will be sought, if this is the case, a DLL certificate should have been supplied as part of the application (as set out in Defra's 2021 guidance Developers: how to join the district level licensing scheme for GCNs). This has not been provided and therefore, given the high demand on DLL in Cambridgeshire and limited supply of compensatory habitat, we have no confidence that this scheme is eligible or can be delivered through DLL scheme. The alternative option is for Highways England to incorporate GCN mitigation within the scheme design and secure a traditional GCN development licence – however, no GCN mitigation has been incorporated as part of the submitted documents.</p> <p>4. Borrow pit sites 3 and 4 will result in the active removal of deadwood and hedgerows/tree groups, which contain elm. Elm is a key feature of woodland / hedgerows across the scheme design and has been identified as supporting terrestrial invertebrates / assemblages of county importance (associated with deadwood and elm). New native hedgerows and scrub is proposed but elm has not been included as a key component. Therefore, the Scheme will result in a loss of habitat with key local characteristics and impact to terrestrial invertebrates of county importance.</p> <p>5. It is noted that some impacts to ecology cannot be avoided, however, many residual impacts to habitats and species both associated with the borrow-pits themselves and the wider scheme could have been compensated through a well design restoration scheme for the borrow-pit design (sites 3 & 4). Instead, the borrow pits have been designed for future aspirations of the landowner. A well-designed agricultural scheme could deliver both ecological mitigation and be returned to the landowner, with covenants to manage it for biodiversity. For example</p> <ol style="list-style-type: none"> a. If the site is to be restored to grassland, the loss of Great Crested Newt terrestrial habitat could be compensated through selection of an appropriate grassland mix, and management of the site for GCNs (e.g. creation of tussocky grassland using wildflower meadow mix). b. Alternatively, if the site is to be restored to arable, the loss of Great Crested Newt terrestrial habitat could be compensated through the incorporation of arable field margins. c. Loss of deadwood habitat could be compensated through the repositioning of the deadwood within the perimeters of the borrow-pits adjacent to other habitats (e.g. trees / shrub / woodland) d. Loss of hedgerows / trees can be compensated through the planting of hedgerows and trees that are characteristic of the local area and resilient to climate change. This should incorporate elm species, which support the locally / county important terrestrial invertebrates, and be extended around the perimeter of the borrow pit sites. e. The incorporation of biodiversity rich habitats would also help to deliver no net loss in biodiversity value as part of the scheme. f. The above restoration scheme, if adequately managed for biodiversity, could potentially off-set wider residual impacts to the

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	<p>scheme - neutral grassland / arable field margins (priority habitat), farmland birds, terrestrial invertebrates, reptiles and Great Crested Newt.</p> <p>The Councils request that outline restoration proposals addressing these points are submitted to the Examination and secured through the dDCO.</p> <p>Any infilled borrow pit must not cause any land contamination or pollution of groundwater or surface water. Therefore the composition of material proposed to be used as infill must be agreed prior to use.</p>
<p>Applicant Comment:</p>	<p>The Applicant has further considered Policy 7, Policy 19 and Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan in its comments on the local policy assessment undertaken by CCC/HDC/SCDC, submitted at deadline 3. [TR010044/EXAM/9.22]. In summary, The Applicant considers that the Scheme is compliant with Policy 7, 19 and 20, where these are applicable to the Scheme. The Borrow-Pits Technical Note (submitted at Deadline 3) provides details on a site -by -site basis for the restoration of the borrow-pits to agriculture and explain how the Scheme is compliant with Policy 7 sections: (c) restoration; and (d) no importation of material other than from the project itself. The Applicant's response to the Joint Cambridgeshire Authorities LIR, paragraph 8.9.3 and 8.9.4 provides a detailed explanation in respect of the Application complying with sections (a) need; (b) serving the named project only; and (d) importation of material. The requirements of the National Policy Statement for National Networks (NPSNN) apply to the Scheme as a whole and do not require specific provision to be made for individual elements such as borrow pits as if they were applications made in their own right at a local level.</p> <p>Policy 19</p> <p>The biodiversity requirements of the National Policy Statement for National Networks (NPSNN) apply to the Scheme as a whole and do not require specific provision to be made for individual elements such as borrow pits as if they were applications made in their own right at a local level.</p> <p>Policy 20</p> <p>The Applicant considers that the Scheme is compliant with this policy. The Borrow-Pits Technical Note (submitted at deadline 3) provides details on a site-<u>by</u>- site basis for the restoration of the borrow-pits to agriculture. Ecological mitigation is provided within the Scheme as a whole; there is no policy requirement for borrow-pits (or other individual parts of a Nationally Significant Infrastructure Project (NSIP)) to be restored to wildlife habitat in the National Policy Statement for National Networks (NPSNN).</p> <p>The Applicant wishes to clarify that there is no reference in the General Arrangement Plans [APP-011] to the borrow pits being restored to LE1.6 open grassland. The Environmental Masterplan [APP-091] indicates that they are proposed to be restored to enable agricultural use.</p> <p>In relation to land contamination or pollution of groundwater or surface water, it is anticipated that the material used to infill all borrow pits will comprise natural materials with a low potential for contamination, comprising material excavated from parts of the Scheme which is</p>

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	<p>considered unsuitable for re-use in engineered structures. Accordingly, the risk of contamination of ground, groundwater and/or surface water is considered highly remote. Notwithstanding this assessment, chemical analyses will be carried out to check that the material meets an agreed chemical quality that poses no risk of contamination.</p>
<p>National Farmers Union (REP1-084):</p>	<p>Bedford Borough Council have raised concerns over the details given for the borrow pits. The NFU in a response to a consultation raised the following concerns over borrow pits. The NFU understands that land is to be taken to create borrow pits as material, in particular clay is required to create new embankments near the Black Cat junction and the Caxton Gibbet junction. The fact sheet on borrow pits is very brief and does not really provide any detail. The NFU would like to see further information regarding the volume and type of material required from each of the borrow pits highlighted on the maps. Further detail is needed in regard to the proposed depth of the excavations across the borrow pit sites.</p> <p>The NFU would expect to see details setting out of the alternatives in the area e.g. any working quarries which could provide the material required to build the road and why these alternatives are not considered acceptable. The NFU expects all alternatives to be considered thoroughly before land is included within the order limits to create borrow pits and take land out of agricultural production.</p> <p>It is understood that the proposal is to take land permanently to create the borrow pits. The NFU would like to receive further information as to why the land cannot be taken on a temporary basis if as is proposed the land is to be handed back to landowners once the borrow pits have been reinstated. Clarification is needed as to whether Highways England are intending to hand back the areas taken for borrow pits for agricultural use and will Highways England be expecting landowners to have to carry out any management responsibilities on the land.</p>
<p>Applicant Comment:</p>	<p>Details of the reasoning and borrow pit site selection strategy and process is provided in the Borrow Pits Optioneering Report [APP-246]. Furthermore, the Applicant has prepared further information in relation to the borrow pits, which includes reference to (but is not limited to) the environmental assessment, excavation methodology, restoration of the borrow pits and the amount of soil to be removed from each borrow pit. This information is reported in the "Borrow Pits Excavation and Restoration Report" [TR010044/EXAM/9.24], which the Applicant has submitted to the Examination at Deadline 3.</p> <p>Given the type of use proposed and the extent of change expected to occur at the borrow pit locations (albeit underground), it would not be appropriate to seek only temporary possession powers to carry out this work. When land is to be taken temporarily there is an expectation that the land is returned to the state it was taken (subject to some exceptions) and while the surface may be returned to agricultural use there will have been material extracted from the borrow pit locations which will not be returned but replaced. However, the Applicant has commenced discussions with those landowners affected to explore the possibility of securing the land by way of a lease where the landowner in question is keen to ensure retained ownership of the land as this will ensure that this is by agreement as opposed to using powers under the dDCO [REP1-003].</p>

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Deloitte on behalf of The Church Commissioners for England (REP1-094)	<p>1.2.5 BBC has expressed concerns over the level of detail regarding the borrow pits and how they will be worked and restored. Within Q1.6.21 the ExA questions what further detail BBC think should be provided for Examination and secured in the draft Development Consent Order (dDCO).</p> <p>1.2.6 CCfE raise similar concerns to those of BBC. As detailed within the WR, the extent of the land take proposed in relation to Plot 14/6e which is understood to be used as a borrow pit, is significant and is not considered justified. In a meeting held with the Applicant, the Applicant accepted that the land subject of the borrow pit can be reinstated and returned to CCfE, and the grant of a lease on appropriate terms requiring reinstatement has been discussed. Discussions with the Applicant are ongoing however, in the instance that a suitable lease cannot be agreed, CCfE reserves its right to uphold its concerns regarding the extent and justification of the identified borrow pits.</p>
Applicant Comment:	<p>The Applicant has prepared further information in relation to the borrow pits, which includes reference to (but is not limited to) the environmental assessment, excavation methodology, restoration of the borrow pits and the amount of soil to be removed from each borrow pit. This information is reported in the "Borrow Pits Excavation and Restoration Report" [TR010044/EXAM/9.24], which the Applicant has submitted to the Examination at Deadline 3.</p> <p>The Applicant notes the comments made and confirms that the Applicant has commenced discussions with those landowners affected to explore the possibility of securing the land by way of a lease where the landowner in question is keen to ensure retained ownership of the land as this will ensure that this is by agreement as opposed to using powers under the dDCO [REP1-003].</p>
<p>Q1.6.2.2 Construction compounds</p> <p>Should the maximum heights for any hoarding that may be required be secured in the Construction compound management plan, and the dDCO [APP-234, Annex K].</p>	
Bedford Borough Council (REP1-043):	<p>Ideally yes.</p>
Applicant Comment:	<p>The Applicants response to Q1.6.2.2 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022], submitted at Deadline 1 confirms that the location and height of all hoardings around construction compounds will be a matter for agreement with the local authorities in advance of their installation.</p>

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CCC/HDC/SCDC (REP1-051):	Yes, the Councils would like to see the maximum heights of hoarding secured as suggested.
Applicant Comment:	The Applicants response to Q1.6.2.2 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022] , submitted at Deadline 1 confirms that the location and height of all hoardings around construction compound will be a matter for agreement with the local authorities in advance of their installation.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	Yes, this would enable the impact of the compound to be fully considered. In order for there to be minimal landscape impact in relation to the hoarding, the height should not exceed the height of the compound buildings.
Applicant Comment:	The Applicant can confirm the hoarding heights will not exceed the height of the compound buildings. The Applicants response to Q1.6.2.2 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022] , submitted at Deadline 1 confirms that the location and height of all hoardings around construction compound will be a matter for agreement with the local authorities in advance of their installation.
National Farmers Union (REP1-084):	The NFU has requested further information in regard to the use of each compound site and for this to be set out at Schedule 7 in the draft DCO. It presently states that each compound site will be 'required to provide temporary storage, laydown areas, access and working space to facilitate the construction of..' This is very general and if as on other DCO applications like A303 Stonehenge two of the compound sites where to be used for a slurry treatment plant and a batching plant, the NFU would like to this or any similar type of plant highlighted within Schedule 7.
Applicant Comment:	The Applicant held a meeting with the NFU on 15 September 2021. This item was discussed in detail and the Applicant is continuing to engage with the NFU over the potential inclusion of more detail regarding the proposed use of compounds. Annex K of the First Iteration Environmental Management Plan [APP-234] sets out a Construction Compound Management Plan.

No.	Question/Applicant Comment
Q1.6.3	Environmental Management Plan
	<p>Q1.6.3.1 Pre-commencement works plan</p> <p>Pre-commencement works plan is a certified document in Schedule 10 of the dDCO [APP-025]. When will this be submitted to Examination? If this is to be prepared on a later date, can you submit a draft or outline for consideration in the Examination?</p> <p>Have local authorities seen a draft or outline of the pre-commencement works plan?</p>
Bedford Borough Council (REP1-043):	Not that we are aware of.
Applicant Comment:	<p>As set out in the Applicant Comment to Q1.6.3.1, the only reference to the 'Pre-commencement works plan' was contained within Schedule 2 (Requirements), Part 1 (Requirements), paragraph 1 in the list of definitions of the dDCO [APP-025]. This document was not referred to in Schedule 10 within the list of documents to be certified, the Requirements or elsewhere in the dDCO.</p> <p>This definition was deleted from the list of definitions in Part 1 of Schedule 2 in the updated dDCO [REP1-003] as it had been included in error. Any mitigation required for pre-commencement works is secured through the Archaeological Mitigation Strategy [APP-238] and the Biodiversity Pre-Commencement Plan [APP-239].</p>
CCC/HDC/SCDC (REP1-051):	Cambridgeshire County Council, South Cambridgeshire District Council, and Huntingdonshire District Council have not seen a copy of, or discussed the pre-commencement works plan with the Applicant.
Applicant Comment:	<p>As set out in the Applicant Comment to Q1.6.3.1, the only reference to the 'Pre-commencement works plan' was contained within Schedule 2 (Requirements), Part 1 (Requirements), paragraph 1 in the list of definitions of the dDCO [APP-025]. This document was not referred to in Schedule 10 within the list of documents to be certified, the Requirements or elsewhere in the dDCO.</p> <p>This definition was deleted from the list of definitions in Part 1 of Schedule 2 in the updated dDCO [REP1-003] as it had been included in error. Any mitigation required for pre-commencement works is secured through the Archaeological Mitigation Strategy [APP-238] and the Biodiversity Pre-Commencement Plan [APP-239].</p>

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Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	CBC has not seen a draft.
Applicant Comment:	<p>As set out in the Applicant Comment to Q1.6.3.1, the only reference to the 'Pre-commencement works plan' was contained within Schedule 2 (Requirements), Part 1 (Requirements), paragraph 1 in the list of definitions of the dDCO [APP-025]. This document was not referred to in Schedule 10 within the list of documents to be certified, the Requirements or elsewhere in the dDCO.</p> <p>This definition was deleted from the list of definitions in Part 1 of Schedule 2 to the updated dDCO [REP1-003] as it had been included in error. Any mitigation required for pre-commencement works is secured through the Archaeological Mitigation Strategy [APP-238] and the Biodiversity Pre-Commencement Plan [APP-239].</p>
<p>Q1.6.3.2 Clarity of content in Relevant Representation</p> <p>The NFU RR [RR-074] refers to various matters, referencing the dDCO and First Iteration EMP. For clarity please explain what is meant by an “ALO” and where in either of the two documents, or wider application such a role is referred to. If this was in error please confirm which of the named roles in the First Iteration EMP those comments relate to.</p>	
National Farmers Union (REP1-084):	<p>The NFU would like to clarify that an “ALO” is an Agricultural Liaison officer. The role identified presently by HE in the FIEMP is a Community Relations Manager which does not provide the equivalent function of an Agricultural Liaison Officer. The NFU as stated in their outline representation would like to see that the Main Works Contractor or HE will have to employ an agricultural liaison officer who will then work with the Community Relations Manager. An ALO will liaise with landowners, tenants and acting agents who are directly affected by the scheme.</p> <p>The role we would like to see the ALO undertake has been set out in a detailed full written representation submitted by the NFU on 31st August 2021. A Community Relations Manager's role would not normally carry out the detailed one to one liaison expected between an ALO, landowner and contractor. The role of an ALO has been agreed within many DCO applications where the NFU has represented its members.</p>

No.	Question/Applicant Comment
Applicant Comment:	The Applicant notes the request from the NFU to see an ALO role proposed for the project and the Applicant is in discussions with the NFU regarding this matter. The Applicant held a meeting with the NFU on 15 September 2021 regarding the matters raised through their Relevant Representation and Written Representation. The Principal Contractor will review the NFU requirements of the ALO role and respond to the NFU ahead of the next version of the Statement of Common Ground. The Principal Contractor acknowledges that such an appointment within the community engagement team is required for the Scheme.
<p>Q1.6.3.3 Roles and responsibilities</p> <p>Provide a list of roles that are named in the EMP, CTMP or any other certified document, that would specifically be appointed for mitigating the effects of the Proposed Development. Provide a brief description of duties and reporting lines.</p> <p>Refer to related questions in <i>Draft Development Consent Order</i>.</p>	
CCC/HDC/SCDC (REP1-051):	These points are to be discussed with Highways England.
Applicant Comment:	The Applicant is open to discuss the roles, duties and reporting lines set out in the First Iteration EMP [APP-234] and the Outline Construction Traffic Management Plan [APP-244] and summarised in the Applicants response to Q1.6.3.3 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022] , submitted at Deadline 1.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>It is CBC's position that, due to the considerable amount of monitoring, management and local liaison that will be required throughout the construction period, that funding is put in place in the Development Consent Obligation or secured in some other manner in connection with the DCO payable to CBC to cover the following for the duration of the construction works (and a subsequent reasonable period post completion to carry out any post construction monitoring):</p> <p>A CBC officer with specific responsibility for monitoring, addressing, and managing local impacts, including local liaison.</p> <p>Council's Archaeologist would be responsible for monitoring the archaeological mitigation works and ensuring compliance with the AMS APP-238 (see also Requirement 9 of dDCO [APP-025]).</p>
Applicant Comment:	<p>The Applicant has prepared a Joint Position Statement with Central Bedfordshire Council regarding monitoring and local liaison matters, which has been submitted at Deadline 3 [TR010044/EXAM/9.29].</p> <p>Archaeological supervision post consent forms part of the Authority's statutory duty and is therefore not funded by the Applicant.</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's comments on other parties' responses to first round of written questions

No.	Question/Applicant Comment
Q1.7	Draft Development Consent Order (dDCO)
Q1.7.1	General
Q.1.7.1.2 Discharging Requirements and Conditions All discharging authorities to check the Schedules in the dDCO for accuracy and provide the ExA with suggested corrections and amendments.	
CCC/HDC/SCDC (REP1-051):	The Councils are reviewing the draft DCO and discussing its terms with Highways England. Representations may be made on this point in due course.
Applicant Comment:	The Applicant notes the response from the Cambridgeshire authorities.
Q1.7.3	Articles
Q1.7.3.2 Article 3 – Disapplication of legislative provisions Do you have any concerns regarding the disapplication of consents under Article 3? Explain with reasons.	
Bedford Borough Council (REP1-043):	No comments to make.
Applicant Comment:	The Applicant notes the response from Bedford Borough Council.
CCC/HDC/SCDC (REP1-051):	Please refer to 14.3 of the Council's Written Representation. Cambridgeshire County Council would like to discuss the disapplication of section 23 of the Land Drainage Act with the Applicant as we prefer to retain the consenting role as LLFA.

No.	Question/Applicant Comment
Applicant Comment:	This is noted. The same point was made in the Council's Written Representation the Council. The Applicant acknowledges that the consent of the Council is required in order to secure the disapplication of section 23 of the Land Drainage Act 1991. Discussions with the Councils in this regard are ongoing to determine whether it would be possible to obtain that consent and therefore this disapplication. This point is covered within the Statement of Common Ground with the Cambridgeshire authorities and an update can be provided at Deadline 4 in this regard.
Natural England (REP1-088):	Can the applicant clarify which powers of Natural England they are seeking to disapply? At that point we will provide further advice.
Applicant Comment:	The Applicant is not seeking to disapply any powers of Natural England within the updated dDCO [REP1-003].
Environment Agency (REP1-076):	<p>'We set out below the disapplication provisions relevant to the Environment Agency, with a brief explanation of the current position. With the exception of section 15 of the Anglian Water Authority Act 1977, these legislative provisions are provided for under section 150 Planning Act 2008, which means Environment Agency consent is required before they can be dis-applied.</p> <p><u>Article 3(2)(a)</u> - we do not have concerns with regards to dis-application of regulation 12 (requirement for an environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016 ("EPR 2016") in relation to the carrying on of a flood risk activity only, subject to agreeing satisfactory protective provisions. We have not yet reached agreement on a form of protective provisions in relation to flood risk activity, but we are hopeful that we will reach agreement within the Examination period.</p> <p><i>We do not wish to dis-apply</i> the requirement for an environmental permit for the carrying out of a water discharge activity. A water discharge activity is a continuing activity, which requires ongoing monitoring. The permitting regime under EPR 2016 provides an appropriate regulatory regime for this.</p> <p><u>Article 3(2)(b)</u> - we <i>do not wish to</i> dis-apply section 24 (restrictions on abstraction) and section 25 (restrictions on impounding) of the Water Resources Act 1991 ("WRA 1991") as it would not be possible to import the full statutory regime of the WRA 1991 into a form of suitable protective provisions, particularly as we could not incorporate equivalent enforcement powers. An attempt to incorporate the WRA 1991 provisions into protective provisions would be complex to achieve and would be a disproportionate use of time in comparison to the Applicant applying under the WRA 1991, especially as it would not speed up the consenting process.</p> <p><u>Article 3(2)(c)</u> - we do not have concerns with regard to dis-application of the provisions of any byelaws made under or having effect under paragraphs 5, 6 or 6A of Schedule 25 of the Water Resources Act 1991. We do however notice a typographical error -- between 6 and 6A should read "or" and between 6A and Schedule 25 should read "of".</p> <p><u>Article 3(2)(f)</u> - we do not have concerns with regards dis-application of section 15 (temporary closure of recreational waterways) of the</p>

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	<p>Anglian Water Authority Act 1977, subject to agreeing the wording of Article 58. We are in principle in agreement with the wording, subject to minor changes which we believe can be agreed within the examination period'.</p>
<p>Applicant Comment:</p>	<p>Based on further discussions with the Environment Agency, the Applicant will update the dDCO [REP1-003] at Deadline 4 such that Article 3 no longer seeks to disapply the requirement for an environmental permit for the carrying out of a water discharge activity. In addition, the Applicant will also update the dDCO such that section 24 (restrictions on abstraction) and section 25 (restrictions on impounding) of the Water Resources Act 1991 are removed from Article 3(2). The Applicant will continue to seek agreement with the Environment Agency to satisfy the protective provisions in relation to flood risk activity and in relation to the final wording of Article 58 within the dDCO.</p> <p>Finally, the Applicant will correct the typographical error noted by the Environmental Agency in the next update to the dDCO.</p>
<p>Q1.7.3.4 Article 5 – Maintenance of authorised development, and Article 13 – Construction and maintenance of new, altered or diverted streets and other structures</p> <p>Applicant, are there any other instances, other than those identified in Article 13, where an agreement made under this Order would constitute the exception referred to in Article 5.</p> <p>LHAs, comment on the provision in Article 13 in relation to maintenance of new, altered or diverted streets and other structures.</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>Article 13(3) of the draft DCO (APP-025) appears to be a repeat of article 13(2), as footpaths, cycle tracks and bridleways are all highways. CCC considers it likely that this article is intended to address non-motorised user (NMU) routes that share a surface with private vehicular means of access. For reference, the equivalent article in the A14 DCO reads: “(3) Subject to paragraphs (6), (7) and (8), where a footpath, cycle track or bridleway is altered or diverted under this Order <i>along a vehicular private means of access</i>, the altered or diverted part of the highway must, when completed to the reasonable satisfaction of the highway authority and unless otherwise agreed in writing, be maintained (including any culverts or other structures laid under that part of the highway) by and at the expense of the person or persons with the benefit of the vehicular private means of access”. The issue of NMU routes running over private accessways does not appear to be addressed elsewhere in the draft DCO (APP-025), and therefore this appears to be an error of drafting. CCC therefore objects to the wording of this article and wishes to clarify that any PROW that is diverted or created on the route of a private vehicular means of access must be maintained by and at the expense of the person or persons with the benefit of the private vehicular means of access.</p> <p>It is welcomed that article 13 parts 7, 8 and 9 explicitly outline the areas of future responsibility for different parts of bridge structures. Notwithstanding this, CCC objects to the wording of article 13 subsection 9. It is unreasonable for CCC to assume maintenance responsibility for the surface of a shared private vehicular access that also carries public foot, equestrian or cycle traffic, given that liability for a vehicular surface is far higher than that for a NMU route. It is requested that this section of the draft DCO (APP-025) is re-worded so that the surface of the shared private vehicular access is maintained by the persons with the benefit of that vehicular access or by the</p>

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	<p>Applicant. The latter position is the case in the A14 DCO where article 11(8) provides: "In the case of a bridge constructed under this Order to carry a private right of way (whether or not it also carries a footpath, cycle track or bridleway), the surface of the street and the structure of the bridge must be maintained by and at the expense of the undertaker".</p>
<p>Applicant Comment:</p>	<p>The Applicant notes that the points raised here are covered in the Council's Written Representation [REP1-048]. The Applicant has therefore responded to these points in the Applicant's comments on the Written Representations [TR010044/EXAM/9.21] in response to REP1-048ab.</p>
<p>FFreeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>N/A.</p> <p>As per Section 4 of the Highways Act 1980, Highways England is to pay CBC for taking on any maintenance liabilities. This payment will be in the form of a commuted sum. The calculation will be based on routine maintenance and lifecycle work activities for assets and a still to be discussed length of time.</p> <p>Highways England is to refer to point 1.B of Section 94 of the Highways Act 1980 in relation to CBC only maintaining the highway rather than the structure.</p> <p>Per Section 277 of the Highways Act 1980, CBC may recover expenses from Highways England for maintenance activities relating to the bridge.</p> <p>Per Section 59 of the Highways Act 1980, CBC may recover expenses from Highways England for the diversion of extraordinary traffic onto local roads.</p>
<p>Applicant Comment:</p>	<p>Article 13 of the dDCO [REP1-003] sets out the various maintenance obligations for bridges and the split between local highway authorities and National Highways depending on the purpose of the bridge and what it is carrying. The Applicant is in discussions with CBC in relation to the handover of any local roads and any questions of maintenance will be addressed during those discussions.</p>

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<p>Q1.7.3.5 Article 6 – Application of the 1990 Act</p> <p>Applicant, list the instances where the temporary construction works will be delivered under Article 6, identifying the relevant local authorities and effected landowners.</p> <p>LAs, comment on reasonableness of Article 6(3), in particular “any temporary works constructed <i>under this Order may be retained permanently</i>”, and highlight any concerns.</p>	
<p>Bedford Borough Council (REP1-043):</p>	<p>No concerns from Bedford Borough Council.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Bedford Borough Council.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The Councils have no concerns at this stage but will review the Applicant's response so we can understand the issue fully.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from the Cambridgeshire authorities.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>N/A</p> <p>Where temporary access works are provided which may require traffic management to operate effectively and safely, these works may not be suited to permanent retention. Any temporary construction compound areas should be returned to previous condition</p>
<p>Applicant Comment:</p>	<p>This is noted and given Article 6(3) of the dDCO [REP1-003] requires the agreement of the local highway authority before any temporary works can be retained (where those temporary works would relate to the function of the local highway authority) and as such the local highway authority can determine at that stage whether it is appropriate for those temporary works to remain permanently.</p>

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<p>Q1.7.3.6 Article 7 – Planning permission</p> <p>Applicant, should (1) appear at the start of the first line?</p> <p>LPAs and Applicant, are there any extant Planning Permissions issued pursuant to the 1990 Act within he Order Limits that will be relevant under Article 7(2)?</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The Councils do not believe there are any relevant extant permissions, so far as they are aware from considering records within the time available.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from the Cambridgeshire authorities.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>N/A</p> <p>The below are relevant and relate to the AW archaeology:</p> <p>CB/20/04083/FULL</p> <p>CB/20/04185/FULL</p> <p>CB/20/04391/FULL</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Central Bedfordshire Council.</p>

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<p>Q1.7.3.7 Article 9(1) – Limits of deviation</p> <p>The Applicant proposes differing maximum limits of deviation, depending on the works number, represented by coloured shading on each works plan. Why has the Applicant not proposed a consistent, specific maximum distance limit of horizontal deviation in the dDCO (as has been adopted for vertical limits of deviation)?</p> <p>Do Local Authorities consider the approach taken to be acceptable? If not, explain why.</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>CCC as LHA makes a number of submissions in relation to the Applicant's approach to the limits of deviation at sections 3.15 to 3.24 of the Councils' Written Representation drawing from lessons learned from the A14 scheme and reference is made to those by way of response.</p>
<p>Applicant Comment:</p>	<p>Please refer the Applicant's response to REP1-048aa within the Applicant's comments on the Written Representations [TR010044/EXAM/9.21] for the detailed response to this points.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>N/A</p> <p>It is likely that detailed design would be subject to constraints on the horizontal plane which may vary between sections of the works. As such the extent of potential deviation may also vary.</p>
<p>Applicant Comment:</p>	<p>The Applicant reiterates that any horizontal deviation is restricted to the limits of deviation as shown on the Works Plans [APP-009 and APP-010].</p>
<p>Environment Agency (REP1-076):</p>	<p>We are concerned if any deviation encroaches horizontal or vertically into Flood Zone 3 for example compounds and Soil Storage Areas. This could have huge implications on flood risk mitigation proposed, flood paths, floodplain compensation areas and increased flood risk unless these issues can be addressed if any deviations are required. Therefore, we request that appropriate provisions are included in the DCO to ensure we are consulted upon (and agree proposals) for any deviation where they are over or within:</p> <p>Flood Zone 3 (where floodplain is impacted or encroached into)</p> <p>Main River – River Great Ouse and any existing or new structures associated with it and encroachment into all proposed floodplain compensations areas.</p> <p>Whilst we expect these issues to be addressed through the detailed design stage we need these to be secured as a protective provision or</p>

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	requirement within the DCO.
Applicant Comment:	The Applicant will be engaging with the Environment Agency on this matter and is currently preparing a Note to supplement the Flood Risk Assessment [APP-221] that will be submitted at a future deadline.
<p>Q1.7.3.10 Article 13 – Construction and maintenance of new, altered or diverted streets and other structures</p> <p>Applicant, explain the meaning of “from its completion”; what would determine “completion” of any highways that would be constructed under this Order? Where is this described, and where in the dDCO is the meaning of ‘completion’ secured?</p> <p>LHAs, do you have any concerns with the provisions in Article 13?</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>Cambridgeshire County Council as local Highway Authority (LHA) has a number of concerns with Article 13. Unfortunately, the Applicant did not share this drafting with the Council before the submission. In principle, the LHA requires a formal, agreed process of handover covering any new assets, or detrunked assets. This should include the agreement in writing of any design where the LHA will be adopting a new asset and an agreed process for this including inspections, road safety audits, and handover on a date agreed with the Applicant. It is essential to make sure that acceptable designs and standard are agreed, used and complied with on any adoptable assets to minimise any future maintenance costs or impacts. Cambridgeshire County Council as LHA requires certain amendments to the draft DCO to ensure that new roads and de-trunked roads are not vested in the Council as LHA as a matter of law until the Highway Authority has certified that it is satisfied with the construction and condition of the new road / de-trunked road. The Council has recently shared its suggested amendments with the Applicant and hopes to be able to present an agreed set of amendments to the Examination in due course. These amendments will need to be supplemented by a legal agreement between the Council as Highway Authority and the Applicant to provide for the detailed implementation of the provisions, for example as to advance notice that a local road is due to be complete or that detrunking is due to occur and to agree between the parties the relevant standards to apply. We set out below some further detail on the nature of the amendments that will be sought to the draft DCO.</p> <p>Article 13 of the draft DCO offers no detail on the processes related to certifying that the works completed by the undertaker are to the satisfaction of the LHA. This is a crucial element of the LHA’s interaction with the scheme. From experience of the delivery phase of the A14 improvement works it is notable that the absence of an agreed process for certification of new local highways caused delays in the transfer of some of the completed new highway assets to CCC, until such time that a process was agreed between CCC and the A14 Integrated Delivery Team. CCC requires that a formal process is agreed for the certification by the LHA that new and amended local highways are satisfactorily completed and are suitable for adoption. 3.5</p> <p>Article 13 of the draft DCO also makes no reference to the transfer of new highway asset data to the LHA. This element of the works is essential to enabling the LHA to accurately record new highway assets, to understand and manage the new maintenance burden it has inherited, and to comply with statutory requirements regarding the documentation and publication of highway network information. Further</p>

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	<p>details are required on the timeline within which CCC can expect to receive asset data for transferred infrastructure, and a commitment to provide this information. The LHA requires express provision in the draft DCO (APP-025) on this matter, which can be supplemented by detail set out in the agreement between the LHA and the Applicant. 3.6</p> <p>Article 13(3) of the draft DCO appears to be a repeat of article 13(2), as footpaths, cycle tracks and bridleways are all highways. The LHA considers it likely that this article is intended to address NMU routes that share a surface with private vehicular means of access. For reference, the equivalent article in the A14 DCO reads: <i>“(3) Subject to paragraphs (6), (7) and (8), where a footpath, cycle track or bridleway is altered or diverted under this Order along a vehicular private means of access, the altered or diverted part of the highway must, when completed to the reasonable satisfaction of the highway authority and unless otherwise agreed in writing, be maintained (including any culverts or other structures laid under that part of the highway) by and at the expense of the person or persons with the benefit of the vehicular private means of access”</i>. The issue of NMU routes running over private accessways does not appear to be addressed elsewhere in the draft DCO, and therefore this appears to be an error of drafting. The LHA seeks the correction of the wording of this article.</p> <p>It is welcomed that article 13 parts 7, 8 and 9 explicitly outline the areas of future responsibility for different parts of bridge structures. Notwithstanding this, CCC objects to the wording of article 13 subsection 9. It is unreasonable for CCC to assume maintenance responsibility for the surface of a shared private vehicular access that also carries public foot, equestrian or cycle traffic, given that liability for a vehicular surface is far higher than that for a nonmotorised user (NMU) route. It is requested that this section of the draft DCO is re-worded so that the surface of the shared private vehicular access is maintained by the persons with the benefit of that vehicular access or by the Applicant. The latter position is the case in the A14 DCO where article 11(8) provides: <i>“In the case of a bridge constructed under this Order to carry a private right of way (whether or not it also carries a footpath, cycle track or bridleway), the surface of the street and the structure of the bridge must be maintained by and at the expense of the undertaker”</i>. Such an amendment would accord with the position in other recent Highways England DCOs.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes that the Cambridgeshire Authorities have included the above points within its Written Representation to which the Applicant has responded in detail including in response to REP1-048z and REP1-048ab within the Applicant's comments on the Written Representations [TR010044/EXAM/9.21].</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>N/A</p> <p>Confirmation of the meaning of 'Completion' is required, i.e.: whether this allows for a maintenance period to identify potential defects.</p> <p>The completion should be 12 months after the works have been finalised, which would be extended for a further 12 months from the final date of any remedial works.</p> <p>This period would allow for Highway England to address any snagging issues. It will allow Highways England to monitor asset performance within the one year guarantee period provided by their works contractor. If there are any performance issues, Highways England would be</p>

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	able to send their contractor back to undertake remedial action.
Applicant Comment:	The Applicant and CBC are in discussions regarding the detail of a legal agreement that will set out the handover process between the parties. It is anticipated that any maintenance period will be reflected within that agreement.
<p>Q1.7.3.11 Article 14 – Classification of roads, etc.</p> <p>Applicant, explain the meaning of “<i>completed and open for traffic</i>”; what would determine the roads described in the dDCO are “completed” and ‘open for traffic’? Where is this described, and where in the dDCO is the meaning of “completed” and “open for traffic” secured?</p> <p>Should “authorised vehicle” be defined in Article 2? Explain giving reasons, and provide suitable wording.</p> <p>LHAs and LPAs, do you have any concerns with the provisions in Article 14?</p>	
Bedford Borough Council (REP1-043):	BBC feel the definition of completed and open for traffic should be more explicit.
Applicant Comment:	The Applicant maintains its position as set out in the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022].
CCC/HDC/SCDC (REP1-051):	<p>The draft DCO (APP-025) at article 14(8) states that “the roads described in Part 8 (roads to be de-trunked) of Schedule 3 are to cease to be trunk roads” on a date determined by the Applicant. This article does not include any reference to the prior agreement of the LHA regarding the timing of the de-trunking, or that the de-trunked road and related infrastructure is in an acceptable condition at the proposed point of de-trunking. It is also unclear whether the Applicant intends to de-trunk all of the road at once, or in sections. This has the potential to place a significant burden on the LHA with insufficient notice. CCC requires article 14(8) be amended to provide that de-trunking will not take effect until the LHA’s consent is signified. As part of that a formal de-trunking process should be outlined by the Applicant for agreement with the LHA, including a Handover Plan that includes, but is not limited to:</p> <ul style="list-style-type: none"> the assets that make up the road to be de-trunked; the expected condition of highway assets upon de-trunking; the maintenance activities to be taken between the making of the Order and the de-trunking date; the timeline for works to be undertaken prior to de-trunking; and

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	<p>the extent of highway and location of boundaries of the road to be de-trunked.</p> <p>Advanced understanding of such a plan is essential to CCC in planning its future maintenance activities and funding requirements. Furthermore, agreeing such a plan at an early stage is central to ensuring that the eventual handover of the de-trunked road proceeds efficiently and on time. In respect of the de-trunking of the old A14 (now the A1307), a de-trunking Handover Plan was not agreed at an early stage and the lack of clarity that ensued over this matter resulted in the de-trunking date being repeatedly delayed.</p> <p>Article 14(7) Classification - Certification process for PROW - cross referencing of works - CCC notes that this provision sets out how NMU routes are to come into being. CCC questions why this delivery mechanism is set out in the article dealing with classification of streets, particularly as Schedule 3 Part 7 lists all NMUs to be created. Wherever it sits in the DCO, this provision needs to refer to Schedule 4 Part 2 where a substitute is to be provided and the LHA requests that the Applicant explains the interaction between Art.14(7) (and Schedule 3 Part 7) and Art. 18(2) (and Schedule 4 Part 2). The LHA needs absolute clarity as to what works are going to be delivered. Further, CCC objects to the lack of a certification clause enabling sign-off by the LHA to their reasonable satisfaction before an asset is handed over to become their responsibility.</p> <p>Article 14(7) Classification - Timing and implementation mechanism for new/amended PROW - CCC experience with the A14 is that works are completed at very different times. Therefore, unless it is intended for nothing to be opened until the whole scheme is certified as complete, the wording should be accordingly amended.</p> <p>Article 14(7) – Incorrect reference - It is the Local Highway Authority that is responsible for highways, not the Local Planning Authority. The wording needs to be corrected to 'street authority'.</p> <p>The Council has recently shared its suggested amendments with the Applicant in relation to article 14 and hopes to be able to present an agreed set of amendments to the Examination in due course.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes that the above points were also raised by the Cambridgeshire Authorities in its Joint Written Representation [REP1-048]. As such, please refer to the Applicant's comments on the Written Representations [TR010044/EXAM/9.21] at the response to REP1-048z, REP1-048aa and REP1-048bb.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>N/A.</p> <p>N/A.</p> <p>Yes, it is not clear and specific and needs more clarity and the vehicle type needs to be clearly defined and written in an order. CBC request discussion with HE on this.</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's comments on other parties' responses to first round of written questions

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Applicant Comment:	The Applicant maintains its position as set out in the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022].
Q1.7.3.13 Article 20 – Clearways, prohibitions and restrictions Are LHAs in agreement with the intended role and powers of a Traffic Officer? If not, explain why.	
Bedford Borough Council (REP1-043):	BBC are in agreement with the provision of this role.
Applicant Comment:	The Applicant notes the response from Bedford Borough Council.
CCC/HDC/SCDC (REP1-051):	Yes.
Applicant Comment:	The Applicant notes the response from the Cambridgeshire authorities.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	Yes
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.

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<p>Q1.7.3.14 Traffic Manager responsibilities</p> <p>CCC describe the Traffic Manager responsibilities in the dDCO as being unacceptable [RR-013], provide more detail, including appropriate referencing and any suggested amendments.</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>CCC operates a permit scheme for roadworks and streetworks. It is requested that the undertaker in the DCO is required to submit permit applications to CCC to enable CCC to effectively co-ordinate its network in addition to the DCO process and subsequent construction.</p> <p>Should CCC need to administer any TTROs on CCC's network to facilitate the undertaker's work then CCC would request that the Applicant meets these costs.</p> <p>17(6) needs to be revised to a longer period, with rejection in the event of no response, not acceptance.</p>
<p>Applicant Comment:</p>	<p>The Applicant will ensure early engagement with LHA on road space bookings on their network to enable CCC to effectively co-ordinate its network. Where works are required on the network outside the Order limits the Applicant will submit permit applications to CCC.</p> <p>A permit application will also be made for works within the Order limits of the scheme. This permit application will be made for all LHA roads within this area for the full duration of the works using a similar approach to that agreed and implemented with CCC previously on the A14 Project.</p> <p>The Applicant is of the view that a longer period is not necessary and notes that the period of 28 days with a deemed approval if no response has been received has been accepted on other made Development Consent Orders including the M20 Junction 10A Development Consent Order 2017 and the A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016. The drafting of this Article is necessary in order to ensure the efficient delivery of the Scheme and the Applicant cannot see any reason why on this Scheme this approach should not also be followed.</p>
<p>Q1.7.3.15 Article 22(4) – Protective work to buildings</p> <p>Is 14 days adequate notice for the undertaker to serve notice on the owners and occupiers of the building of its intention of carrying out protective works under this article, specifying the works proposed to be carried out?</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>No. A longer period would be more appropriate.</p>

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Applicant Comment:	The Cambridgeshire Authorities have not provided any justification for a longer period nor any indication of what that period may be and as such the Applicant remains of the view that the 14 day notice period is sufficient for the purposes carrying out protective works to buildings. This is particularly the case given the purpose of this power is one of protection. If a longer period is required by the Cambridgeshire Authorities the Applicant would welcome detail on this including any period it would propose and a justification for this.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	Yes
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.
<p>Q1.7.3.17 Article 23 - Authority to survey and investigate the land</p> <p>Comment on the provision in Article 23(1) for the undertaker to, for the purposes of the construction, operation or maintenance of the authorised development, enter any land which is adjacent to, but outside the Order limits.</p> <p>In Article 23(2), is 14 days adequate notice for the undertaker to enter land and place equipment for the purposes of survey or investigation? Applicant to comment.</p>	
CCC/HDC/SCDC (REP1-051):	The Councils have no comment at this time but reserve the right to do so in future responses.
Applicant Comment:	The Applicant notes the response from the Cambridgeshire authorities.

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Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>Agree with the provisions. Yes.</p>
Applicant Comment:	<p>The Applicant notes the response from Central Bedfordshire Council.</p>
National Farmers Union (REP1-084):	<p>The NFU would like further clarification as to why HE will need to undertake surveys and investigate land outside of Order Limits and what is considered 'adjacent to '?</p> <p>The NFU after checking the wording of other DCOs believes that this is not normally requested and the DCO will only allow the undertaker to enter land within the Order limits which is affected by the authorised scheme to carry out any surveys or investigation.</p> <p>Further under Article 2: Interpretation, there is no meaning of the word "adjacent".</p> <p>The NFU sees no reason as to why HE for this scheme should be allowed to undertake surveys and investigation work on land, which is adjacent to, but outside of the Order limits. The NFU would like this wording to be deleted.</p> <p>Article 23 (2): The NFU would like to raise the issue that it is not whether 14 days is adequate notice for the undertaker to enter land and place equipment but whether 14 days' notice is adequate notice for affected persons (landowners and famers) for example to be able to move livestock or delay drilling. On other DCO schemes that NFU has secured that 28 days notice would be given where a derogation may be needed in regard to an environmental scheme.</p>
Applicant Comment:	<p>In relation to the point regarding the extent of the power provided for in Article 23 of the dDCO [REP1-003], the Applicant has provided a response to this point in the Applicant Comments to Relevant Representations [REP1-021]. In addition, the Applicant maintains its position as set out in the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022].</p> <p>In addition to the above the Applicant has been asked to address this point in response to Hearing Action 14 arising from Issue Specific Hearing 3 and as such a more detailed response can be found in the Applicant's response to actions arising out of Issue Specific Hearing 3 Action [TR010044/EXAM/9.33].</p> <p>The Applicant maintains its position that 14 days' notice is sufficient as articulated by the Applicant in response to this question and set out in the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022]. In addition to the response provided previously, the Applicant would also reiterate that should there be any specific landowners who have a particular need for an</p>

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	<p>additional period this will be considered by the Applicant on a case by case basis but this should not be justification for imposing a longer notice period across the Scheme within Article 23 of the dDCO [REP1-003]. Imposing a longer notice period across the Scheme would have a significant effect to the construction programme and would impact on the Applicant's ability to deliver the Scheme as quickly as possible to limit the overall duration of the construction period.</p>
<p>Deloitte on behalf of The Church Commissioners for England (REP1-094):</p>	<p>1.2.8 Q1.7.3.17 requests comment on the provision in Article 23(1) for the undertaker to, for the purpose of the construction, operation or maintenance of the authorised development, enter any land which is adjacent to, but outside of the Order limits.</p> <p>1.2.9 Article 23(1)(b) is of particular concern to CCfE given the extremely broad power sought, which includes for excavations and the retention of apparatus. The extent of this power is not justified.</p> <p>1.2.10 Furthermore, providing only 14 days' notice of entry is required, which could have adverse implications for farming practices on CCfE interests.</p>
<p>Applicant Comment:</p>	<p>In relation to the point regarding the extent of the power provided for in Article 23 of the dDCO [REP1-003], the Applicant has provided a response to this point in the Applicant Comments to Relevant Representations [REP1-021]. In addition, the Applicant maintains its position as set out in the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022].</p> <p>In addition to the above the Applicant has been asked to address this point in response to Hearing Action 14 arising from Issue Specific Hearing 3 and as such a more detailed response can be found in the Applicant's response to actions arising out of Issue Specific Hearing 3 Action [TR010044/EXAM/9.33].</p> <p>The Applicant maintains its position that 14 days' notice is sufficient as articulated by the Applicant in response to this question and set out in the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022]. In addition to the response provided previously, the Applicant would also reiterate that should there be any specific landowners who have a particular need for an additional period this will be considered by the Applicant on a case by case basis but this should not be justification for imposing a longer notice period across the Scheme within Article 23 of the dDCP [REP1-003]. Imposing a longer notice period across the Scheme would have a significant effect to the construction programme and would impact on the Applicant's ability to deliver the Scheme as quickly as possible to limit the overall duration of the construction period.</p>

No.	Question/Applicant Comment
	<p>Q1.7.3.21 Article 40 – Temporary use of land for carrying out the authorised development and Schedule 7 – Land of which temporary possession may be taken</p> <p>List the plots effected by Article 40(1)(d), and indicate if you have or have not reached agreement with landowners.</p> <p>In Article 40(3)(a), what determines “the date of completion of the part of the authorised development specified in relation to that land” and where is this secured?</p> <p>Applicant provide justification for the significant exclusions listed in Article 40(4)(a)-(f).</p> <p>Affected Persons, comment on Article 40(4) and 40(7) if it effects your plot.</p>
<p>Deloitte on behalf of The Church Commissioners for England (REP1-094):</p>	<p>1.2.11 Part ‘d’ of Q1.7.3.21 is directed towards Affected Persons and requests comment on Article 40(4) and 40(7). Schedule 7 identifies the land of which temporary possession may be taken, in specific relation to CCfE interests this includes Plots 13/4g, 13/4k, 13/10a, 13/10e, 13/11a, 14/6c, 14/6d, and 14/7c.</p> <p>1.2.12 As detailed in response to Q1.5.2.3 and WR submitted on behalf of CCfE, a Framework Agreement can enable the Applicant to access the plots in an agreed form to carry out the development. This would enable the impact of the development to be properly understood and the impacts managed by CCfE, mitigating the concerns of CCfE. Discussions regarding a Framework Agreement are ongoing between CCfE and the Applicant.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes that these points were also raised by CCfE in their Written Representations and Responses to the ExA's First Written Question [REP1-094] and the Applicant's more detailed response to this point regarding the Framework Agreement is reflected in the Applicant's comments on the Written Representations [TR010044/EXAM/9.21].</p>
	<p>Q1.7.3.22 Article 40 – Temporary use of land for carrying out the authorised development and Article 41 – Temporary use of land for maintaining the authorised development</p> <p>Why is the notice period 14 days in Article 40 and 28 days in Article 41, given that both Articles make provision for the undertaker to take temporary possession of land?</p> <p>Is 14 days adequate notice for the undertaker to take temporary possession of land? Explain with reasons.</p> <p>Do you mean paragraph (6) rather than paragraph (5) in EM [APP-028, paragraph 4.1.152]?</p> <p>Where is “<i>so long as may be reasonably necessary</i>” in Article 41(5) determined for all plots effected by this provision? If it is determined by Article 41(13), then where is “<i>the date on which that part of the authorised development is first opened for use</i>” determined?</p>

No.	Question/Applicant Comment
National Farmers Union (REP1-084):	The NFU as above would like to raise the issue that it is not whether a 14 day notice is adequate for the undertaker to take temporary possession of land but whether a 14 day notice is adequate notice for a landowner/farmer to be able to vacate that area of land and minimise the impact on the farm business. As highlighted in the outline representation submitted by the NFU experience from other schemes is highlighting that 14 day notice is not adequate, and it is requested that 28 day notice has to served. The NFU would like to see HE agree to this and for it to be changed in the draft DCO. HE has stated in a response to the NFU that landowners will be given prior notice via consultation to the 14 day notice being served. If it is possible to give prior notification, then the NFU sees no reason as to why a 28 day notice cannot be served.
Applicant Comment:	The Applicant has provided a response to this point in the Applicant's Responses to Relevant Representations [REP1-021]. The Applicant maintains its position that 14 days notice is sufficient as articulated by the Applicant in response to this question and set out in the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022]. In addition to the response provided previously, the Applicant would also reiterate that should there be any specific landowners who have a particular need for an additional period this will be considered by the Applicant on a case by case basis but this should not be justification for imposing a longer notice period across the Scheme within Article 40 of the dDCO [REP1-003]. Imposing a longer notice period across the Scheme would have a significant effect to the construction programme and would impact on the Applicant's ability to deliver the Scheme as quickly as possible to limit the overall duration of the construction period.
<p>Q1.7.3.23 Article 55 – Traffic regulation</p> <p>Who will determine the date of “opening of the authorised development for public use” referred to in Article 55(3) and (7), and how? Where is this set out and secured?</p> <p>Traffic Authorities to comment?</p>	
Bedford Borough Council (REP1-043):	BBC will require dates for the implementations of TROs.
Applicant Comment:	Article 55 of the dDCO [REP1-003] requires the consent of the traffic authority in whose area the road concerned is situated in exercising the powers under this Article. The Applicant believes this should address the point made by BBC.

No.	Question/Applicant Comment
CCC/HDC/SCDC (REP1-051):	The 'authorised development' comprises all development authorised in the draft Order, not just the development set out in Schedule 1. Different aspects of the authorised development will be open for public use at different times and so this phrase is ambiguous. The LHA invites the Applicant to clarify how these provisions will function and to provide draft revised drafting accordingly.
Applicant Comment:	The Applicant does not agree that there is ambiguity within the drafting of Article 55 of the dDCO [REP1-003] and notes that this drafting has long present in consented highways development consent orders as set out in paragraph 4.1.197 of the Explanatory Memorandum [REP1-005]. Should the Cambridgeshire authorities have a particular concern or proposed drafting for this Article the Applicant would be willing to discuss this point further with them.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	CBC would request clarity on this matter from HE.
Applicant Comment:	While the Applicant is of view that this Article 55 should remain as drafted the Applicant is happy to engage further with CBC on this point if further explanation is required.
<p>Q1.7.3.24 Article 58 – Works in the River Great Ouse</p> <p>Why are there word in brackets () in Article 58(1) and (2)?</p> <p>Does the EA have any comments on the provisions of Article 58?</p>	
Environment Agency (REP1-076):	<p>We are in discussion with the Applicant with regards the wording of Article 58. With relatively minor changes, we are hopeful that we can agree Article 58.</p> <p>In terms of detail, we have asked that a definition of "emergency" is included in Article 58 and understand that the Applicant is amenable to this. Emergency is relevant in the context of enabling the Applicant to temporarily suspend navigation rights without separate approval from the EA and upon giving such public notice as is reasonably practicable.</p>
Applicant Comment:	Noted and discussions with the Environment Agency are ongoing regarding finalising the drafting of Article 58 and it is anticipated that agreed drafting will be achieved shortly.

No.	Question/Applicant Comment
Q1.7.5	Requirements
<p>Q1.7.5.3 Requirement 11 – Traffic management</p> <p>The ExA is concerned about the use of the phrase ‘substantially in accordance’ in Requirement 11. Does this indicate that there could be changes to outline CTMP after Examination, and before commencement? Comment or revise.</p>	
CCC/HDC/SCDC (REP1-051):	CCC has some outstanding concerns with the outline CTMP which are being discussed with Highways England. CCC also requests prior approval of the final CTMP where it applies to CCC's network pursuant to Requirement 11 rather than simply being consulted.
Applicant Comment:	In accordance with Requirement 11, CCC will be consulted on the Traffic Management Plan that will be approved by the Secretary of State. Given this consultation role, it is the Applicant's view that it is not necessary for CCC to have any further approval role in relation to the Traffic Management Plan.
<p>Q1.7.5.4 Requirement 12 – Detailed design</p> <p>Should this secure the Engineering sections?</p> <p>Should this include requirement for design principles and detailed design proposals for structural elements of the Proposed Development, such as bridges, viaduct, gantries, and underpasses, and other fixtures, such as street lighting, signages and railings?</p> <p>NPS NN states that design should be an integral consideration from the outset of a proposal, and Applicant should demonstrate how the design process was conducted and how the proposed design evolved. Should this requirement secure such a design development process for elements that are not yet in the Application material?</p> <p>LPAs, are there local design policies that would be relevant for the design development process, and design outcomes, particularly in areas that will affect conservation areas and sensitive landscapes? Should the EMP and Requirement 12 make reference to these local design policies? Applicant to comment.</p>	
CCC/HDC/SCDC (REP1-051):	Within the development plans of the Cambridgeshire Authorities are design principles in relation to the protection and enhancement of the built and natural environment that should be considered as part of the design principles of development. Policy NH/2 of the South Cambridgeshire Local Plan 2018 ⁷ requires that development is only permitted where it respects and retains or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located. Policy LP 31 of the Huntingdonshire Local Plan 2019 ⁸ sets out the Council's approach to protecting existing trees, woodlands, hedges and hedgerows particularly those of visual, historic or nature conservation value, from the impacts of development and to halt the loss of trees in Huntingdonshire.

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	<p>To assist in retaining the distinctive nature of the South Cambridgeshire landscape the Council provides more detailed guidance about landscape character areas in the District Design Guide Supplementary Planning Document (SPD)⁹ and the Landscape in New Developments SPD¹⁰ to ensure that development respects both the distinctiveness of these National Character Areas and the more detailed local landscapes.</p> <p>Policy LP 12 of the Huntingdonshire Local Plan sets out the Council's approach to achieving high standards of design in relation to an area's character and identity. In addition, The Huntingdonshire Design Guide SPD (2017)¹¹ sets out important design principles to help create successful new development. Its aim is to influence and raise the quality of design and layout of new development in Huntingdonshire, by providing practical advice to all those involved in the design and planning process on what the Council considers to be good, environmentally friendly and sensitive design. The Design Guide SPD is to be used alongside the Huntingdonshire Landscape and Townscape Assessment SPD (2007)¹² (or successor documents) which details the typical townscape features of the towns, their structural traits, characteristic architectural styles and the locally used materials.</p> <p>It is considered that the Applicant should consider the principles set out in the above policies as part of the EMP.</p> <p>The Councils agree that there should be a requirement for design principles and detailed design proposals for structural elements of the proposed development and that this should be an integral consideration from the outset of the proposal. The EMP and Requirement 12 should refer to local design policies and planning documents including policies LP 11 Design Context and LP 12 Design Implementation of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Landscape and Townscape SPD 2017, the Huntingdonshire Design Guide SPD 2017 or successor documents. LP 5 Flood Risk, LP6 Waste Water Management, LP34 Heritage Assets and their Settings, LP37 Ground Contamination and Groundwater Pollution, LP 30 Biodiversity and geodiversity and LP 31 Trees, Woodland, Hedges and Hedgerows of Huntingdonshire's Local Plan to 2036 should also be taken into account as a minimum to address any impacts that design may contribute towards.</p> <p>Q1.7.5.4 a) We strongly support the securing of Engineering Sections within Requirement 12</p> <p>Q1.7.5.4 b) We strongly support the inclusion of these details in Requirement 12.</p> <p>Q1.7.5.4 d) - Huntingdonshire District Council has the SPDs Landscape and Townscape Assessment, and Design Guide, and - South Cambridgeshire District Council has the District Design Guide and Landscape Character Assessment 2021 that should be referenced in the EMP and Requirement 12.</p>

No.	Question/Applicant Comment
	<p>The Councils make detailed comments in relation to highway design at section 4 of their Written Representation and refers to these comments by way of response.</p> <p>⁷ https://www.scambs.gov.uk/media/17793/south-cambridgeshire-adopted-local-plan-2018.pdf</p> <p>⁸ https://huntingdonshire.gov.uk/media/3872/190516-final-adopted-local-plan-to-2036.pdf</p> <p>⁹ https://www.scambs.gov.uk/planning/local-plan-and-neighbourhood-planning/district-design-guide-spd/ ¹⁰ https://www.scambs.gov.uk/media/6688/adopted-landscape-spd.pdf</p> <p>¹¹ https://www.huntingdonshire.gov.uk/media/2573/huntingdonshire-design-guide-2017.pdf</p> <p>¹² https://www.huntingdonshire.gov.uk/media/1240/landscape-guide.pdf</p>
<p>Applicant Comment:</p>	<p>The Applicant confirms that the policies and guidelines outlined by the Councils have been considered in developing the landscape vision strategy and design principles. The Applicant has drawn reference from the Huntingdonshire Landscape and Townscape Assessment SPD (2007) in defining the Local Landscape Character Areas (LLCA), including the key issues related to district level landscape character areas. These LLCAs formed the basis of the assessment of landscape effects of the Scheme and are described in detail in Appendix 7.3 of Chapter 7 of the Environmental Statement [APP-181]. The LLCAs were agreed with the relevant local authorities before submission of the Application.</p> <p>The Environmental Masterplan [APP-091] illustrates the extensive mitigation that is proposed to mitigate landscape and visual effects. The landscape strategy and Appendix A of Annex L of the First Iteration Environmental Management Plan [APP-234] explain this further, with specific reference to the Huntingdonshire Landscape and Townscape Assessment SPD (2007).</p> <p>This mitigation has been informed by local policy and guidance, including the Huntingdonshire Landscape and Townscape Assessment SPD. The Council's note in their Local Impact Report the positive impacts, noting that "extensive areas of mitigation planting will be established along the route which will enhance the local and national landscape character, reconnect some areas of fragmented woodland, and provide structure and screening for the route in the long term". The Applicant considers that the Application has fully addressed Policy LP11 Design Context of the Huntingdonshire Local Plan to 2036. The Applicant has submitted a document at Deadline 3 which addresses design issues, including with regard to structures (Scheme Design Approach and Design Principles [TR010044/EXAM/9.26]).</p> <p>Policy LP 34 Heritage Assets and their Settings is considered in Chapter 6, Cultural Heritage [APP-075] of the Environmental Statement. The chapter, supported by a number of appendices, details the baseline position of the Scheme, and impacts on heritage assets and, where relevant, their setting, are considered in Section 6.9 of that document.</p> <p>Policy LP37 is addressed in Chapter 9 Geology and Soils of the Environmental Statement and in a Groundwater Risk Assessment being prepared in discussions with the Environment Agency. An initial desk study did not identify any potentially contaminated sites that would be</p>

No.	Question/Applicant Comment
	<p>disturbed by the Scheme. A ground investigation and subsequent groundwater quality monitoring have not identified any areas of contaminated land within the Order Limits. Groundwater quality monitoring has not identified any areas of contaminated groundwater that may be impacted by the Scheme.</p> <p>The risk of groundwater contamination during Scheme construction is addressed in the First Iteration Environmental Management Plan [APP-234], which is being developed for the Scheme and will include embedded mitigation measures to minimise the risk to groundwater and surface waters from the use of potentially contaminative substances.</p> <p>Policy LP5 Flood Risk relative to design principles and detailed design proposals for structural elements is to be applied by the application of the relevant Design Manual for Roads and Bridges (DMRB) design codes such as LA 113, CD 522, CG 501 and CD 529. Flood Risk elements of Scheme structures such as culverts greater than 900mm in diameter are addressed in the ES in the Flood Risk Assessment Appendices [APP-221] [APP- 222] and [APP-223].</p> <p>The Applicant does not accept that there should be any changes as a result of this response from the Cambridgeshire Authorities.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Yes; Policy EE5 – Central Bedfordshire Local Plan 2015 – 2035.</p>
<p>Applicant Comment:</p>	<p>The Applicant confirms that the policies and guidelines outlined by Central Bedfordshire Council have been considered in developing the landscape vision strategy and design principles set out in the First Iteration Environmental Management Plan [APP-234]. The Applicant has submitted a document at Deadline 3 which addresses design issues, including with regard to structures (Scheme Design Approach and Design Principles [TR010044/EXAM/9.26]).</p>

No.	Question/Applicant Comment
Environment Agency (REP1-076):	<p>We would like the applicant to demonstrate how, at detailed design phase, they will ensure that there is no exceedance of flood levels as set out in the Flood Risk Assessment (FRA); where at detailed design phase amendments needs to be made and that there is no materially new or materially different environmental effect? The FRA mentions in several places that some increases in flood levels can easily be eliminated in the detailed design phase such as viaduct or flood compensation (FRA section 8.2.7), how? We would like this process to be explained.</p> <p>The Following Requirement is suggested, as used in the A14 DCO, to secure any flood risk amendments required at detailed design stage:</p> <p>Subject to sub-paragraph (2), the authorised development must be carried out in accordance with the flood risk assessment, including the mitigation measures detailed in it, so that no part of the authorised development is predicated to result in any exceedance of the flood levels to properties and land shown in the flood risk assessment.</p> <p>Sub-paragraph (1) does not apply in any circumstance where the undertaker proposes to carry out a part of the authorised development otherwise than in accordance with the flood risk assessment and either demonstrates to the Environment Agency's satisfaction that the part of the authorised development concerned would not result in an exceedance of the flood levels shown in the flood risk assessment or demonstrates that all affected landowners accept the predicated exceedance of the flood levels shown in the flood risk assessment.</p> <p>Notwithstanding this, the FRA, as submitted, is not acceptable to us. There are a number of outstanding issues that need to be addressed, as set out in our Relevant Representations.</p>
Applicant Comment:	<p>The Applicant is engaging with the Environment Agency on this matter and is currently preparing a Note to supplement the Flood Risk Assessment [APP-221] that will be submitted at a future deadline.</p>
<p>Q1.7.5.6 Requirement 19 – Construction hours</p> <p>Requirement 19(2) provide widely drawn exceptions to defined construction hours, in particular (k), (m), and (n), which could enable general construction activities. Provide justification. Local Authorities to comment.</p>	
Bedford Borough Council (REP1-043):	<p>Where construction activities occur in close proximity to Noise Sensitive Receptors, operation of extended construction hours may have a negative impact on amenity for residents over a significant period of time. S61 consent orders may be more appropriate than DCO extended hours as they would allow consideration for sensitive receptors.</p>
Applicant Comment:	<p>Paragraph 2.6.245 of Chapter 2: The Scheme of the Environmental Statement [APP-071] confirms that Section 61 consents would be agreed with the relevant local authority for any work required to be undertaken outside of core hours, except in the case of emergencies and exceptions set out in paragraph 2.6.246 of [APP-071].</p>

No.	Question/Applicant Comment
CCC/HDC/SCDC (REP1-051):	There seem to be two different versions of the construction hours in the Application. The Councils have some concerns about the exceptions, in particular (n). We will review the Applicant's response.
Applicant Comment:	<p>The Applicant can confirm that the construction hours for the Scheme are those set out in paragraph 2.6.244 in Chapter 2, The Scheme [APP-071] of the Environmental Statement. These construction hours mirror those contained in Requirement 19 of the dDCO [APP-025].</p> <p>The Applicant therefore requests clarification from CCC/HDC/SCDC on the inconsistencies observed and in which documents these have been noted.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>Restrictions will still apply and some works will not be out of these hours.</p> <p>The construction hours proposed are in excess of those prescribed within the CBC Construction Code of Practice for Developers and Contractors - details of which are available on the Council's website. CBC would expect works affecting communities within the authority area to be in accordance with the Council's Construction Code of Practice.</p> <p>It is noted that the exceptions to working hour limits are relatively broad, including deliveries, piling works and works associated with, or adjacent to, the Rail Line.</p> <p>CBC would wish to see deliveries subject to the same restrictions as other works, with the option of agreeing specific, rather than blanket, exceptions.</p>
Applicant Comment:	The Applicant is not willing to change the core working hours as set out in Chapter 2, The Scheme [APP-071] of the Environmental Statement, as these time periods are required in order to deliver the Scheme within the overall construction programme. A consequence of a change to the core working hours would be an extension to the construction programme. However, the Applicant is willing to engage in discussions with the local authorities so that agreements can be sought when working close to sensitive locations, such as residential properties, or where there are specific activities, such as during school exams, where noise from construction could potentially be minimised. Where appropriate, discussions will be held with local authorities on these matters during the detailed design stage where mitigation can be discussed in more detail. This engagement will be secured in the next revision to the First Iteration Environmental Management Plan [APP-234].

No.	Question/Applicant Comment
Q1.8	Diversion of high-pressure pipeline
Q1.8.3	Excavating the archaeological remains
	<p>Q1.8.3.1 Planning Permission for excavations</p> <p>The Applicant has stated that a planning application to excavate archaeological remains has been submitted to CBC [APP-158, paragraph 1.4.3]. CBC, provide an update on the status of the Planning Application.</p> <p>If the Planning application has been determined, provide a summary of conditions.</p> <p>CBC, is the Applicant's approach to these excavations in accordance with the Archaeological Mitigation Strategy [APP-238]?</p> <p>HistE, were you consulted on this application, and if so, what were your views, including with reference to the overall road scheme?</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Yes – Planning application reference CB/20/04185/FULL – Land to the West of Hills Farm, Station Road, Tempsford. Planning permission granted 8th April 2021.</p> <p>Condition 1 – 3-year time limit.</p> <p>Condition 2 – Approve Archaeological works and require post excavation survey to be submitted for approval.</p> <p>Condition 3 – If DCO is unsuccessful or is not progressed following approval the land will be reinstated as agricultural land.</p> <p>Condition 4 – Approved Plans.</p> <p>Conditions 5 & 6 – Construction and Environmental codes of practice.</p> <p>Condition 7 – Gas pipeline exclusion zone.</p> <p>at present there are some points in the AMS (APP-238) which requirement clarification in order to bring it into line with the archaeological mitigation that has already been agreed in relation to the planning permissions for the excavations granted by CBC. Following a meeting with the applicant and the LA Archaeologists on 12/08/2021 it is understood amendments will be made to APP-238</p> <p>This largely relates to the fact that at present there is some disparity between this document and the agreed scopes of work and approved written schemes of investigation relating to the investigation and recording of Site 4 (Field 34) and Site 7 (Field 44) associated with planning consent CB/20/04391/FUL and CB/20/04185/FUL</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's comments on other parties' responses to first round of written questions

No.	Question/Applicant Comment
Applicant Comment:	f) The Applicant notes this response from Central Bedfordshire Council. g) Following further consultation with CBC, the Archaeological Mitigation Strategy (AMS) [APP-238] has been updated in line with comments received from all three Local Planning Authorities and a revised version [TR010044/EXAM/9.23] has been submitted at Deadline 3.
Historic England (REP1-078):	We were notified by Highways England of their intention to submit an application but declined to comment. The matter is largely outside of Historic England's remit, and we were content to leave the matter with the Local Authority Archaeological Advisors. We were not subsequently consulted by the planning authority.
Applicant Comment:	The Applicant notes the response from Historic England.

No.	Question/Applicant Comment
Q1.9	Flood Risk
Q1.9.1	Sequential approach to route selection and design
<p>Q1.9.1.1 General</p> <p>Part of the Proposed Development would be located in Flood Zones 3a and 3b near to the River Great Ouse. Consequently, the scheme must pass the flood risk Exception Test. As essential infrastructure the scheme must also be designed and constructed to be operational and safe for users in time of flood and, should result in no net loss of floodplain storage and should not impede water flow (NPS NN, paragraphs 5.90 – 5.115)</p> <p>How was a sequential approach to flood risk used in determining the preferred route /junction design?</p> <p>For both Construction and Operational phases, have all reasonable opportunities to protect and promote biodiversity as part of scheme drainage and flood risk management been taken?</p> <p>EA, comment on the Applicant's approach.</p>	
<p>Environment Agency (REP1-076):</p>	<p>With regard to point (a): the selection of the preferred route option, each of the original three original options involved crossing the River Great Ouse south of St Neots, so all of these options would have had a similar impact on main river flood risk. All of these routes would have crossed the ordinary watercourse floodplains at some point. In the absence of detailed modelling of ordinary watercourses at the stage when we were consulted on these options, we were unable to assess which of the different options would have been better in terms of flood risk.</p> <p>With regard to the River Great Ouse crossing design, four options were presented to us, which are detailed in Annex A of the FRA. The preferred option was the one resulting in the smallest increase flood levels so was considered to be the best option in terms of flood risk. We were informed that other options were also considered but these all showed greater increases in flood risk. Although we asked to see details of these other options, this information was not provided to us. This information would have been useful for us to see whether there were any further net gain opportunities when crossing the River Great Ouse and its floodplain.</p> <p>With regard to point (b) we still need to confirm regarding the opportunities regarding biodiversity as part of the flood risk management of the scheme. The FRA does not mention this and therefore we welcome the applicant to give further details on this. With regard to scheme drainage the Lead Local Flood Authorities have assessed the surface water drainage of the scheme and may be able to comment on this element.</p>

No.	Question/Applicant Comment
Applicant Comment:	The Applicant notes the Environment Agency comments. Opportunities for biodiversity in terms of watercourses, ditches and flood risk are indicated in the Chapter 13, Road Drainage and the Water Environment [APP-082] of the Environmental Statement and Appendix 13.1 Water Framework Directive Assessment [APP-217].
<p>Q1.9.1.2 Flood Risk</p> <p>What are the implications of the Government's climate change allowances for flood risk, published on 27 July 2021, for the Proposed Development?</p> <p>Does the submitted Flood Risk Assessment (FRA) need to be updated in light of these climate change allowances and if so what would be the timescale for such an update?</p> <p>If the FRA needs to be updated, would this be likely to change the conclusions in the ES?</p>	
Environment Agency (REP1-076):	<p>a) We consider that the correct climate change allowances (CCAs) for the Anglian River Basin District have been used in the FRA. When the FRA was produced, the Environment Agency's climate change guidance indicated that the Upper End allowance should be used to assess the impact of climate change on peak river flows for essential infrastructure. In the Anglian River Basin District, the Upper End allowance for the 2080s was 65% while the Higher Central allowance was 35%. A 65% allowance has been used in the ordinary watercourse modelling and a 35% allowance has been used in the River Great Ouse modelling to determine flood risk impacts. However, the River Great Ouse modelling includes a 65% allowance as part of sensitivity testing.</p> <p>The new EA climate change guidance published on 27 July 2021 includes a refinement of allowances into smaller areas than before and are now based on river management catchments. It stipulates that the Higher Central allowance should now be used for essential infrastructure to assess the impact of climate change on peak river flow allowances. The new 'peak river flow climate change allowances by management catchment' table indicates that the Higher Central allowance for the Upper and Bedford Ouse catchment (western section of the scheme) for the 2080s is 30% and for Cam and Ely Ouse catchment (eastern section of the scheme) for 2080s is 19%. As such, the CCAs used for both the ordinary watercourses and the River Great Ouse are considered to be adequate and precautionary based on the new climate change allowances guidance.</p> <p>b) and c) Taking into account the precautionary climate change allowances used in the FRA, we will not be requesting any update to the FRA with regard to CCAs. Notwithstanding the CCAs agreement, we do not find the submitted FRA, dated 26th February 2021 Appendix 13.4, acceptable, as we still have a number of flood risk issues that need to be addressed as set out in our relevant representation. However the FRA does make mention of requirement 3 as set out in the dDCO and suggests that changes as part of the detailed design phase can be dealt with in the second iteration of the Environmental Management Plan. Yet we note we are not listed as a consultee within requirement 3 for any relevant changes. Given the FRA suggestion, we would like the Environment Agency to be added as a consultee for requirement 3(1).</p>

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Applicant Comment:	The Applicant notes the Environment Agency response to the reduction in Government Climate Change Allowances (CCA) and that the Flood Risk Assessment would not need to be updated for the change in CCA. The Applicant welcomes further consultation with the Environment Agency to resolve the flood risk issues that the Environment Agency consider needs to be addressed. The Applicant is to produce a Note for the Flood Risk Assessment that will seek to address the Environment Agency flood risk issues raised in the response questions and consultation between the Environment Agency and the Applicant which will be submitted at a later deadline.
Q1.9.2	Interactions between different sources of flooding
Q1.9.2.1 Grade separated junctions Has there been an assessment of the interactions between groundwater and surface water at the three grade separated junctions, the various underpasses and culverts, and, any geographical low points?	
CCC/HDC/SCDC (REP1-051):	<p>There are some areas along the course of the new dual carriageway where groundwater has been encountered in initial ground investigations at areas where cuttings and grade separated junctions are proposed, such as the Cambridge Road junction. The wording used in the report is as follows and is the same for all cuttings where groundwater is encountered to be a potential issue:</p> <p><i>“The ground investigation records (exploratory holes WS236 and WS237) contained in the Ground Investigation Report, Appendix 9.1 of Volume 3 of the Environmental Statement [TR010044/APP/6.3] indicate the presence of ground water in the location of the cutting in this catchment. Management of this will be considered during the detailed design stage after the groundwater level has been established. Groundwater monitoring is currently being undertaken for the Scheme.”</i></p> <p>No information has been provided with regards to how to manage this at this stage, deferring to the detailed design. CCC would welcome further information on anticipated action by Highways England once the results of the groundwater monitoring are available. CCC also refers to sections 4.10 and 14.3 of the Written Representation.</p>
Applicant Comment:	<p>The Scheme includes elements where groundwater dewatering will be required to facilitate construction. The main elements where dewatering will be required are the cuttings at Barford Road and Alington Hill and the Borrow Pits A and C. Due to the design of the A1 Black Cat Underpass, only limited and short-term dewatering will be necessary as the design has been developed to exclude groundwater from the underpass. On-going groundwater quality monitoring has not identified any areas of contaminated groundwater that may be impacted by the Scheme.</p> <p>A Groundwater Risk Assessment is being prepared in discussion with the Environment Agency to quantify the likely volumes of groundwater inflow to these scheme elements; the impact of the dewatering on groundwater and surface water levels and quality; and, the need for any mitigation to prevent adverse impacts.</p>

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	<p>In addition, a Construction Dewatering Strategy is being developed by the Applicant which will include measures to control groundwater and surface water inflows during construction; the disposal of this water; and, a programme of groundwater level and quality and surface water quality monitoring.</p> <p>These documents will be submitted at a later deadline.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>No</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Central Bedfordshire Council. Please refer to the comment provided above.</p>
<p>Environment Agency (REP1-076):</p>	<p>The submitted FRA has considered surface water flooding and groundwater flooding but it has not included an assessment of the interaction of groundwater and surface water.</p> <p>The applicant has presented assessments of the potential flood risks from groundwater and surface water in the Environmental Statement. However, it is proposed to discharge dewatering water from the scheme to surface waters during both the construction and operational phases. The likely magnitudes of groundwater ingresses requiring dewatering are currently subject to further assessment for some locations, and as far as we are aware there has been no formal quantitative assessment of the potential dewatering requirements based upon integration of groundwater and surface water ingresses.</p> <p>The Lead Local Flood Authorities may also be able to assist with this.</p>
<p>Applicant Comment:</p>	<p>The Scheme includes elements where groundwater dewatering and disposal will be required to facilitate construction. A Groundwater Risk Assessment is being prepared in discussion with the Environment Agency to quantify the likely volumes of groundwater inflow to these scheme elements; the impact of the dewatering on groundwater and surface water levels and quality; and, the need for any mitigation to prevent adverse impacts.</p> <p>In addition, a Construction Dewatering Strategy is being developed by the Applicant which will include measures to control groundwater and surface water inflows during construction; the disposal of this water; and, a programme of groundwater level and quality and surface water quality monitoring.</p>

No.	Question/Applicant Comment
<p>Q1.9.2.2 Black Cat Quarry</p> <p>Provide an update regarding the expected completion of the restoration of Black Cat Quarry, and an explanation of the implications of a delay to the quarry restoration works for the Proposed Development in terms of flooding and other relevant aspects.</p>	
<p>Environment Agency (REP1-076):</p>	<p>We would like to comment on this as we have concerns. The submitted FRA assumes that the Black Cat Quarry restoration works will be complete before commencement of the scheme. We understand restoration works are ongoing. However, if there is a delay to the completed quarry restoration and commencement of the road scheme starts within the floodplain then there could be implications as that scenario has not been modelled. We have an Issue on this matter within our Relevant Representation (Issue 1.7). It is paramount that either the restoration works are complete prior to commencement of the scheme or the FRA needs to be updated with the new scenarios and agreed with us prior to commencement.</p>
<p>Applicant Comment:</p>	<p>The Applicant can confirm that the response to Q1.9.2.2 within the Applicants Response to the Examining Authorities First Round of Written Questions [REP1-022], submitted at Deadline 1 applies in that: <i>'The Applicant expects that all restoration works at Black Cat Quarry will be completed before the expiry date of the temporary planning permission for the quarry, which is 7 October 2022, as set out in Bedford Borough Council's application reference: 15/02551/EIAWM.'</i></p> <p>The quarry restoration levels will therefore be in place before the start of Scheme construction works and validates the flood risk baseline watercourse modelling completed by the Applicant and associated Flood Risk Assessment [APP-220] conclusions and no further update to the FRA is required for the DCO. The Applicant is in ongoing discussions with the Environment Agency regarding the levels.</p>
<p>Q1.9.4 Climate Change resilience</p>	
<p>Q1.9.4.1 Climate Change</p> <p>Given the 60-year life of the scheme, has the correct CCA for the Anglian River Basin District been used, including in the Flood Risk Assessments [APP-221] [APP-222] and in the dDCO [APP-025]?</p> <p>Why is the River Great Ouse subject to a lower CCA than the ordinary watercourses?</p>	
<p>Environment Agency (REP1-076):</p>	<p>Section Q1.9.1.2 (a) has hopefully answered this. The FRA used epoch 2080s (including years 2070 to 2115) so we find this acceptable in terms of the lifetime of the development.</p>

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	The River Great Ouse CCA assessment did do 65% scenario run as a sensitivity test and the 35% allowance was acceptable at the time. The ordinary watercourses decided to be precautionary and use 65%. But given the new guidance is now 30% to 19% we find the 35% allowances used adequate.
Applicant Comment:	The Applicant notes and welcomes the Environment Agency comments and acceptance of the CCA used by the Applicant.
<p>Q1.9.4.2 Flood Risk and Pollution Control</p> <p>With reference to the Exception Test, does the FRA demonstrate that the project will be safe for its lifetime, without increasing flood risk elsewhere (NPS NN, paragraphs 5.90 5.115)?</p> <p>Will the users of the Proposed Development remain safe in time of flood, even when climate change is considered?</p> <p>Will the River Great Ouse replacement floodplain storage be adequate, including with regard to the ongoing quarry restoration works?</p> <p>Have all sources of flooding been adequately considered in this assessment, including in-combination effects and the likely effects of climate change?</p> <p>Have all reasonable opportunities been taken to reduce overall flood risk as part of the Proposed Development?</p> <p>Are the proposed pollution control mechanisms sufficient to protect the environment, including with regard to Climate Change?</p>	
Bedford Borough Council (REP1-043):	Council Flood Officer raises no objections.
Applicant Comment:	The Applicant notes the response from Bedford Borough Council.
CCC/HDC/SCDC (REP1-051):	CCC refers to section 14 of its Written Representation.
Applicant Comment:	The Applicant notes the response from the Cambridgeshire Authorities. Please refer to the Applicant's comments to the written representation [TR010044/EXAM/9.21].

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<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>A drainage strategy is required to ensure that surface water discharge from the site is attenuated on site, discharged at acceptable rates, and undergoes adequate water quality treatment whilst primarily preventing an increase in flooding on or off site.</p> <p>The submitted drainage strategy outlines the key parameters and standards that should be followed to generate a detailed, sustainable drainage design. The submitted Drainage Strategy Report (ES Appendix 13.3 (APP- 219)) addresses the core requirements of a drainage strategy:</p> <p>Manage surface water runoff from the development for up to and including the 1 in 100 -year event (+40% CC), whilst incorporating the use of SuDS.</p> <p>Discharge rate from the development will be limited to the equivalent greenfield 1 in 1 - year rate or Qbar discharge rate, as agreed appropriate by the Local Planning Authority or IDB. The use of SuDS has been designed in line with the CIRIA SuDS Manual (2015) and after consultation with the LLFA.</p> <p>The loss of Flood Zone caused by the placement of the new carriageway has been considered and accommodated for through the provision of flood zone mitigation areas that compensate for the original loss of area.</p> <p>Should the drainage strategy be delivered as specified on the ground then the flood risk posed to land, buildings and infrastructure within CBC should be negligible.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the authority acceptance of the drainage design principals set out in the Scheme drainage strategy [APP-219].</p>
<p>Environment Agency (REP1-076):</p>	<p>The FRA demonstrates that the risk of flooding to the scheme from fluvial sources is low providing the mitigation measures detailed in the FRA are adhered to. We have assessed the scheme from fluvial flood risk source only. Lead Local Flood Authority partners may wish to comment on the assessment from other sources of flood risk. As such, we are unable to comment on whether the FRA demonstrates that the project will be safe for its lifetime from all sources. The FRA demonstrates that in most places the development will not increase fluvial flood risk providing adequate floodplain compensation is provided prior to the construction of the relevant road sections. However, there is an exception of an area of agricultural land where flood depths are predicted to increase by up to 16mm. These issues have been raised in our Relevant Representation under issue 1.3 and 1.4.</p> <p>Similar to above, the flood risk from fluvial has been assessed within the FRA and used precautionary climate change allowances which demonstrate from this source the risk of flooding for the design events to be low, where the proposed flood mitigation measures are implemented. There will remain a residual flood risk where greater events, above the design criteria for a development, pose a risk.</p> <p>Answer to Question Q1.9.2.2 Black Cat Quarry may assist but we have concerns over the restoration of the Quarry as this is paramount to the flood mitigation put forward as part of the scheme. Our concerns are detailed under issue 1.7 of our relevant representation. If it cannot</p>

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	<p>be confirmed that the quarry restoration works will be completed prior to the commencement of works, we will need to see evidence that the proposed floodplain compensation area will function as detailed in the FRA.</p> <p>We have assessed the scheme from fluvial flood risk source only. The mitigation measures proposed in the FRA and the climate change allowances are considered adequate. However, we still have flood risk related concerns as set out in our relevant representation and overall the FRA is not acceptable. Lead Local Flood Authority partners may wish to comment on the assessment from other sources of flood risk.</p> <p>Opportunities to reduce flood risk to St Neots as part of the design of ordinary watercourse crossings for the scheme have been investigated as part of an Environment Agency net gain project, which Highways England is aware of. Opportunities to reduce flood risk overall should be further considered at the detailed design stage. We welcome the opportunity to work with Highways England and other Risk Management Authority partners to investigate flood risk net gain as part of this scheme.</p> <p>With regard to pollution control the FRA does not mention this. However, the proposed mechanisms in other documentation are satisfactory with regard pollution prevention measures. As long as the Sustainable Drainage Systems can cope with the additional volume of water allowing for climate change (the LLFA will need to agree to this) then no additional pollution prevention issues should occur when considering climate change</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the Environment Agency comments on the Black Cat Quarry and can confirm that the Applicant response to Q1.9.2.2 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022], submitted at Deadline 1 applies in that: <i>'The Applicant expects that all restoration works at Black Cat Quarry will be completed before the expiry date of the temporary planning permission for the quarry, which is 7 October 2022, as set out in Bedford Borough Council's application reference: 15/02551/EIAWM.'</i></p> <p>The quarry restoration levels will therefore be in place before the start of Scheme construction works and validates the flood risk baseline watercourse modelling completed by the Applicant and associated Flood Risk Assessment [APP-220] conclusions and no further update to the Flood Risk Assessment is required for the DCO.</p> <p>The Applicant notes the Environment Agency comment on an area of agricultural land where flood depths are predicted to increase by up to 16mm, The Applicant can now confirm that the landowner does not have any objection to the principal of the very minor increase in flood depth relative to the overall reduction of flood depths across their land.</p>

No.	Question/Applicant Comment
Q1.10	Good Design
Q1.10.1	Visual appearance and design principles
<p>Q1.10.1.1 Visual appearance</p> <p>When is it proposed to produce design proposals for structural elements of the Proposed Development, such as bridges, viaduct, gantries, and underpasses, and other fixtures, such as street lighting, signages and railings?</p> <p>Is it likely to be submitted to Examination?</p> <p>How can the ExA advise the SoS on matters relating to visual appearance, in particular scale, height, massing, alignment, and materials in the absence of this information (NPS NN, paragraphs 4.28 – 4.35)?</p>	
CCC/HDC/SCDC (REP1-051):	Whilst noted that this question is not directed specifically to the local authorities, it is the view of the Cambridgeshire Authorities that these details should be provided to ensure that the impacts of the development are considered holistically.
Applicant Comment:	The Applicant notes this response from the Cambridgeshire Authorities and has prepared a document 'Scheme Design Approach and Design Principles' [TR010044/EXAM/9.26] which has been submitted at Deadline 3.
<p>Q1.10.1.2 Design principles for the Proposed Development</p> <p>The ExA has seen the alternatives considered for different types of bridges in the ES [APP-072, Table 3-3], and finds that the accompanying design appraisal is an early stage assessment of structural typologies, and only for one structural element (bridges) in the Proposed Development. We understand that the Applicant cannot provide detailed design proposals at this stage, however, would it be reasonable to set out design principles (other than HE's design principles [APP-071, Section 2.2]) for Examination, and to be secured in the dDCO? [NPS NN paragraph 4.28 – 4.35]</p>	
CCC/HDC/SCDC (REP1-051):	<p>There is limited design detail that has been submitted to confirm the extent and height of proposed safety barriers and approaches to the bridge and overbridge crossfall. All bridges should be built to accommodate all NMU users, including equestrians who require higher parapets for safety.</p> <p>Within the development plans of the Cambridgeshire Authorities are design principles in relation to the protection and enhancement of the built and natural environment that should be considered as part of the design principles of the development. Policy NH/2 of the South Cambridgeshire Local Plan 2018¹³ requires that development is only permitted where it respects and retains, or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located. Policy LP 31 of the Huntingdonshire Local Plan 2019¹⁴ sets out the Council's approach to protecting existing trees, woodlands, hedges and hedgerows</p>

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	<p>particularly those of visual, historic or nature conservation value, from the impacts of development and to halt the loss of trees in Huntingdonshire.</p> <p>It is considered that in places more could be done to help integrate the proposed A428 into the host landscape. There is concern that in places the development boundary (or order limits) lies too close to the road proposed A428 corridor and does not allow for sufficient mitigation to be implemented. This is particularly where there is considerable infrastructure, such as viaducts, bridges and roundabouts, to be integrated into the landscape. The arboricultural plans (Tree Constraints Plan and Tree Protection Plans) (APP-183 – APP-187) within the Environmental Statement do not show the location of trees subject to a Tree Preservation Order where they fall within or adjacent to the DCO area. In addition, these plans do not propose a sufficient level of protection to nearby trees subject to Tree Preservation Orders. While the proposals show basic tree protection measures, these are not considered to be sufficiently robust given the scale of the nearby works.</p> <p>The Councils agree that there should be a requirement to set out design principles and that this should have been an integral consideration from the outset of the proposal. Reference should be made by the Applicant to local design policies and planning documents including policies LP 11 Design Context and LP 12 Design Implementation of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Landscape and Townscape SPD 2007¹³, the Huntingdonshire Design Guide SPD 2017¹⁴ or successor documents. LP 5 Flood Risk, LP6 Waste Water Management, LP34 Heritage Assets and their Settings, LP37 Ground Contamination and Groundwater Pollution, LP 30 Biodiversity and Geodiversity and LP 31 Trees, Woodland, Hedges and Hedgerows of Huntingdonshire's Local Plan to 2036 should also be taken into account as a minimum to address any impacts that design may contribute towards.</p> <p>Design principles for all of the bridges and other permanent structures would enable a) Local Authorities and the Secretary of State to ensure "beautiful" design is achieved, and b) the proper assessment of Landscape and Visual Impacts. For example, as noted in the assessment of options for the Wintringham Brook pedestrian bridge [APP-072, Table 3-3], features such as bow arch bridges and cable stay bridges may have a far wider visual impact than suspension or span bridges. This concern is compounded particularly by large structural elements in sensitive landscapes, such as the proposed crossing of the River Great Ouse and the East Coast Mainline, in which the exact height and location of any large vertical features would be hard to predict. Matters such as material, colour and mass will also influence how well the proposed features are assimilated into the landscape.</p> <p>¹³ https://www.scambs.gov.uk/media/17793/south-cambridgeshire-adopted-local-plan-2018.pdf ¹⁴ https://huntingdonshire.gov.uk/media/3872/190516-final-adopted-local-plan-to-2036.pdf</p>
<p>Applicant Comment:</p>	<p>To further assist the ExA in advising the Secretary of State on matters relating to visual appearance and good design, in particular scale, height, massing, alignment, and materials, the Applicant has prepared a 'Scheme Design Approach and Design Principles' [TR010044/EXAM/9.26] [which has been submitted at Deadline 3.</p> <p>As stated in the Applicant's response to question Q1.7.5.4 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022], submitted at Deadline 1, Policy LP37 is addressed in Chapter 9, Geology and Soils [APP-078] of the Environmental Statement and in a Groundwater Risk Assessment being prepared in discussion with the Environment Agency. A ground investigation and</p>

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	<p>subsequent groundwater quality monitoring have not identified any areas of contaminated land within the Order Limits. Groundwater quality monitoring has not identified any areas of contaminated groundwater that may be impacted by the Scheme.</p> <p>In relation to the point about the Tree Constraints Plan and Tree Protection Plans (APP-183 – APP-187), please note that the Applicant has submitted updated plans at Deadline 3 that show locations of trees subject to a Tree Protection Order. Refer to the updated plans and document [TR010044/EXAM/9.27].</p> <p>Policy LP 34 Heritage Assets and their Settings is considered in the ES in Chapter 6, Cultural Heritage [APP-075]. The chapter, supported by a number of appendices, details the baseline position of the Scheme, and impacts on heritage assets and, where relevant, their setting, are considered in Section 6.9 of Chapter 6. Policy LP5 Flood Risk relative to the selection of bridge type or form for the River Great Ouse (RGO) crossing was defined by the need to reduce the bridge impact on the RGO floodplain as defined in flood risk assessment documents [APP-219], [APP-220], [APP-221], [APP-222] and [APP-223].</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Yes, it would be expected that design principles are set out and secured within the DCO (even if via condition).</p>
<p>Applicant Comment:</p>	<p>The Applicant has prepared a document 'Scheme Design Approach and Design Principles' [TR010044/EXAM/9.26] which has been submitted at Deadline 3.</p> <p>As set out in response to Q1.10.1.2 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022], submitted at Deadline 1, the Applicant considers that the design outcomes of the Scheme are secured through Requirement 12 of the updated draft DCO [REP1-003].</p>

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	<p>Q1.10.1.3 Assessment of good design</p> <p>What further information will be provided to enable the ExA to assess the Proposed Development against policy requirements in Chapter 12 of the NPPF for high quality, beautiful and sustainable places, in the NPS NN paragraph 4.29 to 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, and in the NPS NN paragraph 4.34 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.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The Councils refer to section 4 of their Written Representation and the concerns raised re highway design.</p> <p>As set out above, the Councils consider that the ExA will need information on the design principles employed by the Applicant and in order to understand 'sensitive to place' the Applicant should set how regard has been had to local design policies and planning documents including policies LP 11 Design Context and LP 12 Design Implementation of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Landscape and Townscape SPD 2017, the Huntingdonshire Design Guide SPD 2017 or successor documents. LP 5 Flood Risk, LP6 Waste Water Management, LP34 Heritage Assets and their Settings, LP37 Ground Contamination and Groundwater Pollution, LP 30 Biodiversity and Geodiversity and LP 31 Trees, Woodland, Hedges and Hedgerows of Huntingdonshire's Local Plan to 2036 should also be taken into account as a minimum to address any impacts that design may contribute towards.</p> <p>¹⁵ https://www.huntingdonshire.gov.uk/media/1240/landscape-guide.pdf</p> <p>¹⁶ https://www.huntingdonshire.gov.uk/media/2573/huntingdonshire-design-guide-2017.pdf</p>
<p>Applicant Comment:</p>	<p>The Applicant confirms that the policies and guidelines outlined by the Councils have been considered in developing the landscape vision strategy and design principles set out in the First Iteration Environmental Management Plan [APP-234]. The Applicant also has submitted a document at Deadline 3 which addresses design issues, including with regard to structures (Scheme Design Approach and Design Principles [TR010044/EXAM/9.26]).</p> <p>As stated in the Applicant's response to question Q1.7.5.4, Policy LP37 is addressed in Chapter 9, Geology and Soils [APP-078] of the Environmental Statement and in a Groundwater Risk Assessment being prepared in discussion with the Environment Agency. A ground investigation and subsequent groundwater quality monitoring have not identified any areas of contaminated land within the Order Limits. Groundwater quality monitoring has not identified any areas of contaminated groundwater that may be impacted by the Scheme.</p> <p>Policy LP 34 Heritage Assets and their Settings is considered in Chapter 6, Cultural Heritage [APP-075] of the Environmental Statement. The chapter, supported by a number of appendices, details the baseline position of the Scheme, and impacts on heritage assets and, where relevant, their setting, are considered in Section 6.9 of that document. Policy LP5 Flood Risk relative to landscape has been</p>

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	considered by the Applicant through the coordinated design development of drainage features such as ditches and ponds and amendments to watercourse alignments with the landscape design for the Scheme.
Q1.10.2	Design development process
<p>Q1.10.2.1 Design development process</p> <p>What will be the design development process for the structural elements of the Proposed Development described above? How will biodiversity, cultural heritage noise and landscape mitigation be addressed?</p> <p>Which parties will be consulted?</p> <p>Would it be reasonable to set out design development process for Examination, and for it to be secured in the dDCO?</p>	
CCC/HDC/SCDC (REP1-051):	<p>The details required in respect of environmental matters including noise, air quality, biodiversity, cultural heritage, and landscape/trees are set out in detail within the Written Representation.</p> <p>The Councils strongly support setting out design development process for examination, including stages at which local authorities will be consulted as a part of an iterative design process.</p> <p>Additional landscape mitigation may be needed depending on the types of structural elements designed. There should be capacity within the DCO for the second iteration EMP to respond to any additional needs arising from the detailed design of structural elements. Please see response to Q1.13.2.1.</p>
Applicant Comment:	<p>The policies and guidelines outlined by the Councils have been considered in developing the landscape vision strategy and design principles set out in the First Iteration Environmental Management Plan [APP-234]. As stated in the Applicant's response to question Q1.10.1.3 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022], submitted at Deadline 1, to further assist the ExA in advising the Secretary of State on matters relating to visual appearance and good design, in particular scale, height, massing, alignment, and materials, the Applicant has submitted 'Scheme Design Approach and Design Principles' [TR010044/EXAM/9.26] which provides further information on these matters at Deadline 3.</p> <p>As noted in paragraph 1.1.8 of the First Iteration Environmental Management Plan [APP-234], the proposed mitigation measures embedded in the Scheme design to minimise operational noise are shown on the Environmental Masterplan on Figure 2.4 [APP-091] of the Environmental Statement. These measures include the installation of both low noise surfacing materials throughout the Scheme and 3m high noise bunding in the vicinity of Roxton and Potton Road. Further details of these measures are provided in Table 7 within the Schedule of Mitigation [APP-235], which include the performance assumed for low noise surfacing materials. Whilst slight refinements to the exact form of the bunds may occur at the detailed design stage, the bunds, low noise surfacing and proposed planting are embedded in</p>

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	<p>the design. This is secured through Requirement 12 of the updated dDCO [REP1-003] which states the detailed design must accord with the preliminary design used for the Environmental Statement, unless agreed in writing by the Secretary of State following consultation with the relevant local authority, and provided any amendments would not give rise to materially new or materially different effects. In addition Requirement 18 of the dDCO [REP1-003] requires that prior to a part of the authorised development commencing the written details of the noise mitigation for the use and operation of that part must be submitted to and approved by the SoS, following consultation with the relevant planning authority.</p> <p>As stated in the Applicant's response to question Q1.7.5.4 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022], submitted at Deadline 1, Policy LP 34 Heritage Assets and their Settings is considered in Chapter 6, Cultural Heritage [APP-075] of the Environmental Statement. The chapter, supported by a number of appendices, details the baseline position of the Scheme, and impacts on heritage assets and, where relevant, their setting, are considered in Section 6.9 of that document.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Relevant internal technical consultees and external statutory consultees would be consulted as required.</p> <p>Agree it would be reasonable to set out design development process within the DCO but this may be difficult if required mitigation measures are currently unknown?</p>
<p>Applicant Comment:</p>	<p>The Applicant considers that Requirement 12 of the dDCO [REP1-003] (on detailed design) provides the mechanism to secure the detailed design process.</p>
<p>Q1.10.2.2 Design Review</p> <p>Has the Proposed Development been for independent design review? Do you intend to take it for independent design review? Provide details. (NPS NN, Paragraph 4.33, footnote 63)</p> <p>LAs to comment.</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The Councils are unaware of any independent design review but would support this.</p>

No.	Question/Applicant Comment
Applicant Comment:	As set out in response to Q1.10.2.2 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022] , submitted at Deadline 1, the Applicant has not sought an independent design review of the Scheme and does not currently intend to seek an independent design review. The Applicant has undertaken a comprehensive design development process, taking into account the principles set out in the National Highways publication "The Road to Good Design".
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	No
Applicant Comment:	As set out in response to Q1.10.2.2 within the Applicants Response to the ExA's First Round of Written Questions [REP1-022] , submitted at Deadline 1, the Applicant has not sought an independent design review of the Scheme and does not currently intend to seek an independent design review. The Applicant has undertaken a comprehensive design development process, taking into account the principles set out in the National Highways publication "The Road to Good Design".

No.	Question/Applicant Comment
Q1.11	Highways – network and structures
Q1.11.1	Transport Modelling
Q1.11.1	<p>Various LA Adequacy of Consultation Responses and associated RRs refer to the input to date of LHAs in the modelling undertaken by the Applicant.</p> <p>a) How have existing LHA traffic and transport models informed the modelling undertaken by the Applicant?</p> <p>b) How have LHAs been involved in the checking of modelling undertaken by the Applicant?</p> <p>c) Do LHAs agree with the methodology adopted by the Applicant in demonstrating the effects of the Proposed Development, particularly on the local highway network? If not, why not?</p>
Bedford Borough Council (REP1-043):	BBC has been kept informed of the development of the traffic model for the scheme and is in agreement with how it reflects the situation in Bedford Borough in current and future years.
Applicant Comment:	The Applicant welcomes BBC's statement relating to the development of the traffic model and the Authority's acceptance of the model in terms of reflecting current and future conditions.
CCC/HDC/SCDC (REP1-051):	<p>a) Elements of coding from CCC's strategic model were shared with the modellers undertaking the modelling. It is unclear what use has been made of this information as the key information relating to the Greater Cambridge Partnership Cambourne to Cambridge scheme has not been used in the development of the model. The Councils understand that the scheme was considered to be too uncertain by the Applicant. The Councils disagree with this conclusion as the scheme is included the City Deal funding and Section 106 funds that have been collected from developments in Cambourne and Cambridge.</p> <p>b) CCC have had a number of presentations from HE and their consultants regarding the modelling undertaken but CCC have not been actively engaged with HE in the development of the model just the review of the modelling that has been developed.</p> <p>CCC were made aware of the development of individual junction models that were to be included in the TA at a meeting with HE in September 2020. CCC requested sight of these models as soon as possible to enable the inputs and the impact on the local road network to be reviewed and agreed. The models were not shared with CCC till after submission of the DCO meaning that there has been very little engagement in relation to the development local junction models.</p>

No.	Question/Applicant Comment
	<p>c) CCC where provided with an extract of the stage 3 strategic model that covers Cambridgeshire. CCC undertook a review of this modelling and presented a number of issues relating to the model and the assumptions underpinning this modelling to HE which were discussed and subject to some specific concerns (see section 2 of the Written Representation) the strategic model was found to be sound for use in the assessment of the impacts of the scheme</p> <p>CCC undertook a review of the local junction models which have been developed in different software packages (including Junctions 9, LinSig and VISSIM) depending on the type or location of junction being tested.</p> <p>In all the junction models there are discrepancies in the input data which could have an impact on the operation of the models for example geometric data has been taken from AutoCAD drawings and does not take account of lane markings on site that impact the entry widths or length of flare. The VISSIM models all apply the guidance set out by TfL which is designed to model traffic in congested city streets and is therefore not really applicable to the proposed scheme. The result is that most of the junctions overestimate the capacity at junctions and underestimate the level of delay that is likely to be experienced.</p> <p>All the junction models use traffic data that is taken straight from the Strategic model. This is not industry standard practice and is therefore not agreed as the strategic model is not validated to local turning movements. The methodology used in the junction assessments indicates that if the traffic data is correct then most of the junctions are bigger than they need to be to cater for the proposed levels of traffic in 2040.</p> <p>These issues need to be addressed so that CCC can have confidence that the impact on the local road network is accurate and that the junctions proposed are appropriate for the level of traffic predicted to use them, this is especially important for areas where CCC are expected to adopt the road and maintain it post completion of the scheme.</p> <p>CCC also refers to section 2 of the Written Representation.</p>
<p>Applicant Comment:</p>	<p>a) During the development of the base year A428 Strategic Traffic Model for PCF Stage 3, traffic signal timings were obtained from the Cambridge Sub-Regional Model (CSRM) and Bedford Transport Model where the corresponding signal nodes were available. These were considered the best sources of data if the South Eastern Regional Traffic Model (SERTM) did not include the required details. In addition, Public Service Vehicles (PSV), i.e., buses and coaches, in or between Bedford, Huntingdon, St Neots and Cambridge were extracted from the CSRM and the Bedford Transport Model and coded as fixed flows in the A428 model.</p> <p>The proposed Cambourne to Cambridge Scheme being promoted by the Greater Cambridge Partnership was not included in the core Scenario as this was considered too uncertain. In 2018, the Applicants consultants, AECOM, were asked to provide infrastructure modelling assumptions to the South Cambridgeshire local planning authority (prior to the formation of the Greater Cambridge Partnership) for their review. In relation to the Cambourne to Cambridge Busway, AECOM were provided with a list of infrastructure schemes by South Cambridgeshire which included the then titled 'A428 corridor, between A1303 Madingley Mulch roundabout and Cambourne – Bus Route Improvement'. This was classified as a public transport scheme and not a highway scheme but more</p>

No.	Question/Applicant Comment
	<p>importantly, this was recorded as 'reasonably foreseeable' for the purpose of the Uncertainty Log and therefore not included within the core scenario. (Refer to Table A2 of TAG Guidance on Forecasting and Uncertainty). This confirms that unless a planning permission is approved, submitted or 'imminent' they should not be considered in the core scenario.</p> <p>b) The Applicant does not consider that it would have been practical for other parties to be actively engaged in the development of the model, but the regular engagement with the Local Authorities has provided every opportunity for review and feedback.</p> <p>With regards the request from CCC to provide the local junction models the applicant has made available all the junction models including the raw data from where the input files were derived and the model outputs for the scheme assessment and the construction impact assessment to CCC, as soon as practicably feasible.</p> <p>c) The Applicant welcomes the acceptance by CCC that the strategic model is considered sound for use in the assessment of the impacts of the Scheme.</p> <p>With respect to the local models the Applicant reiterates that the approach adopted for undertaking the junction modelling has been reasonable and proportionate and the summary findings from the junction models in terms of impact of the scheme on local highway network are as robust as they can be for a major scheme like the A428 Black Cat to Caxton Gibbet improvements. Considering the size and significance of the Scheme, the Applicant has undertaken modelling and assessment of not only the junctions on and around the scheme alignment as part of the Transport Assessment (TA) [APP-241], but has also undertaken modelling and assessment of a number of junctions in the wider network some distance from the Scheme which have been submitted as a Transport Assessment Annex (TAA) [APP-243] in the DCO application. This approach of producing a TAA [APP-243] with assessments of wider network junctions is a unique and unprecedented approach adopted by the applicant for this specific scheme, demonstrating the level of thoroughness the applicant has adopted in assessing the impacts of the scheme.</p> <p>The Applicant is confident that the inputs to the junction models (geometric measurements of the approach arms from AutoCAD mapping and the lane configurations in the junctions) have been coded correctly in the models.</p> <p>The Applicant is also confident that the Vissim models do not overestimate capacity and does not agree that the models have been developed following TfL guidance. The driving behaviours used in the Vissim models are almost the same as the software defaults, the only key difference being that the standstill headway distance is 1.2m, whereas National Highways guidance (for use of microsimulation models on National Highways roads) considered 1.5m to be appropriate for high-speed roads. The difference of 30cm (1.5m compared to 1.2m) is relatively small and would only impact the queue lengths – only making a significant difference if a large number of vehicles are in the queue. The Applicant will change the standstill headway distance to 1.5m in the planned sensitivity tests on a few selected junctions as a follow up action from ISH2, to ascertain if this makes any notable change to the model outputs. 'Urban motorised' is a default driving behaviour parameter in Vissim – it simply means a vehicle don't exhibit overtaking behaviour on the outside lane, as on highways, but displays the behaviour one would see at a junction, with free lane choice. This is not specific to London and although it has 'urban' in the</p>

No.	Question/Applicant Comment
	<p>title, it is not specifically for urban roads. The impact on the final outputs of the model of changing the driving behaviour to the software defaults is negligible and no other aspect of the model coding is related to TfL guidance.</p> <p>It is noted that the direct use of flows from the strategic model, which was not calibrated to turning movements, is a key concern of CCC. When developing the junction models, the junctions were divided into two categories, namely:</p> <ul style="list-style-type: none"> a. Junctions which do not exist in the base year, or where there are significant and fundamental changes in layout due to the Scheme. b. Junctions which do exist in the base year and are not significantly changed by the Scheme. <p>For the first category of junctions the fundamental changes in junction layouts meant that a large proportion of the traffic movements would be newly created by the Scheme. Therefore there was no alternative to using traffic flows directly from the strategic models for these movements. Traffic flow changes for existing movements that would remain would be complex and relate to wider area rerouting. The Applicant, therefore, took the approach to use forecast flows directly from the strategic model to ensure consistency with trip distributions and routeings.</p> <p>The second category of junctions was classified into two sub-groups based on strategic model outputs. Junctions which were predicted to have positive impacts due to the Scheme were assessed using flows taken directly from the strategic model which calibrated/validated to all WEBTAG criteria. The second group of junctions which were predicted to experience adverse or negative impacts were assessed using models calibrated/ validated for the base year 2019 through collection of new data and then forecasts based on the traffic growth trend between the base and forecast year model scenarios of the strategic models. This was applied to both with and without Scheme scenarios.</p> <p>The Applicant considers the above represents a logical, proportionate and robust approach for assessing the junctions for identifying the impacts of the Scheme. However, following the ISH2 actions, the applicant is scoping sensitivity tests, for agreement with the Local Authority, in order to address the key concerns above.</p> <p>The applicant would seek clarification on two contradictory and conflicting comments/observation by CCC in two consecutive paragraphs where once they say <i>“most of the junctions overestimate the capacity at junctions and underestimate the level of delay that is likely to be experienced”</i> and then in the very next paragraph they comment <i>“The methodology used in the junction assessments indicates that if the traffic data is correct then most of the junctions are bigger than they need to be to cater for the proposed levels of traffic in 2040.”</i></p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-</p>	<p>c) CBC are in ongoing discussions with HE with regards to elements of the modelling work undertaken, particularly with regards to the effects of the Proposed Development upon the local highway network.</p>

No.	Question/Applicant Comment
054 and REP1-055):	
Applicant Comment:	CBC has been provided with all additional model outputs and subsequently some of the VISSIM model files for them to satisfy themselves with the type of assessments that have been undertaken and the conclusions drawn from those assessments. There are no further queries/comments outstanding from CBC on this matter to the Applicant at this point of time.
<p>Q1.11.1.2 Methodology, inputs and outputs</p> <p>Paragraph 5.203 of the NPS NN explains that the Applicant should have regard to policies set out in local plans and 5.204 states that the Applicant should consult relevant LHAs and LPAs, as appropriate on the assessment of transport impacts. S16 The Traffic Management Act 2004, places a Network Management Duty (NMD) on local traffic authorities, or a strategic highways company (the network management authority), so far as is reasonably practicable, to ensure the expeditious movement of traffic on the authority's road network and facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.</p> <p>a) Do LHAs have any concerns with the data used to underpin the modelling undertaken? If so, please explain your reasoning.</p> <p>b) If further transport modelling is considered necessary, please explain why and where this is needed?</p> <p>c) Do LHAs consider the Proposed Development accords with requirements of the NMD in all regards? Explain with reasons.</p> <p>d) Applicant to comment.</p>	
Bedford Borough Council (REP1-043):	BBC has been kept informed of the development of the traffic model for the scheme and is in agreement with how it reflects the situation in Bedford Borough in current and future years.
Applicant Comment:	The Applicant welcomes BBC's statement relating to the development of the traffic model and the Authority's acceptance of the model in terms of reflecting current and future conditions.
CCC/HDC/SCDC (REP1-051):	a) CCC are concerned with the use of flows from the strategic transport model in the local operational junction models without any consideration given to validation against the traffic data collected. The methodology used in the development of the local junction models does not follow industry standard best practice and therefore needs to be redone to give confidence that the proposed design can accommodate the traffic flows predicted without adverse impact on the local road network. Updated modelling is also necessary to ensure that CCC are not taking on infrastructure that is larger than required as this would have cost implications for CCC whilst also meaning that the Scheme might attract motor traffic onto the road network which would be against policy requirements to reduce car

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	<p>traffic.</p> <p>The strategic modelling undertaken indicates that some sections of road (particularly in St Neots) will see significant increases in traffic as a direct result of the Scheme but these areas have not been assessed by HE in either the TA or TAA as they sit outside the red line of the Scheme. As a result, CCC are not able to ascertain if the junctions in these areas can accommodate the predicted increase in traffic. CCC therefore request updated modelling to account for these potential impacts of the Scheme.</p> <p>b) CCC requires the junction modelling to be redone with the geometries corrected to take account of on street markings and using future year traffic flows that follow industry standard methods and are based on validated base year models this will allow the impact on the local road network and the size of new infrastructure that is to be transferred to CCC to be properly understood, proportionate and agreed.</p>
<p>Applicant Comment:</p>	<p>The Applicant does not accept that base year models are necessary as suggested by CCC. While developing the junction models, the junctions were divided into two categories, namely:</p> <ul style="list-style-type: none"> • Junctions which do not exist in the base year, or where there are significant and fundamental changes in layout due to the Scheme (primarily the new junctions being introduced as part of the Scheme, or existing junctions whose layout is being fundamentally altered by the Scheme). • Junctions which do exist in the base year and are not significantly changed by the Scheme (existing junctions indirectly affected by traffic flow changes brought about by the Scheme). <p>For the first category of junctions the fundamental changes in junction layouts meant that a large proportion of the traffic movements would be newly created by the Scheme. Therefore, there was no alternative to using traffic flows directly from the strategic models for these movements; traffic flow changes for existing movements that would remain would will be complex and relate to wider area rerouting. The applicant, therefore, took the approach to use forecast flows directly from the strategic model to ensure consistency with trip distribution and routeings.</p> <p>The second category of junctions was classified into two sub-groups based on strategic model outputs. Junctions which were predicted to have positive impacts due to the Scheme were assessed using flows taken directly form the strategic model. The second group of junctions which were predicted to experience adverse or negative impacts were assessed using models calibrated/validated for the base year 2019 through collection of new data and then forecasts based on the traffic growth trend between the base and forecast year model scenarios from of the strategic models, This was applied to both with and without scheme scenarios.</p> <p>In the case of junctions where the modelled results show substantial improvements in their capacity as a result of the Scheme, the Applicant maintains that the impact of the Scheme on these junctions will still be beneficial whatever modelling approach is used. It would</p>

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	<p>therefore not be reasonable or proportionate to carry out further, more detailed modelling in order to justify the impact the Scheme has in these locations.</p> <p>Similarly, in the case of junctions where the modelled results show the junction remaining well within capacity once the Scheme opens, the Applicant maintains that this would be the case whatever modelling approach is used.</p> <p>In response to point (a) para 2, the Applicant acknowledges that the modelling shows an increase in flows along Great North Road and Cambridge Road within St Neots. The Local Impact Report submitted by the Cambridgeshire Authorities (para 7.2.6-7.2.7) [REP2-003] acknowledges that this is an effect of traffic re-routing within St Neots to access the wider road network via the Wyboston and Cambridge Road junctions and that it is linked with a predicted significant reduction in traffic using the B1428 Town Bridge and other roads in the town centre. In the Local Impact Report [REP2-003], the Cambridgeshire Authorities have welcomed this reduction.</p> <p>On opening of the Scheme, the removal of through traffic from the existing A428 would benefit local traffic which would seek optimal routes through the local area.</p> <p>The increases in flows on the B1428 Great North Road to the South of St Neots and on the B1428 Cambridge Road in the east of St Neots is due to the local growth associated with the Loves Farm 2 and Wintringham developments, as well as traffic re-routing to using the existing A428 given that congestion at the junctions with the existing A428 would reduce with the Scheme. It should also be noted that traffic on the other selected roads in St Neots will reduce by at least 10%. This is illustrated in the table below.</p> <p>2040 2-Way AADT Comparison – St Neots</p> <table border="1" data-bbox="374 1018 2098 1415"> <thead> <tr> <th>Road</th> <th>Location</th> <th>2040 Without Scheme</th> <th>2040 With Scheme</th> <th>Difference</th> <th>Difference%</th> </tr> </thead> <tbody> <tr> <td>B1041 Mill Lane</td> <td>Little Paxton, at river crossing</td> <td>12221</td> <td>10585</td> <td>-1635</td> <td>-13%</td> </tr> <tr> <td>B1043 Huntingdon Road</td> <td>North of Priory Hill Rd</td> <td>11174</td> <td>7767</td> <td>-3407</td> <td>-30%</td> </tr> <tr> <td>B1428 Cambridge Road</td> <td>At railway bridge</td> <td>12392</td> <td>13714</td> <td>1323</td> <td>11%</td> </tr> <tr> <td>B1046 Potton Road</td> <td>At bridge over railway</td> <td>5934</td> <td>3761</td> <td>-2173</td> <td>-37%</td> </tr> </tbody> </table>	Road	Location	2040 Without Scheme	2040 With Scheme	Difference	Difference%	B1041 Mill Lane	Little Paxton, at river crossing	12221	10585	-1635	-13%	B1043 Huntingdon Road	North of Priory Hill Rd	11174	7767	-3407	-30%	B1428 Cambridge Road	At railway bridge	12392	13714	1323	11%	B1046 Potton Road	At bridge over railway	5934	3761	-2173	-37%
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	B1043 Barford Road	North of the old A428	14672	16076	1404	10%
	B1428 Great North Road	North of old A428	16425	20328	3903	24%
	Bushmead Road	At bridge over A1	7566	6501	-1066	-14%
	Duloe Road	At A1 bridge	1924	1128	-796	-41%
	B1048 Crosshall Road	East of Great North Rd	6698	6030	-668	-10%
	Great North Road	South of A1 slip roads	6367	5799	-568	-9%
	B1428 St Neots Road	Town bridge over River Great Ouse	15754	13812	-1942	-12%
	Total		111127	105501	-5626	-5%
<p>The Scheme will result in overall traffic flow reductions in St Neots. Further details relating to the forecast flows in St Neots is presented in Chapters 5 and 12 of Consultation Report - Appendix W - Response to traffic queries raised by the Joint Response from the Cambridgeshire & Peterborough Local Authorities (APP-069).</p> <p>In the circumstances it is neither necessary nor proportionate for the Applicant to carry out further, more detailed modelling to assess a potential deterioration in traffic conditions on selective approach arms of a number of specific individual junctions within the urban road network of a town, where the overall impact of the Scheme on the town is beneficial, and where the increase in traffic flows concerned is acknowledged to be the effect of local reassignment of traffic away from less suitable routes within the town centre.</p> <p>Point (b) In response to the comment about the geometric input into the junction capacity models, the Applicant's consultant has re-visited this and considers the geometric measurements used in the models to be correct.</p> <p>The Applicant reiterates that the approach followed for junction modelling has been reasonable and proportionate for the Scheme assessment. However, Action 1 arising from Issue Specific Hearing 2 asks the Applicant to report on the possibility, process and outcomes of greater sensitivity testing in this location. The Applicant is therefore preparing a scoping note to carry out sensitivity testing in response to the issues raised and will submit this proposal at Deadline 3 [TR010044/EXAM/9.32].</p>						

No.	Question/Applicant Comment
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>a) How has Covid impacted this and the traffic flows and data.</p> <p>b) The operation of the junction of Vinegar Hill with the A603 (west of the A1) should be modelled to determine forecast operation as part of the proposed formal diversionary route during closures of the A1.</p> <p>c) It should be noted that the Central Bedfordshire Local Plan was adopted on the 22/07/2021 and supersedes the North Core Strategy and Development Management Procedures Order 2009.</p> <p>Construction Phase impacts are expected to include both the formal diversion of traffic onto the local road network, but also the displacement of other existing traffic during construction, (as detailed within Section 9.4 of the submitted Transport Assessment (APP-241)). This will place an increased resource burden upon the local authority in terms of monitoring and managing traffic changes (flow and composition) and a financial burden in terms of reacting to any arising issues. This additional pressure will impact upon the authority's ability to effectively fulfil its Network Management Duty and funding is requested, for example, in the Development Consent Obligation for this.</p>
<p>Applicant Comment:</p>	<p>a) A detailed analysis of traffic flow data was carried out by the Applicant in order to assess the impacts of Covid-19.</p> <p>This included a review of the Department for Transport's (DfT) national traffic information by mode and destination type, and the Office of National Statistics trends in working from home by sector and by region.</p> <p>Based on the available evidence, the study found that travel on the highway network reduced significantly due to the lockdown measures. However, the reductions have been less than those for rail and bus, and the recovery in highway travel has been stronger than that for public transport. This evidence also showed that nationally, when considering data for May 2021 (the latest data available), highway travel has returned to broadly pre-COVID levels, whereas travel by public transport remains suppressed at round 30% to 50% below pre-COVID levels.</p> <p>Data from sites at four locations on the Strategic Road Network (SRN), in the vicinity of the Scheme (two locations on the A428 and one on the A1 and the A421), were also assessed between 1 January 2020 to June 2021. This showed a similar pattern to the results from the Department for Transport's national monitoring survey. This analysis is also reported in Technical Note 71 (Assessing the Potential Impacts of COVID 19 – the implications for traffic forecasts for the Scheme [REP1-029]).</p> <p>To summarise, the evidence available from the national and local traffic monitoring demonstrates that the demand for road-based travel is very resilient. Although the Applicant cannot be certain about the impacts of the pandemic on the demand for travel over the longer term, the latest data provides reliable evidence in support of the need for the Scheme.</p> <p>Further details of the assessment are provided in Technical Note 71 (Assessing the Potential Impacts of COVID 19 – the implications for traffic forecasts for the Scheme [REP1-029]).</p>

No.	Question/Applicant Comment
	<p>b) This junction has been assessed using a VISSIM based micro-simulation model. The impact of the Scheme on the junction was assessed for 2025 and 2040 by comparing the “without” and “with” Scheme scenarios for both AM and PM peak hours. However, no assessment has been undertaken for this junction for the construction phase, as the construction period is a short term and temporary phenomenon, the impacts of which will be covered through the Outline Construction Traffic Management Plan [APP-244]. The modelling-based assessments of construction stages were undertaken only for junctions which would be on the Scheme alignment, as it is not considered reasonable or proportionate for all the junctions and links across the wider network to be assessed or modelled by the Applicant.</p> <p>c) For the purpose of the preparation of the traffic forecasts, Local Plan information is collated for each Local Planning Authority (LPA) and takes account of the stage each emerging local plan is at (e.g. planning, submission stage, examination, adopted etc.) to gauge confidence on its contents. With reference to Central Bedfordshire Council adopting their local plan in 22 July 2021, it is important to note that the Uncertainty Log (UL) developed for the A428 model forecasts had a cut-off point of November 2018. Although local plans and other planning documents are collated and reviewed, often these can be dated and/or not a true representation to what is happening on the ground. They also do not always provide accurate build out rates of planned developments and therefore additional data and detail is generally required from the Local Planning Authority (LPA).</p> <p>While local plans help identify the key strategic housing, employment and infrastructure schemes planned in a district, TAG guidance dictates that until a planning permission is approved, submitted or ‘imminent’ they should not be considered in the core scenario. This typically means that large sites that can be included within a local plan, cannot be modelled in the core scenario. Alternative scenarios (depending on their definition) could include these sites but are not tested within the core scenario. It is noted that obtaining data of yearly build out rates and development forecasts is far more current and accurate data than local plan data. Although the emerging local plan was at the draft stage when the Applicant collated the 2018 UL, the information used in the UL was agreed and confirmed with Central Bedfordshire Council in November 2018.</p>

No.	Question/Applicant Comment
<p>Q1.11.1.3 Comments on transport modelling RR-023, on behalf of CPRE, refers to the modelling undertaken by the Applicant as not being adequate, explain why this considered to be the case.</p>	
<p>CPRE Cambridgeshire and Peterborough (REP1-056):</p>	<p>The CPRE response to the written question and the Applicants comments on this response are set out in Appendix A of this document.</p>
<p>Applicant Comment:</p>	<p>See Appendix A of this document.</p>
<p>Q1.11.1.4 Cambridgeshire traffic impacts RR-013, received from CCC, makes specific to reference to further information being needed to understand the impacts of the scheme on the local road network in St Neots, at Girton Interchange, Coton and 'others'. Please provide more detail to explain what additional information is required, where and why.</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>a) Without prejudice to CCC's primary position that local data should have been modelled, greater information is needed as to how the data from the strategic model was converted into traffic input data especially for the VISSIM models. CCC have requested this information but have been informed that this data is not in a format that can be shared and that we have been provided with all the information we require to undertake this work for ourselves. However, there are a number of ways that this data could have been processed so undertaking the work for ourselves might give different results. CCC considers that the duplication of work is an unnecessary use of public money.</p> <p>b) CCC require modelling of the junctions on the Great North Road St Neots between Nelson Road and the Wyboston junction to be assessed to ensure that they can accommodate the predicted 24% increase in traffic that results as traffic reroutes to access the detrunked A428 instead of travelling East through St Neots. CCC also require the assessment of the impact of the scheme on the junctions on Cambridge Road St Neots from Station Road to the existing junction with the A428 to again ensure that these junctions can accommodate the predicted increase in traffic as a result of rerouting from other routes to access both the old and new road at the Cambridge Road junction.</p> <p>c) The junction coding used a Girton does not reflect the as built design and therefore, CCC require the coding to be revised to accurately reflect the as built design, this is required as the lack of capacity in the junction as coded could be causing traffic in the model to reroute</p>

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	<p>which might give an unrealistic picture of the impact of the scheme.</p> <p>d) The strategic model shows very little traffic using M11 Junction 13 to access the M11 in the base year, instead traffic is routing through Coton to access the M11 at Junction 12. Examination of count data collected in the area by CCC, Developers and HE indicates that this does not happen in reality and that this is due to congestion on the M11. Because this anomaly occurs in the base year it carries through to the future years which means that the rerouting grows as growth is added. CCC require the modelling of this area to be amended to reflect the traffic patterns that were present in the base year. Failing this CCC require the traffic through the village of Coton to be monitored to prove that the predicted levels of traffic does not occur.</p> <p>e) Examination of the transport schemes included in the modelling indicates that none of the Greater Cambridge Partnership scheme have been included in the strategic model. CCC are of the opinion that these scheme (especially Cambourne to Cambridge (C2C)) should be included in the model as they are part of the GCP work funded by the city deal. The inclusion of C2C is particularly important as both schemes operate in the same corridor. It is interesting to note that the modelling for C2C does include the A428 scheme as it was considered important to understand the impact that each scheme has on the other.</p>
<p>Applicant Comment:</p>	<p>a) For the junctions which have been assessed using VISSIM software- the Applicant has provided CCC with all the Vissim base and forecast models for all the junctions along with the traffic count data used to develop these models. The Technical Notes that form part of the appendices in the Transport Assessment [APP-241] and the Transport Assessment Annex [APP-243] and which accompany the models provide information on the approach adopted for developing traffic demand. The reports also demonstrate that the base models are calibrated/ validated to TAG criteria. This provides sufficient information for CCC to assess the acceptability of the base matrices which have been included within the Vissim models – and we have provided CCC with the traffic count data to verify the reported traffic flows. CCC has also been provided with the SATURN models used to develop the forecast Vissim models. The forecast matrices are contained in the provided Vissim models and these can be verified by comparison against the provided SATURN models. The Technical Notes also document the approach followed to develop the forecast Vissim matrices – see the appendices in the Transport Assessment [APP-241] and the Transport Assessment Annex [APP-243].</p> <p>For the junctions modelled using ARCADY and PICADY, the flows were extracted from the A428 Strategic Traffic Model and the average peak period flows were converted to peak hour flows for the AM and PM using the factors 1.086 and 1.076 respectively. As the base traffic flow data was available, the models were run for the base case and output compared with typical traffic conditions sourced from pre-Covid Google Maps imagery. It should be noted that the base 2015 SATURN model flows were input to all models except for Wyboston roundabout and Barford Road roundabout. These junctions were built using base year data from 2016 and 2017 respectively as the Applicant had access to observed turning movement counts for those more recent years. No journey time or queue length data were available for these junctions, only observed traffic flows. Since all the relevant SATURN model files and raw data have already been provided, the models can be interrogated, model input files created and models run using the relevant software to reproduce the results.</p>

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	<p>Based on the above details the Applicant considers that sufficient information has already been provided to CCC, although the Applicant is scoping additional sensitivity testing in order to provide additional reassurance.</p> <p>b) The Applicant acknowledges that traffic flows are predicted to increase on a small number of roads within St Neots i.e. on the Great North Road north of the Wyboston junction and on Cambridge Road east of St Neots. This is a result of traffic accessing the Scheme transferring from other local routes. However, this increase should be viewed in the context of an overall reduction in traffic on the local road network within St Neots as a result of the Scheme, which is a clear benefit. Hence, the Applicant is not proposing to carry out any additional modelling of any new local junctions.</p> <p>c) The coding of the model at Girton was reviewed and a sensitivity test was undertaken by the Applicant on the AM and PM 2040 Without and With Scheme scenarios taking account of the network coding issues highlighted by CCC. Specifically, these modifications included:</p> <ul style="list-style-type: none"> • Eastbound merge of A428/M11 – the link capacity at this link (node 29625 to 29619) has been reduced from 2 lanes (4,199 Passenger Car Units (PCUs)) down to 1 lane (2,100 PCUs an hour), reflecting the single lane operation on this link. The speed flow curve on this link has been retained but with the lower capacity. Speed flow curves on the M11 off-slip have now been included, as well as corrections to link lengths near the A428 EB merge. • Westbound A14/M11 and A14/A428 diverges – the link capacity at two links (node 29613 to 29615 and 29615 to 29618) has been increased from 2 lanes to 3 lanes, reflecting the double diverge operation at this location. Capacity and speed flow curves on these two links have been adjusted accordingly. <p>The sensitivity test with these network modifications has demonstrated that the eastbound merge of A428/M11 in the 2040 AM 'With Scheme' scenario was forecast to be approaching capacity (84% volume over capacity) in the 'Without Scheme' scenario and at capacity (100% volume over capacity) in the With Scheme scenario. However, flows on this link reduce by less than 20 PCUs in the 2040 PM Without and With Scheme sensitivity test compared with the original model forecasts.</p> <p>The sensitivity test showed that for the A428 westbound, flows at the A14/M11 and A14/A428 diverges would increase by 57 PCUs and 110 PCUs in the 2040 PM Without Scheme and With Scheme scenarios respectively. This equates to an increase of approximately 53 PCUs in the With Scheme scenario, or an increase of approximately 1%.</p> <p>These differences in flow in the sensitivity test models indicate that there were no notable changes in the traffic assignment at Girton interchange,</p> <p>The Applicant will consider this junction under its monitor and manage strategy and develop necessary mitigation in consultation with the Local Highway Authority if necessary, after implementation of the Scheme.</p>

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	<p>d) The A428 Strategic Traffic Model was developed to assess the strategic impacts of the Scheme. As it is a strategic model, there is a limit to how well it represents the local road network beyond the extents of the Scheme as there are necessary 'trade-offs' in terms of the network and traffic zone detail. Therefore, it would not be expected to model perfect representation of traffic behaviour on local roads some 10-15 kilometres from the Scheme.</p> <p>The traffic data available for the A428 strategic traffic model calibration was concentrated around the Scheme and the majority of counts were located west of the M11. It was not intended that the strategic model should provide a detailed representation of the local network in the Cambridge area. The model also represents average hours of an average weekday and hence does not replicate the fluctuations that can occur within these average periods, particularly the peak periods when traffic flows and journey times can vary considerably by location.</p> <p>A review of the model in the Coton area has been carried out. This demonstrated that the base year model overstates volumes to some degree with southbound volumes on Grantchester Road in the AM peak being around 219 PCUs (156% of the count data) too high and in the PM peak around 102 PCUs (72% of the count data) too high in the northbound direction and about 61 PCUs (103% of the count data) too high southbound.</p> <p>A review of 2015 origins and destinations of this traffic has demonstrated that the majority of modelled traffic passing through Coton is travelling to or from locations in the Cambridge area, with relatively low volumes of longer distance traffic. For northbound traffic, the route through Coton from locations in west Cambridge would generally be quicker given that it is significantly shorter than using the M11 between J12 and J13.</p> <p>A review of the strategic model coding of the M11 J12 southbound off-slip indicates that the capacity at the junction of this link with Grantchester Road is too low and is probably a reason why more traffic is routed through Coton in the model than was observed in the 2016 and 2019 traffic surveys.</p> <p>The 2040 model forecasts show that the volumes through Coton are greater than those in the 2015 models. However, this increase will also be partly due to the coding issue noted at the J12 southbound off-slip as the coded capacity is too low. Some of the increase will also be due to increasing congestion along the A1303 east of the Coton junction.</p> <p>The strategic modelling indicates the Scheme will have a small impact on the route through Coton as there is some transfer from alternative east-west routes to the A428. However, there is very little impact forecast in the evening peak period and increases in the morning peak period are relatively modest.</p> <p>Further details of the analysis of the base and future model forecasts within Coton and the surrounding area are provided in 'Traffic Routeing Impacts at Coton' [REP1-028] that was submitted at Deadline 1.</p> <p>e) The proposed Cambourne to Cambridge Scheme being promoted by the Greater Cambridge Partnership was not included in the core Scenario as this was considered too uncertain. In 2018, the Applicants consultants, AECOM, were asked to provide infrastructure</p>

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	<p>modelling assumptions to the South Cambridgeshire local planning authority (prior to the formation of the Greater Cambridge Partnership) for their review. In relation to the Cambourne to Cambridge Busway, the Applicant was provided with a list of infrastructure schemes by South Cambridgeshire which included the then titled 'A428 corridor, between A1303 Madingley Mulch roundabout and Cambourne – Bus Route Improvement'. This was classified as a public transport scheme and not a highway scheme but more importantly, this was recorded as 'reasonably foreseeable' for the purpose of the Uncertainty Log and therefore not included within our core scenario. (Refer to Table A2 of TAG Guidance on Forecasting and Uncertainty). This confirms that unless a planning permission is approved, submitted or 'imminent' they should not be considered in the core scenario</p>
<p>Q1.11.1.5 COVID-19</p> <p>The Strategy for Dealing with the Uncertain Outcomes Arising from COVID-19 document [APP-257, paragraph 1.3.8], explains that in order to consider the potential impacts of COVID-19, sensitivity testing is intended to occur following acceptance of the DCO application.</p> <p>a) When will the Applicant provide this information to the ExA and other interested parties to consider?</p> <p>b) What are the implications of the likely outcomes of the sensitivity testing to the conclusions drawn in the ES?</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The developments included in the uncertainty log were taken from the 2018 local authority data, the validity of this data was tested via a sensitivity test that made use of the 2020 data and this work concluded that there was very little difference in the performance of the highway networks and therefore it was agreed that the use of the 2018 uncertainty log in terms of planning data was acceptable.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from the Cambridgeshire authorities.</p>

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Q1.11.2	Road layout, junctions and bridges
<p>Q1.11.2.1 Road design and layout</p> <p>The ExA notes that ES [APP-072] provides an overview of alternatives considered and further details about the selection of the preferred option.</p> <p>a) Applicant, provide further information how the proposed highway layouts incorporated feedback from Local Authorities and stakeholders?</p> <p>b) Local Authorities to comment how feedback has shaped the proposals, or not been taken on board.</p>	
Bedford Borough Council (REP1-043):	BBC views have been considered during this process.
Applicant Comment:	The Applicant notes the response from Bedford Borough Council.
CCC/HDC/SCDC (REP1-051):	<p>Cambridgeshire County Council has been discussing the design of highway layouts with the Applicant. CCC's interest in the size of the bridges is to see if they will be suitable to replace the current extraordinary load route. CCC has maintained that it would like to see roads that it will be adopting designed and built to standards agreed with the Council, principally DMRB. The discussion with the Applicant has not resulted in any changes to the design, so support in principle remains outstanding. Further, without the modelling of the local roads agreed, all discussion has been caveated that the proposed flows need to be understood before the design can be agreed. Discussion on the detailed design has started with the Applicant, and CCC is keen to ensure that any changes are covered by the DCO as the drafting is clear that the Scheme to be built should be in accordance with the drawings. The Council has requested Protective Provisions covering Highway assets, adoption and other matters but these have not featured in the dDCO.</p>
Applicant Comment:	<p>The Applicant has engaged with Cambridgeshire County Council and has proposed cross-sections for Cambridge Road junction, Eltisley Link and Caxton Gibbet junction in line with their requirements. The cross-sections of the B1046/Potton Road and Toseland Road are still under discussion. The Applicant is of the view that Protective Provisions covering highway assets, adoption and other matters do not need to be included in the dDCO [REP1-003] and that these matters can be addressed within the legal agreement between the parties.</p>

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Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	Refer to written representation – despite discussion with HE CBC still has the following concerns: <ul style="list-style-type: none"> • Construction phase traffic impacts affecting Central Bedfordshire; • Construction routing; • Diversion routes; • Operational phase traffic impacts affecting Central Bedfordshire; • Barford Road bridge, particularly in relation to sustainable transport; • Requested A428 vehicular link to the east of Little Barford; • Air Quality including the Sandy AQMA; and • Noise & vibration.
Applicant Comment:	Please refer to the Applicant's comments on CBC's Written Representations [TR]10044/EXAM/9.21] and the Applicants Comments on CBC's Local Impact Report [TR010044/EXAM/9.22] which cover the same topics.
<p>Q1.11.2.2 Black Cat Junction</p> <p>a) Further to the US11 [EV-001] and consideration of the Black Cat Junction Design Options document [APP-247], the ExA would request clarification as to how the Applicant determined it to not be feasible to move the junction to the east of that proposed?</p> <p>b) How would the proposed arrangement accommodate access to the intended development near the junction as outlined in the RR received from BBC [RR-008a]?</p> <p>c) Do LAs agree that the proposal presented for the Black Cat Junction is the best design and route alignment option overall?</p> <p>(See related questions to <i>Historic Environment</i>)</p>	
Bedford Borough Council (REP1-043):	With regard to Brook Cottages, the application to date provides insufficient information on the Heritage Asset to fully inform what, if any, viable mitigation options are available to avoid full demolition. This includes a detailed survey and a study concerning the feasibility of its potential relocation. As such, Bedford Borough have not been able to assess the precise level of impact of the new junction on Brook Cottages. However, Document 7.7. 'Black Cat Junction Design Options' states that demolition would occur in all three options put forward at the non-statutory consultation stage in 2017, and so it is likely that the impact of the scheme on Brook Cottages would be the same if any of those three options were implemented.

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Applicant Comment:	<p>The information requested requires further, intrusive survey of Brook Cottages. It has not been possible to undertake these works to date due to access restrictions. The Applicant is continuing to pursue access to the structure in order to undertake the survey. Discussions are ongoing between the Applicant, Historic England and Bedford Borough Council regarding further works required to understand the significance of Brook Cottages.</p> <p>In the absence of this information, the Applicant has proceeded on the basis that there will be substantial harm to the asset.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	Neutral.
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.
Q1.11.3	Signage and lighting
<p>Q1.11.3.1 Gantries and signage</p> <p>a) Confirm the likely timescale for submission of detailed signing proposals, including gantries, to the examination.</p> <p>b) If the Applicant is not intending to provide this detail as part of the Examination, how can the ExA be satisfied that specific matters relating to design and visual impact (NPS NN paragraphs 4.28 to 4.35), matters raised in RRs, including [RR-001], relating to signage and highway safety, would be considered?</p> <p>c) Local Authorities to comment.</p>	
CCC/HDC/SCDC (REP1-051):	Please refer to the Council's comments on design matters in their Written Representation and responses to these written questions. We will review the Applicant's response.
Applicant Comment:	Please refer to the Applicant's comments on the Cambridgeshire authorities Written Representations relating to design matters in document TR010044/EXAM/9.21 , submitted at Deadline 3.

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Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	Request for signs and road markings to be retro-reflective in areas where it is agreed that no lighting is required. This request should not have any adverse impact.
Applicant Comment:	Signage and road markings will be designed and installed in accordance with the Manual of Contract Documents for Highway Works and the Traffic Signs Regulations and General Directions which requires signs to be internally or externally illuminated or reflectorised.
<p>Q1.11.3.2 Lighting arrangements</p> <p>a) Confirm the likely timescale for submission of lighting proposals to the Examination.</p> <p>b) If the Applicant is not intending to provide this detail to the Examination, how can the ExA be satisfied that the Proposed Development would not have adverse significant effects regarding artificial lighting?</p> <p>c) Local Authorities to comment.</p> <p>(See related questions in <i>Landscape and Visual Effects</i>)</p>	
CCC/HDC/SCDC (REP1-051):	<p>Cambridgeshire County Council as Highway Authority with responsibility for adopting new assets would like to agree the design of streetlighting, so that it can be adopted and maintained by our PFI contractor. It is noted that a written scheme of proposed lighting is proposed in Requirement 17 'prior to the development being brought into use'. This would be better provided prior to commencement and as part of the design, so that it can be agreed with the LHA and standards and processes applied to ensure the easy adoption of new assets, instead of after it has been built. It would be helpful to understand the lighting impacts of the development as part of the application and secure a commitment from the applicant to use Cambridgeshire's street lighting specification on any roads to be adopted by the Council. CCC considers that it should approve the written scheme of proposed lighting pursuant to Requirement 17 rather than being consulted only.</p> <p>As set out in Section 7.1.5 of the Written Representation, the Environmental Statement (APP-077) does not provide clear evidence that the increase in artificial light across the scheme will not impact commuting and foraging bats.</p>

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Applicant Comment:	<p>The Scheme proposes lighting at conflict areas, typically roundabouts. These are indicated on the General Arrangement Plans [APP-011] by the orange hatched carriageway. There is already lighting at most of these conflict areas and the presumption is that this will be similar in scale to the existing. Neither the River Great Ouse viaduct nor the Toseland Road bridge will be lit. This means that for the majority of the Scheme and for the bat tunnel and other underpasses, there will be no lighting and hence there will be no impact from lighting on bats.</p> <p>The Legal Agreement between the parties will set out the specification for the local roads to be handed over to CCC as local highway authority. The details of this agreement and the terms of any specification are the subject of ongoing negotiations with CCC.</p> <p>On this basis, the Applicant does not agree that Requirement 17 should allow for agreement from CCC in relation to the lighting scheme. The Legal Agreement will detail those areas relevant to CCC as local highway authority and a wider approval power should not be granted. In addition, the Applicant maintains that given the lighting scheme referred to in Requirement 17 applies to the operational impacts of the authorised development, it is appropriate that Requirement 17 requires those details to be approved prior to the Scheme coming into use.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>CBC has not seen any lighting details - details to be submitted to and approved before development commences.</p>
Applicant Comment:	<p>Requirement 17 of the updated draft Development Consent Order [REP1-003] requires written scheme(s) of highway lighting to be submitted and approved by the Secretary of State, following consultation with the relevant local authority prior to the authorised development coming into use. The lighting must be provided in accordance with the approved details.</p> <p>The Applicant maintains that given the lighting scheme referred to in Requirement 17, applies to the operational impacts of the authorised development, it is appropriate that Requirement 17 requires those details to be approved prior to the Scheme coming into use and that there is no reason for this approval to be obtained prior to commencement.</p>

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Q1.11.4	Operational effects beyond the extent of the proposed scheme
<p>Q1.11.4.1 M11 Junction 13</p> <p>The TA Annex [APP-243, Section 3.9] provide analysis of the above Junction and associated roads, explaining that the location is known to suffer severe congestion and would experience additional congestion as a result of the Proposed Development.</p> <p>a) Have any proposals for improvements at this junction been progressed since the time of the consultation and application for the Proposed Development?</p> <p>b) What are the indicative timescales for improvements at the location?</p> <p>c) How confident can the ExA be, with reference to what is secured in the dDCO, that improvement works will be undertaken at this location in future?</p>	
CCC/HDC/SCDC (REP1-051):	Please refer to section 2 of our Written Representation.
Applicant Comment:	a) Please refer to the Applicants Comments on Written Representations for a full response [TR010044/EXAM/9.21].
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	This is not a CBC road or junction.
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.

No.	Question/Applicant Comment
Q1.11.5	De-trunking proposals and new local highway infrastructure
<p>Q1.11.5.1 De-trunking proposals</p> <p>The Case for the Scheme document [APP-240, paragraph 1.1.3 g], refers to existing safety and maintenance issues along the existing A428. The ExA have visited the route intended to be de-trunked and would request further information as detailed below:</p> <p>a) Please explain what these maintenance issues are. Has the detail of current and proposed asset condition been shared with LHAs? If not, explain with reasons.</p> <p>b) What certainty do LHAs currently have with regard the intended condition of those highway assets that will be their responsibility in future, particularly at the point of handover?</p> <p>c) Will the identified 'maintenance issues' be resolved prior to handover to LHAs and how will this be secured?</p> <p>d) At the point of LHA adoption, how will any outstanding required maintenance be funded and secured?</p>	
Bedford Borough Council (REP1-043):	<p>a) No BBC has not received the data on the existing infrastructure.</p> <p>b) None at this time.</p> <p>c) BBC await details from the applicant.</p> <p>d) Via agreement prior to asset transfer.</p>
Applicant Comment:	The Applicant notes the comments from Bedford Borough Council and is committed to continuing engagement on these matters.
CCC/HDC/SCDC (REP1-051):	<p>a) Cambridgeshire County Council as Highway Authority has attended two meetings with the Applicant to discuss de-trunking. No detail of the asset condition has been shared with the Council.</p> <p>b) and c) There is no certainty about the intended condition of the assets to be handed over, or how the maintenance issues will be resolved. The Council would welcome further discussion with the applicant on this matter and will be seeking any de-trunked road to be brought up to current and agreed standards, and handed over in a suitable condition that the Council has a proportionate and appropriate maintenance cost and the applicant retains liability for an appropriate period, and not requiring changes to the road. This should be secured through the DCO and a legal agreement.</p> <p>d) This is unclear at this point. The Council cannot accept an asset with an unquantified liability or requiring disproportionate or</p>

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	<p>inappropriate expenditure.</p> <p>The Councils understand that the de-trunked route is the applicant's preferred route for cyclists between Caxton Gibbet and Caxton Gibbet due to the reduction in traffic. The Councils would like to see more information demonstrating that this route will be safe for cyclists.</p>
<p>Applicant Comment:</p>	<p>a) In accordance with the Legal Agreement to be completed between the Parties, the condition of the de-trunked assets will be determined and shared.</p> <p>b) and c) The Legal Agreement will set out a handover process which will determine the existing condition of the de-trunked asset together with information regarding its maintenance to date. The full details of the maintenance obligations will be determined between the parties and captured in the Legal Agreement. On this basis the Applicant does not agree that this also needs to be secured within the dDCO [REP1-003].</p> <p>d) The Applicant notes the comments from the Cambridgeshire authorities and as stated above, the parties are currently negotiating the details of a handover plan that will set out what is required from each party prior to the handover of any de-trunked assets.</p> <p>The Applicant has not expressed a preferred route for cyclists to travel between Cambridge Road and Caxton Gibbet junctions. However, the existing A428 between these two junctions is expected to experience an 80% reduction in traffic flows as a result of the Scheme.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>There are no de-trunking proposals relevant to CBC.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the comments from Central Bedfordshire Council.</p>

No.	Question/Applicant Comment
	<p>Q1.11.5.2 Speed limits</p> <p>It was apparent at the time of US11 [EV-001] that both the existing local and strategic highway network in the area has differing speed limits. ES [APP-071, paragraphs 2.5.101 and 2.5.102] refer to proposed speed limits of the Proposed Development.</p> <p>a) If applicable, do the existing and proposed speed limits of those sections of highway intended to be de-trunked and other sections to be made the responsibility of LHAs meet locally adopted speed limit policies? Explain with reasons.</p> <p>b) How would any necessary amendments be secured?</p>
<p>Bedford Borough Council (REP1-043):</p>	<p>a) BBC agree.</p> <p>b) Via agreement with BBC.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the comments from Bedford Borough Council.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>Please refer to our Written Representations.</p>
<p>Applicant Comment:</p>	<p>Please refer to the Applicant's comments on the Cambridgeshire authorities Written Representations relating to speed limits in document TR010044/EXAM/9.21, submitted at Deadline 3.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>The only section of road to be made the responsibility of CBC is understood to be remaining at its current posted speed.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes CBC comments and states that the design and speed limit have been agreed with Central Bedfordshire Council.</p>

No.	Question/Applicant Comment
Q1.11.6	Non-motorised users
<p>Q1.11.6.1 Providing opportunities for NMUs</p> <p>a) To what extent does the Proposed Development comply with the NPS NN paragraphs 3.3, 3.17, 5.205 and 5.216, and any other relevant policies, which relate to providing opportunities for walking and mitigating impacts for non-motorised users?</p> <p>b) To what extent have pre-existing severance issues, within the extent of the proposed scheme, been addressed as part of the Proposed Development?</p>	
<p>British Horse Society (REP1-093):</p>	<p>The BHS believes that to comply with paragraph 3.3 there is more that can be done by the applicant to mitigate the environmental and social impacts of these proposals. The BHS believes the applicant has shown reasonable endeavours to address (any) existing severance issues that act as a barrier to non-motorised users inline with paragraph 5.205. According to paragraph 5.216, where development will worsen accessibility, such impacts should be mitigated so far as reasonably possible. There is a very strong expectation that impacts on accessibility for non-motorised users should be mitigated. The BHS believes that there are further opportunities to improve accessibility. The British Horse Society's report Making Ways for Horses 'off-road Equestrian Access in England' Equestrian Access Forum August 2012, highlights the importance of horse riding for health and well being. Access for horse riders, which inevitably involves crossing roads, is central to riding activities without which the level of participation is likely to decline which will have a negative impact on the local economy (Making Ways for Horses 'off-road Equestrian Access in England' Equestrian Access Forum August 2012). Importantly, consultation should take place with local stakeholders to understand where there is demand suppressed by lack of access including safe crossings. This demand does not appear in usage surveys. In Cambridgeshire, the equestrian industry contributes approx. Â£92 million to the local economy per annum demonstrating the need for good, safe, off road access and barrier crossings to support the rural economy.</p>
<p>Applicant Comment:</p>	<p>The Applicant thanks the British Horse Society for recognising that it has shown reasonable endeavours to address (any) existing severance issues that act as a barrier to NMU movement, in line with NPS NN paragraph 5.205.</p> <p>The Applicant's response to the Examining Authority's Question 1.11.6.1 in the First Written Questions [REP1-022] explains that The Case for The Scheme [APP-240], Appendix A, sets out an assessment of the Scheme against the National Policy Statement for National Networks (NPS-NN) policy. Row 5.216 specifically deals with NPS-NN paragraph 5.216. It explains that mitigation measures have been incorporated into the design of the Scheme. It provides new and diverted footpaths, cycleways and bridleways which will provide many benefits to local communities, including a new bridleway which will be established along the length of School Lane. The Applicant considers that it complies with policy requirement in NPS-NN paragraph 5.216.</p> <p>The Applicant understands the BHS's statement regarding a demand for safe crossings for horses, and its view that there is a demand suppressed by lack of access including safe crossings.</p>

No.	Question/Applicant Comment
	<p>The Applicant's response to the BHS Relevant Representation [APP1-021], (in respect of [RR-108]), explains that since the supplementary consultation, survey counts were undertaken on the existing bridge at Roxton Road to understand the current level of usage by walkers, cyclists and horse riders. On the days that counts were undertaken no horse riders were observed using the existing bridge. It should also be noted that there are no existing bridleways in the vicinity of this part of the Scheme.</p> <p>The Applicant acknowledges the suggestion that there would be greater interest in using this route if it were considered safer. The Applicant considers that the improved cross section on the bridge would provide a safe and adequate route for all users. Should Bedford Borough Council wish to extend the bridleway network within the area and provide an off-carriageway route across the bridge, the proposed Scheme does not preclude any such extensions or alterations in the future.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The Councils refer to section 6 of their Written Representation in addition to the points made below.</p> <p>Policy LP 16 of Huntingdonshire's Local Plan to 2036-7 sets out the expected approach for new development in the District in relation to Sustainable Travel. It is considered that there are a number of instances within Huntingdonshire where the proposed development may not meet policy LP16. Whilst it is acknowledged the policy is geared towards planned development it does state 'all new development' and therefore is pertinent in assessing the A428 development proposal.</p> <p>In considering whether the A428 proposals meet Policy LP16 of the Local Plan, we have looked at each element of the policy in turn.</p> <p>a) opportunities are maximised for the use of sustainable travel modes It is noted that the proposals seek to maintain the existing public rights of network where possible. It is concerning, however, that the proposals fail to maximise the opportunities for use of sustainable modes. For example, routes that had previously been indicated as shared use paths in earlier iterations of the design are now downgraded to paths or removed. This is detailed in comments in this section in relation to the specific points on each affected route. In addition, the Councils are concerned that due to the design of routes not meeting the appropriate standards that this could deter some users and as such does not maximise the opportunities.</p> <p>b) its likely transport impacts have been assessed, and appropriate mitigation measures will be delivered, in accordance with National Planning Practice Guidance. CCC, as Local Highway Authority, has assessed the submitted Transport Strategy and related documents. It is understood that there are aspects of the transport impacts that present concerns for NMU and public rights of way. For example, at the new roundabout junctions at Cambridge Road St Neots, suitable crossings have not been designed into the scheme; and traffic levels and speeds are expected to rise in parts of the surrounding network, impacting on the ability of non-motorised users to cross or use busy sections safely, e.g. Toseland Road. It is considered that, as a consequence, elements of the proposals do not accord with National Planning Practice Guidance or LP Policy LP16.</p> <p>c) safe physical access from the public highway can be achieved, including the rights of way network where appropriate</p>

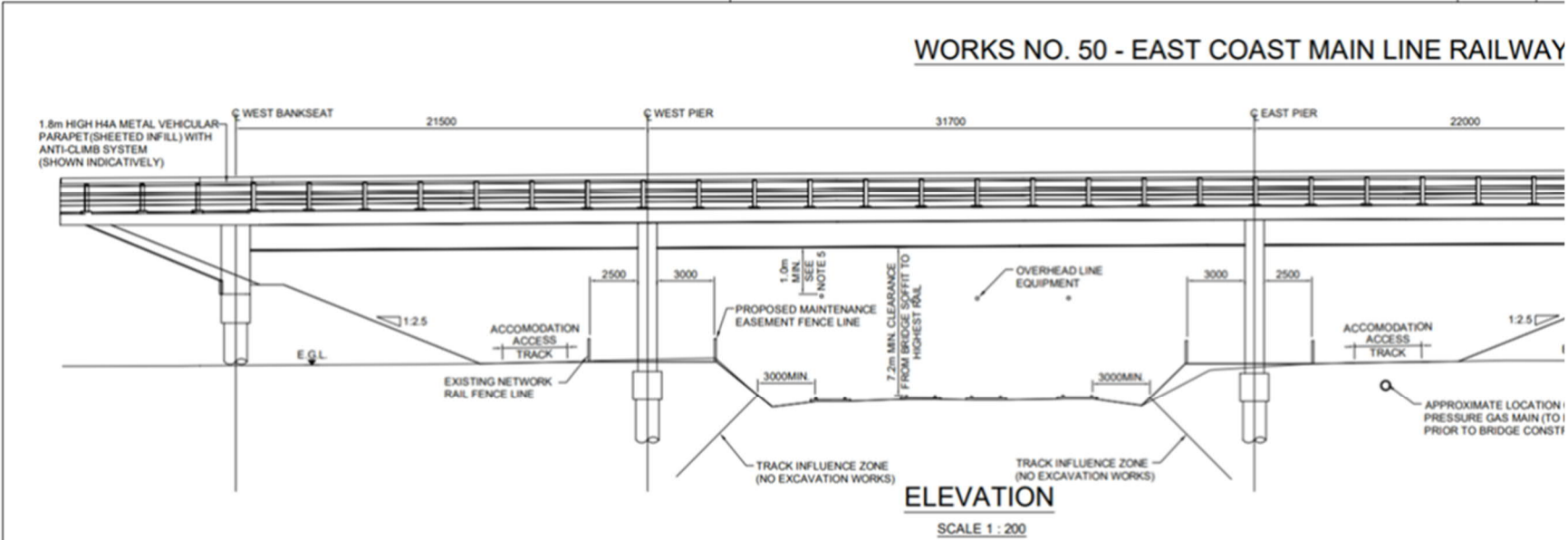
No.	Question/Applicant Comment
	<p>As noted above there are aspects of the scheme design that are cause for concern in relation to safe access of the public highway network, as detailed elsewhere in this joint response. The revisions set out will overcome these concerns and ensure that this aspect of LP Policy LP16 is complied with.</p> <p>d) any potential impacts on the strategic road network have been addressed in line with Department for Transport Circular 02/2013 and advice from early engagement with Highways England</p> <p>There is currently concern that the impacts have not been appropriately addressed.</p> <p>e) there are no severe residual cumulative impacts.</p> <p>The Councils are concerned that the level of severity of residual cumulative impacts may be incorrectly assessed in the Environmental Statement and would urge the applicant to revisit this.</p> <p>¹⁷ https://huntingdonshire.gov.uk/media/3872/190516-final-adopted-local-plan-to-2036.pdf</p>
<p>Applicant Comment:</p>	<p>The Applicant has made comments on this in the Applicant's Comments on Written Representations [TR010044/EXAM/9.21], refer to [REP1-048].</p> <p>e) Chapter 15, Assessment of cumulative effects [APP-084] of the Environmental Statement presents a comprehensive assessment of the likely significant combined and cumulative environmental effects of the Scheme following the methodology set out in the Design Manual for Roads and Bridges (DMRB) LA 104 and the Planning Inspectorate's Advice Note Seventeen. The significance of effect ratings ascribed by the Applicant are considered to be accurate and representative of the interactions that would occur between the Scheme and the other plans and projects identified and assessed.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>There is scope to future proof provision for NMU's by adding in sufficient space for pedestrian / cycle provision where structures are to be delivered as part of the scheme.</p> <p>Specifically, sufficient additional width is requested on the deck of the Barford Road bridge to accommodate pedestrian and cycle provision and sufficient retained width is requested passing under the East – Coast Mainline Bridge to enable future pedestrian and cycle provision.</p> <p>Rights of Way is keen to see an improved rights of way network as part of the scheme's delivery – see attached which is a joint Beds Borough/CBC proposal for improving the rights of way network in Tempsford and the surrounding area.</p> <p>Improvement of the rights of way network is in line with government policy as stated in the National Policy Statement: "In delivering new schemes, the Government expects applicants to avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF and the Government's planning guidance. Applicants should also provide evidence that they have considered reasonable opportunities to deliver environmental and social benefits as part of schemes."</p>

No.	Question/Applicant Comment
	<p>Enhancing the local rights of way network will help allow the local population enjoy the countryside, exercise, and can play a part in improving mental well-being.</p> <p>The NPS also states “As part of the Government's commitment to sustainable travel it is investing in developing a high-quality cycling and walking environment to bring about a step change in cycling and walking across the country.”</p> <p>Improving the rights of way network will, therefore, help deliver the government’s commitment to sustainable travel, providing alternative environmentally friendly modes of transport for short journeys.</p> <p>The expectation is that this scheme would help contribute financially to both the legal work associated with their creation and the related construction costs.</p>
Applicant Comment:	<p>Please refer to the Applicant’s Comments on Written Representations [TR010044/EXAM/9.21] which cover the same topic.</p> <p>The Applicant notes that there are no public rights of way within Central Bedfordshire Council. The provision for walkers, cyclist and horse-riders is determined on an identified needs basis for which evidence is gathered. The assessment of the existing provision and need is detailed in the Walking, Cycling and Horse-riding Assessment and Review (WCHAR) report undertaken by the Applicant in the Transport Assessment – Part 2 [APP-242]. The Applicant, through the WCHAR and Scheme development, has considered appropriate improvements and is satisfied that the approach is reasonable and proportionate based on the evidence gathered; any additional provision above this is outside proper the scope of the Scheme. It would be for the local authority to evidence the need for the upgrades and secure any additional land to deliver these facilities.</p>
Rupert Goodings on behalf of CTC Cambridge (REP1-059):	<p>The CTC Cambridge response to the written question and the Applicants comments on this response are set out in Appendix B of this document.</p>
Applicant Comment:	<p>See Appendix B of this document.</p>
Camcycle (REP1-053):	<p>The Camcycle response to the written question and the Applicants comments on this response are set out in Appendix C of this document.</p>

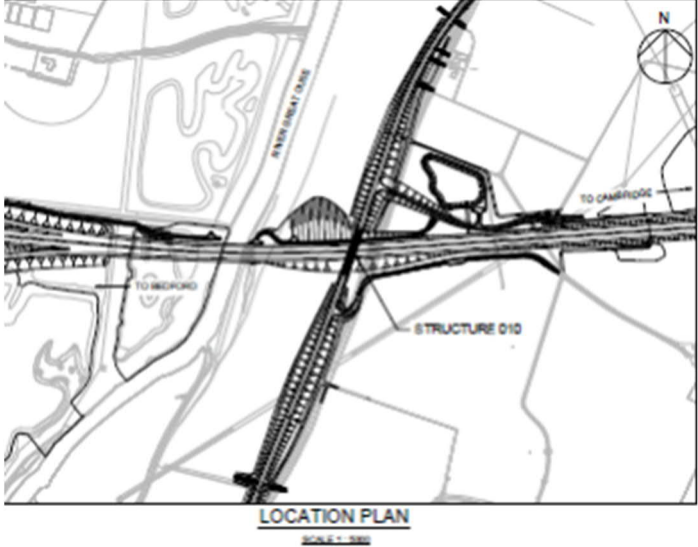
No.	Question/Applicant Comment
Applicant Comment:	See Appendix C of this document.
<p>Q1.11.6.2 WCHAR Survey data</p> <p>The TA [APP-242, Section 2.21] explains that no new pedestrian, cyclist or equestrian usage data has been collected since July and August, 2016. Do LHAs and IPs consider that the information provided gives an acceptable and up to date picture of current usage by walkers, cyclists and horse-riders of the local road and PRow network?</p>	
British Horse Society (REP1-093):	<p>The BHS believes that data collected in July and August 2016 would need to be recollected to show an up-to-date picture of current usage by walkers, cyclists and horse riders of the local road and PRow network. Since 2016 the number of users will have increased especially due to the coronavirus pandemic which needs to be reflected in this information. However, as mentioned previously, usage surveys do not reveal the extent of suppressed demand. Provision of linking paths and safe crossings together with connectivity of the network, could impact hugely on usage. In some ways, low equestrian usage is more likely to reflect a poor network rather than a lack of horse riders wanting to use the routes. Data showing the numbers of horses in the vicinity and therefore potential usage, should be included along with the actual usage data.</p>
Applicant Comment:	<p>As stated in the Applicant's response to the Examining Authority's First Round of Written Questions [REP1-022], the WCHAR in the Transport Assessment [APP-242, Section 2.21] was finalised in February 2020 and is an assessment of the Scheme at that time. The Applicant has undertaken a Public Rights of Way/NMU survey in late August/early September 2020 and is presented in the Environment Statement Appendix 12.1 - Public Rights of Way Survey [APP-216]. The survey undertaken does not impact the outcomes of the WCHAR in the TA, as the numbers of users recorded during the updated survey were similar to those recorded during the 2016 surveys.</p> <p>The Applicant notes the comments made about survey data, however the provision of new facilities, where there is no evidence of need, is outside the scope of the Scheme. Whilst national and local planning policy requires schemes to consider opportunities to enhance access for walkers, cyclists and horse-riders, there is no policy requirement to provide facilities where it is considered there is suppressed demand.</p>
Bedford Borough Council (REP1-043):	BBC agree.
Applicant Comment:	The Applicant notes the response from Bedford Borough Council.

No.	Question/Applicant Comment
CCC/HDC/SCDC (REP1-051):	Anecdotally, the PRow network is considerably busier under Covid and whilst usage has dropped it is still higher than pre-covid. The Councils note that considerable development at Wintringham Park has occurred since 2016, resulting in a degree of change that may require additional assessment.
Applicant Comment:	<p>The Applicant undertook a Public Rights of Way/NMU Survey in late August/early September 2020 (during the Covid year) and is presented in the Environmental Statement Appendix 12.1 – Public Rights of Way Survey [APP-216]. The number of users recorded during the updated survey was similar to those recorded during the 2016 surveys.</p> <p>The Applicant notes the Council's comment on Wintringham Park. The Applicant proposes upgraded provision through Cambridge Road junction and proposes Public Rights of Way and their crossings of the Proposed Development that align with the Public Rights of Way provision of the Wintringham Park development.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	The section of affected highway (excluding PRow) within CBC currently contains minimal pedestrian and cycle provision. The information is acceptable generally.
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.
<p>Q1.11.6.5 Clarification of other known NMU routes</p> <p>a) The ES [APP-071, paragraph 2.5.97] refers to other existing routes requiring modification to maintain connectivity. Confirm the net increase or decrease in length of each route as a result of the proposed modification in kilometres.</p> <p>b) Do IPs consider any other existing routes should be considered for modification? If so, why?</p>	
CCC/HDC/SCDC (REP1-051):	<p>a) The existing route is 0.93km, and the new route is 1.02km, resulting in a net increase of 0.09km.</p> <p>b) We are not aware of any other informal/permissive routes would be affected by the DCO and therefore require some modification. Please refer to the Councils Written Representation, section 6.</p>

No.	Question/Applicant Comment
Applicant Comment:	<p>a) The Applicant refers the Cambridgeshire authorities to the Appendix to Q1.11.6.4 and Q1.11.6.5 of the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022].</p> <p>b) Noted.</p>
<p>Q1.11.6.6 Sustainable development</p> <p>a) Provide further detail and plans to support the comments in your RR regarding access to EWR stations and, space to accommodate other modes of travel on Barford Road overbridge, adjacent to the ECML and under the new road [RR-008a].</p> <p>b) Applicant to comment.</p>	
Bedford Borough Council (REP1-043):	<p>Bedford Borough Council is of the view that where possible, new major infrastructure should be capable of accommodating the potential for future journeys, even when the scheme in question is not necessarily catering for those journeys. BBC has asked to be reassured that the design of the A428 is technically capable of accommodating a junction which could link to a new station on the proposed EWR line if a station is to be provided in the vicinity of the new highway.</p> <p>The request to consider facilities for cyclists and pedestrians adjacent to new infrastructure accords with national and sub-national guidance and policy on decarbonising transport and increasing opportunities for active travel. Where these facilities are in an area which has been allocated for growth (Ox-Cam Arc), it is incumbent on the local authorities to highlight such opportunities to all stakeholders. Inclusion of provision at the design stage has the potential to reduce costs to the public purse at scheme development stage.</p> <p>Please see attached separate sheet for plans and further details.</p>
Applicant Comment:	<p>Please refer to the Applicant's comments to the local authority written representations [TR010044/EXAM/9.21], submitted at Deadline 3, which cover the same topic.</p>
Bedford Borough Council (REP1-042):	<p>Bedford BC is concerned that arrangements should be made for a junction on the new road to provide access to the planned East West Rail (EWR) / East Coast Main Line (ECML) interchange station. As the location of that station is still to be determined by EWR, no plans are currently available to show the exactly appropriate layout for such a junction, but EWR has set out four possible station locations as shown on p212 of this document: https://eastwestrailproduction.s3.eu-west-2.amazonaws.com/public/Consultation-Document.pdf.</p> <p>As a minimum, confirmation is sought that the status of the A428 does not prohibit new junctions on to the new road to serve the chosen station and associated developments in the future.</p>

No.	Question/Applicant Comment
	<p>With development proposed both north and south of the new stations (whichever is chosen), the Council believes that provision should be made for formal sustainable transport routes under the new road where it crosses the East Coast Main Line. This would allow for pedestrians, cyclists and other vulnerable users to travel from the station to the new developments via a segregated, off-road route.</p> <p>The cross section below shows strips labelled “accommodation access tracks” to the east and west of the ECML. This looks to be land that won't be retained in Highways England's ownership but could be used for foot / cycle routes under the new road, and agreement to retaining these access routes would make good sense.</p>  <p>Additionally, it would be sensible for segregated cycle lanes and footpaths to be included on the new / replacement Barford Road overbridge.</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's comments on other parties' responses to first round of written questions

No.	Question/Applicant Comment
	
Applicant Comment:	Please refer to the Applicant's comments on the local authority written representations [TR010044/EXAM/9.21] submitted at Deadline 3, which cover the same topic.
Q1.11.7	Non-motorised users
Q1.11.7.2 Outline CTMP Consultation Are LHAs content with the scope and content of the outline CTMP [APP-244]? Please provide reasons for any concerns with any aspect of it.	
Bedford Borough Council (REP1-043):	BBC is satisfied with the scope and content of the outline OCTMP and has no additional comments to make.
Applicant Comment:	The Applicant notes the response from Bedford Borough Council.

No.	Question/Applicant Comment
CCC/HDC/SCDC (REP1-051):	Please refer to the Council's Written Representation, section 5.
Applicant Comment:	Please refer to the Applicant's comments on the local authority written representations [TR010044/EXAM/9.21], submitted at Deadline 3.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	At present CBC's view is that whilst the overarching principles are reasonable, there are elements of the CTMP which require amendment, including proposed construction routing through Tempsford, where Station Road is not suited to accommodating significant construction traffic or extraordinary loads, with sections of narrow and poor condition carriageway, on street parking further limiting available carriageway widths through Tempsford, and a level crossing to negotiate, the need for wider monitoring of construction phase impacts (in terms of displaced traffic) on local roads, and the need for the agreement of suitable traffic management measures (including temporary or permanent works to the junction of the A603 with Vinegar Hill) on diversions via the A603 and this needs to be a requirement of the draft DCO.
Applicant Comment:	<p>The Applicant stated in the responses to submissions made at the Open Floor Hearing [REP1-036] that access for construction vehicles along Station Road through Tempsford would be limited to specific elements of work including the gas main diversion works and construction of the east abutment of the East Coast Main Line Railway; both of which are early activities. This route is already being used for access to archaeological clearance works and is a minor route which will only be used for the early activities. Once these specific elements of work are completed, it will then become a prohibited route for construction traffic.</p> <p>The Applicant has prepared a Joint Position Statement with Central Bedfordshire Council regarding these matters, which has been submitted at Deadline 3 [TR010044/EXAM/9.29].</p>
<p>Q1.11.7.5 Cumulative Effects</p> <p>The ES [APP-084, paragraph 15.3.22] states that full details of the other development projects included within the traffic model (covering developments in Bedford, Central Bedfordshire, Huntingdonshire, Cambridge City and South Cambridgeshire) and the factors applied during the modelling process, are presented within the TA [APP-241] [APP-242]. Confirm whether or not you are satisfied with the shortlist of projects that have been considered.</p>	
Bedford Borough Council (REP1-043):	BBC has not additional comments to make.

No.	Question/Applicant Comment
Applicant Comment:	The Applicant notes the response from Bedford Borough Council.
CCC/HDC/SCDC (REP1-051):	<p>The list of developments included is reasonable but it does not include Cambourne to Cambridge. This should be treated with equal status to the proposed scheme that is subject to the DCO and, therefore, should be included in the view of CCC.</p> <p>The failure to include this scheme in the assessment could have one of two impacts: either the value of the DCO scheme is underplayed as Cambourne to Cambridge may encourage more traffic to use the proposed scheme to then access the proposed HQPT route in to Cambridge; alternatively the impact of the scheme on Dry Drayton, Madingley and Coton may be over-estimated as some of the traffic shown in the model could have transferred to the Cambourne to Cambridge at Cambourne.</p> <p>At the very least this scheme should have been treated as a sensitivity test.</p>
Applicant Comment:	<p>The Cambourne to Cambridge Busway scheme was recorded as 'reasonably foreseeable' for the purpose of the Uncertainty Log compiled for the forecast model. This was categorised in accordance with the Table A2 of TAG Guidance M4 on Forecasting and Uncertainty.</p> <p>This guidance confirms that unless a planning permission is approved, submitted or 'imminent' they should not be considered in the core scenario.</p> <p>As the Applicant was advised that the C2C should be categorised as 'reasonably foreseeable' in the UL this was not incorporated into any of the core modelling scenarios following TAG guidance.</p> <p>It should also be noted that the A428 Strategic Traffic model is a highway-only strategic transport model. It is acknowledged that public transport schemes, including the C2C could impact on demand and routeing. Therefore detailed information including estimates of the demand for the facility, would be required to adjust the demand by zones along the route, i.e. probably trips increase to/from Cambourne/Hardwick and trips reduction to/from Cambridge by using highways before sensitivity testing could be carried out.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	The Uncertainty log includes major CBC development sites including Marston Vale and Marston Gate, which would be relevant to the assessment of impacts at J13 of the M1. Assumed development also includes Biggleswade East, which would be relevant to the assessment of the two A1 junctions adjacent to Biggleswade. As such CBC is satisfied with the details of the local major development included within the modelling process.

No.	Question/Applicant Comment
Applicant Comment:	The Applicant notes this response from Central Bedfordshire Council.
<p>Q1.11.7.8 Construction road closure timings and frequency</p> <p>a) Table 3.4 of the outline CTMP [APP-244] infers that full road closures would occur only at night. Can the Applicant confirm that this is the case?</p> <p>b) In order to better understand the impacts of full road closures on highway users and local communities please provide fuller detail on the anticipated number and frequency of such closures.</p> <p>c) Likewise, confirm whether access to businesses and homes on affected routes will be maintained during any road closures.</p>	
Deloitte on behalf of The Church Commissioners for England (REP1-094):	1.2.13 Q1.11.7.8 is directed to the Applicant and asks that in order to better understand the impacts of full road closures on highway users and local communities, further detail on the anticipated number and frequency of such closures should be provided. CCfE concur with the requirement for this request, in order to better understand the potential implication on existing farming operations associated with its interests.
Applicant Comment:	The Applicant notes this response, and would direct the Interested Party to the response to this question provided in the Applicant's Responses to the Examining Authority's First Round of Written Questions [REP1-022].
<p>Q1.11.7.9 Frequency and timing of construction HGVs</p> <p>At US11 [EV-001], the ExA observed, as stated in various RRs, many permitted construction routes appear to be residential in nature, particularly in and around St Neots.</p> <p>a) When does the Applicant intend to provide detail regarding the likely timing and frequency of HGVs using permitted routes?</p> <p>b) If the Applicant does not intend to provide this information for the Examination how can the ExA be satisfied of the assessment of adverse effects and mitigation of construction traffic?</p> <p>c) LHAs to comment</p>	
Bedford Borough Council (REP1-043):	BBC does not propose to comment on construction routes which primarily affect CBC or CCC. BBC will continue to engage with Highways England on the detailed construction routes, and to work towards an effective monitoring strategy which represents local concerns.

No.	Question/Applicant Comment
Applicant Comment:	The Applicant notes the response from Bedfordshire Borough Council and will continue to engage with them on this matter.
CCC/HDC/SCDC (REP1-051):	<p>The modelling of construction traffic has made use of the strategic Saturn model. This model does not include a separate use class for HGV2 (articulated vehicles) which potentially minimises the impact of construction traffic on key receptors.</p> <p>While the routes that can be used by construction traffic within the model has been restricted through the imposition of “significant time penalties” on traffic using restricted routes there have been no restrictions put on non-construction traffic, i.e. traffic that currently uses or is predicted to use the A428 in the future years. This traffic has been allowed to freely reroute through the model this means that the impact of the differing phases of construction appears to be spread over a wide area. With increased levels of traffic indicated through most settlements in Cambridgeshire for the whole period of construction.</p> <p>The Councils will review in detail the Applicant’s Deadline 1 response to this question. We have concerns around the routing, volume, and control of construction traffic.</p>
Applicant Comment:	<p>Within the strategic model, the HGV vehicle class has not been split into OGV1 (rigid) and OGV2 (articulated) with all HGV vehicles being modelled as rigid.</p> <p>The Applicant has worked closely with the Principal Contractor, who had derived the construction strategy, to obtain the necessary data to build a construction traffic assignment model. The construction traffic data includes hourly traffic profiles by arrival, departure, worker classification and vehicle class. However, as it is planned traffic data rather than historical data, it is difficult to obtain the detailed forecast on OGV1 and OGV2. Therefore, the construction traffic model followed the A428 traffic model with a user class (UC5) to include all the non-construction HGVs and added a new user class (UC7) for the construction HGVs.</p> <p>The A428 traffic model has followed the DfT Transport Analysis Guidance (TAG) UNIT M3.1, which suggests HGVs should be treated as an individual user class but doesn’t specify OGV1 and OGV 2 should be separated. In addition, the A428 traffic model used National Highways’ WebTRIS data, which uses 6.6m as representative of the split between light and heavy vehicles and it is a mixture of OGV1 and OGV2.</p> <p>Modelling undertaken by the Applicant to assess the impact of non-construction traffic was carried out using the Strategic Traffic Model and is based upon the assumption that drivers have perfect knowledge of the road network and traffic conditions (e.g. delays). Traffic was assigned to routes such that all journeys across the network are optimised i.e. minimum cost. Diversionary traffic routes were not subject to any coding adjustments within the SATURN traffic model i.e. no attempt was made to force general traffic to use nominated diversion routes.</p>

No.	Question/Applicant Comment
	This approach enables locations to be identified that might be expected to experience increases in traffic flows as a result of temporary measures rather than attempting to force traffic to use the diversion routes which may not be practical. It therefore assumes a 'worse case'.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	c) CBC has previously raised concerns with regards to the permitted construction route through Tempsford, during technical group meetings and at the DCO Open Floor Hearings (12th August 2021). Whilst the more detailed Traffic Management Plans would be expected to provide a greater level of detail with regards to HGV movements and timings, this remains an area of concern that CBC would wish to see addressed fully at the Outline CMP stage.
Applicant Comment:	The Applicant stated in the responses to submissions made at the Open Floor Hearing [REP1-036] that access for construction vehicles along Station Road through Tempsford would be limited to specific elements of work including the gas main diversion works and construction of the east abutment of the East Coast Main Line Railway; both of which are early activities. This route is already being used for access to archaeological clearance works and is a minor route which will only be used for the early activities. Once these specific elements of work are completed, it will then become a prohibited route for construction traffic.
Q1.11.7.10 Local Highway Impacts Clarify and expand on the bullet points raised in your RRs when submitting your LIRs.	
CCC/HDC/SCDC (REP1-051):	Noted. The Councils will do so when submitting their Local Impact Report.
Applicant Comment:	The Applicant notes this response from the Cambridgeshire authorities

No.	Question/Applicant Comment
Q1.12	Historic Environment
Q1.12.1	Methodology
<p>Q1.12.1.1 Methodology and mitigation</p> <p>The construction of the Proposed Development would result in significant adverse effects on designated heritage assets and archaeological remains, including from the Iron Age and Roman times [APP-075].</p> <p>a) In light of the residual adverse effects to the historic environment, are parties and Applicant satisfied that the Proposed Development meets the policy requirements regarding sustaining and enhancing the historic environment in the NPS NN (paragraphs 5.120-5.144)?</p> <p>b) Is the proposed mitigation in the ES adequate, given the residual adverse effects [APP-075, paragraphs 6.9.286 and 6.9.287]?</p>	
<p>Bedford Borough Council (REP1-043):</p>	<p>a) The applicant has set out the likely harms to the historic environment that are likely to occur, including setting impacts, if the proposal goes ahead. Whilst we may disagree with some of the terminology used when assessing significance and level of impact in general we agree that in all cases (aside from Brook Cottages) the level of harm is likely to be less than substantial. The applicant has proposed an Archaeological Mitigation Strategy which is currently being revised in discussion with the Local Authorities.</p> <p>b) The Archaeological Mitigation Strategy is currently being revised in discussion with the Local Authorities. Discussions regarding appropriate mitigation for Brook Cottages are ongoing, this is hampered by the lack of assessment undertaken to date.</p>
<p>Applicant Comment:</p>	<p>a) The Applicant notes this response from Bedford Borough Council.</p> <p>b) The updated Archaeological Mitigation Strategy [APP-238] has been submitted at Deadline 3, following consultation with the local authorities. The proposed mitigation for Brook Cottages is set out in Section 12.1 of the Archaeological Mitigation Strategy [APP-6.12]. This will take the form of a Level 3 survey. An active dialogue is ongoing between Historic England, Bedford Borough Council and the Applicant regarding the potential relocation of Brook Cottages. This does not form part of the mitigation for the Scheme.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>a) No.</p> <p>Although we will be able to agree to proposed methods of investigation and areas for excavation that will allow the conservation of the significance of heritage assets (by making an appropriate record of them) there are some archaeological sites that will not benefit from appropriate mitigation as we consider it.</p> <p>- Sites that are not agreed in terms of the area ("limits of excavation") for mitigation = 14/30</p>

No.	Question/Applicant Comment
	<p>(this had been 15/31 sites, but High Hayden Farm was dropped by agreement - 12th Aug 21).</p> <p>- Sites that are not agreed in terms of strategy = 12/30.</p> <p>We do not approve the relatively low level of sample investigation proposed for the 31 sites across the scheme in Categories 2 and 3. For example, 10% of all linears is proposed as opposed to the Local Authority requirement of 10% of field system ditches and a minimum of 25% of settlement related ditches/enclosures, terminal ends in addition. CCC's archaeological mitigation requirements are given in the Joint Authorities' Archaeological Brief (updated and reissued 23/08/21).</p> <p>We responded to the July 2020 consultation on changes to the scheme design by advising on areas where a modification to the Orders Limits would avoid and protect archaeological sites, including areas at the principal compound in Urban and Civic's Wintringham Park development area, around Site 18 (Fields 74) and in Borrow Pit 3 (Site 37) northwest of Caxton Gibbet roundabout. We received no response to these advised modifications of the route. With particular regard to Site 18, a major Iron Age and Roman site, only the northern part of the principle Iron Age enclosure boundary remains within in the scheme in association with unenclosed contemporary evidence. Despite effort to protect it via a change to the Orders Limits, this part of the site has instead been removed from the mitigation strategy altogether. We do not feel that this is a justified response nor proportionate to its importance or the impact of the scheme. This approach fails to meet the policy at 5.140 of the NSPNN.</p> <p><i>"5.140 Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State should require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the importance and the impact. Applicants should be required to deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it."</i></p> <p>While the scale of appropriate investigation proportionate to the importance and the impact can be debated, CCC object to the omission of known, interpretable archaeological content that will be destroyed within the Scheme boundary for the carriageway and advise that the area for mitigation in Field 74, as advised by CCC, is included in the archaeological mitigation area. See Figure 5.33, Text section 5.21, Table 10.20 of the Phase 2 Evaluation Report and Figure 3 (AP8) of Appendix 6.3: Analysis of Aerial Images TR010044/APP/6.3 (APP-165).</p> <p>b) In terms of archaeological investigation, No.</p> <p>Site strategies do not conform with the investigation strategies in the Joint Authorities' Archaeological Brief that has been revised and updated by CCC,CBC,BBC to address a small number of points of clarity raised by AECOM (reissued as a pdf document for inclusion in a revised Archaeological Mitigation Strategy 23/08/21), others of which were dropped following the explanation of the need for the Local Authority requirements and guidance to be set out and responded to in the site-specific Written Schemes of Investigation that an archaeological contractor will produce. If the strategies and areas for archaeological excavation do not change to reflect the requirements of the LA produced brief, the</p>

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	<p>investigation of sites will not conform to local standards nor NSPNN policy at 5.140 and 5.142 and we risk the loss of finite archaeological resource in some parts of the scheme.</p> <p>That said, in terms of community engagement, there is a significant Public Archaeology and Community Engagement strategy (Appendix E of 6.12 Archaeological Mitigation Strategy). We support this and advise that if conducted from the outset of the scheme, this will provide a major public benefit and leave a significant heritage legacy in the area. The excavations will produce huge assemblages from which representative items will be displayed and interpreted for public interest, which will also enhance heritage sector tourism opportunities.</p>
<p>Applicant Comment:</p>	<p>a) There are 31 mitigation areas within Cambridgeshire. The Applicant considers that based on information emailed by CCC on 5 July 2021, eight of these sites are fully agreed. Another three sites had their areas agreed prior to DCO submission (Sites 12, 13 and 25), but CCC have subsequently requested additional changes.</p> <p>In relation to the sampling of features, this, as had been previously agreed and communicated with CCC, has been updated. The council brief has been agreed and will be appended to the AMS [APP-238], which has also been updated in the methodology sections in Sections 8 and 9 to match the brief. The updated AMS [TR010044/EXAM/9.23] has been submitted at Deadline 3.</p> <p>With regard to the July 2020 consultation, a response has been provided. This can be found in 5.2 - Consultation Report - Appendix V - Tables evidencing regard had to supplementary consultation responses and additional consultations (in accordance with s49 of the Planning Act 2008) [APP-068].</p> <p>With reference to Field 74 (Site 18), as stated in the response to CCC's written representation: In the part of Site 18 in Field 74, the very top of an enclosure is located in the southern part of the eastern half of this field. The overwhelming majority of the enclosure lies outside the Scheme boundary and will remain unaffected. The part of the enclosure in question was covered by Trench 1438. Ten features (ditches, gullies and pits) were identified in this trench and the features were excavated. As stated in paragraph 2.1.2 of the AMS [APP-238] "<i>Not all sites will be fully excavated, as the primary aim of the Strategy is to maximise knowledge gain</i>". At this location, no further information would be gained in relation to the research questions than has already been gathered from the evaluation, if further excavation was to be undertaken here. It does not meet the overarching objective of the AMS.</p> <p>With reference to proposed changes to the Order Limits at Site 18, as stated above a consultation response was provided. CCC had also been informed that the area could not be extended to the north due to the presence of an overhead power line.</p> <p>b) As stated in the response to part a), Sections 8 and 9 of the AMS [APP-238] have been updated to match the Local Authority requirements, as laid out in the Joint Brief. The Joint Brief has subsequently been agreed and forms Appendix B to the updated AMS [TR010044/EXAM/9.23] submitted at Deadline 3. The Applicant would like to seek clarification from the Cambridgeshire authorities on which sites it is considered would not conform to paragraphs 5.140 and 5.142 of the NPSNN.</p> <p>Comments on community engagement are noted.</p>

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Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>a) There are no designated heritage assets within Central Bedfordshire which would be affected by the construction of the Proposed Development. While there would be an impact on a number of known non designated heritage assets with archaeological interest as identified within APP-075, it is considered that with appropriate mitigation the Proposed Development will meet with the policy requirements for the historic environment as identified in the NPS NN paras 5.120-5.144 and specifically 5.141 The applicant has outlined their mitigation strategy in the APP-238, which the Archaeology Team are broadly in agreement with and subject to the adoption of the amendments set out in the Written Reps and already sent the applicant, we consider that APP-238 would be appropriate.</p> <p>b) Paragraphs 6.9.286 and 6.9.287 refer to Brook Cottages which are in Bedford Borough and not Central Bedfordshire therefore CBC has no comment to make in respect of question Q1.12.1.1 part b.</p>
Applicant Comment:	<p>The Applicant notes this response from Central Bedfordshire Council.</p>
Historic England (REP1-078):	<p>Please refer to our Written Representation, section 4. If the Examining Authority has further queries following our written submission, please do contact us for advice.</p>
Applicant Comment:	<p>Section 4 of Historic England's Written Representation relates to Chapter 6, Cultural Heritage [APP- 075] of the ES and the Appendices. The response to comments made there are contained in the Applicant's comments on Written Representations [TR010044/EXAM/9.21].</p>
Q1.12.2	Brook Cottages
<p>Q1.12.2.1 Demolition of Brook Cottages</p> <p>The Proposed Development would require the demolition of a Grade II listed building, a Designated Heritage Asset, causing substantial harm and resulting in a permanent Large Adverse effect [APP-075, Table 6-6]. This is caused by the proposed Black Cat Roundabout junction, which was subject to consultation and refinement prior to the submission of the application [APP-178] [APP-247] [APP-035].</p> <p>a) What is HistE's view on the Applicant's justification for the proposed demolition of Brook Cottages?</p> <p>b) Applicant, when will you know whether it is technically feasible to re-locate Brook Cottages, and whether a museum is willing to accept them [APP-240, Appendix E]?</p> <p>c) Has any consideration been given to re-locating Brook Cottages nearby, and would this be more effective mitigation and reduce the residual adverse effect?</p>	

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Bedford Borough Council (REP1-043):	<p>a) For HE to advise b) For the applicant to advise.</p> <p>As Brook Cottages have not been surveyed, it is currently unclear whether the building can be reasonably relocating whilst retaining sufficient historic fabric and what impact this might have upon its heritage significance. There is no evidence within the application to suggest that an alternative location has been considered by the applicant. However, this ought to be given due consideration as it may be a more sensitive approach than being relocated to a museum. For example, its existing use (likely optimum viable use) would be retained, and its evidential and historic use would be experienced within a context closer to its original state, thereby likely preferable (east Bedfordshire worker's cottage). Too little is known about the alternative at this stage to understand any potential benefits.</p>
Applicant Comment:	<p>Consideration of the potential effects of relocating Brook Cottages has been presented in Appendix E of the Case for the Scheme [APP-240]. This provides a statement on the potential impact on the significance of the building as a dwelling and to a museum. This is based on the level of information available at the time. It is acknowledged that further survey is required to confirm the conclusions made. The Applicant, Historic England and Bedford Borough Council are engaged in active discussions regarding the scope of this work.</p>
Historic England (REP1-078):	<p>We have a number of reservations about the justification for the conservation of some of the listed building's significance through relocation and would refer you to further detailed advice in our written representations, section 3.</p>
Applicant Comment:	<p>Consideration of the potential effects of relocating Brook Cottages has been presented in Appendix E of the Case for the Scheme [APP-240]. This provides a statement on the potential impact on the significance of the building as a dwelling and to a museum. This is based on the level of information available at the time. It is acknowledged that further survey is required to confirm the conclusions made. The Applicant, Historic England and Bedford Borough Council are engaged in active discussions regarding the scope of this work.</p>
Q1.12.2.2 Black Cat Junction Options	
<p>a) How was the historic environment (Brook Cottages, archaeological remains, and Milestone and Mileposts) weighted in the Route and Junction option selection process?</p> <p>b) Applicant, why were the junction option plans that were consulted upon changed to include the demolition of Brook Cottages, and were these revised options subject to consultation, including with BBC / HistE / the public [APP-072, Table 3-4]?</p> <p>c) Applicant, was consideration given to moving the proposed Black Cat junction a short distance to the east and re-aligning the A1 from just north of South Brook to just north of Rockham Ditch, so as to avoid the need to demolish Brook Cottages?</p> <p>d) Applicant, what consideration was given to altering the alignment of the A1 from south of the River Great Ouse to north of South Brook, to avoid the</p>	

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	<p>demolition of Brook Cottages, and improve its setting and immediate environment (Paragraph 5.130 NPS NN)?</p> <p>e) Are BBC and HistE satisfied with the Applicant's design approach to the alignment of the A1 and the Black Cat junction, with respect to the adverse effects on Brook Cottages?</p>
<p>Bedford Borough Council (REP1-043):</p>	<p>There is no evidence to suggest that the revised alignments proposing the retention of Brook Cottages were submitted to the LPA during the non-statutory consultation process for feedback. Following email correspondence with the Manager for Heritage in August 2018, a request for pre-application advice was submitted to the Council by Highways England (our ref: 18/00413/PREAPP), but no further dialogue occurred. Therefore, there would appear to have been no formal advice given regarding Brook Cottages prior to the statutory consultation process, but will await confirmation from the applicant. The Council accept that Option C+ (in document 7.7) is unfeasible, but this is predicated on the alternative being Option C. The Council are therefore unaware of a feasible alternative which might have retained Brook Cottages <i>in situ</i>, and alongside Historic England have instead considered relocation of the asset to avoid its total loss. The Council will await clarification from the applicant as to why an alternative alignment to the east of the junction was not favoured, as this would likely have resulted in the retention of Brook Cottages.</p>
<p>Applicant Comment:</p>	<p>Please refer to the response to Action Point 4 of the Applicant response to actions arising from Issue Specific Hearing 1 on 18 August 2021 – Rev 1 [REP1-034] on the matters relating to locating the Black Cat junction further to the east. For matters relating to the process and alternatives taken into account for a new junction at Black Cat roundabout, please refer to document [TR010044/EXAM/9.39].</p> <p>The Applicant at non-statutory public consultation presented an alternative (Option A) that sought to retain the cottage, please refer to Appendix B2 – Non-statutory consultation booklet and questionnaire of the Consultation Report [APP-035]. However, following the non-statutory consultation, the Applicant reviewed the consulted options and confirmed that all three options presented would require the demolition of the cottages. The Applicant notes that Bedford Borough Council were in support of Option C, which raised the potential for direct impact on the Grade II listed building.</p>
<p>Historic England (REP1-078):</p>	<p>We are not in a position to assess the highways engineering arguments set out in the Design Options but have accepted the proposed alignment. We have a number of reservations about the conservation of some of the listed building's significance through relocation and would refer you to further detailed advice in our written representations, section 3.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes that Historic England has accepted the alignment of the Scheme in this location.</p> <p>Consideration of the potential effects of relocating Brook Cottages has been presented in Appendix E of the Case for the Scheme [APP-240 Appendix E]. This provides a statement on the potential impact on the significance of the building as a dwelling and to a museum. This</p>

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	is based on the level of information available at the time. It is acknowledged that further survey is required to confirm the conclusions made. The Applicant, Historic England and Bedford Borough Council are engaged in active discussions regarding the scope of this work.
<p>Q1.12.2.3 Black Cat Quarry</p> <p>The Black Cat Quarry is located to the east of the existing roundabout and is referenced at various places within the ES [APP-076, paragraph 7.6.90].</p> <p>a) Applicant, how was the operation of the Black Cat Quarry considered in determining the preferred junction option at Black Cat?</p> <p>b) HistE and BBC to comment.</p> <p>c) When did the Applicant know that the Black Cat Quarry was to be closed, and would a different design approach have been taken had the quarry been closed rather than operating?</p>	
<p>Bedford Borough Council (REP1-043):</p>	<p>a) No archaeological comment to make as all required fieldwork within the quarry area has already been completed, post-excavation analysis and reporting also completed to approved draft stage.</p> <p>In terms of the impact on Brook Cottages, relocating the junction further east and towards the quarry would likely allow for the asset to be retained in situ. The Council are unaware that this was put forward as a feasible option in early, non-statutory consultation discussions for comment, or how this was adjudged to be less preferable than the currently proposed scheme. The Council await further clarification from the applicant on these matters.</p> <p>b) No archaeological comment to make as all required fieldwork within the quarry area has already been completed, post-excavation analysis and reporting also completed to approved draft.</p>
<p>Applicant Comment:</p>	<p>Please refer to the response to Action Point 4 of the Applicant's response to actions arising from Issue Specific Hearing 1 on 18 August 2021 – Rev 1 [REP1-034] on the matters relating to the Black Cat junction location.</p>
<p>Historic England (REP1-078):</p>	<p>We advise that with regard to below ground remains, this is a matter for the Applicant and the Local Authority. However, in principle using land which has already been disturbed through quarrying would reduce the impact on archaeological remains on greenfield sites.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Historic England.</p>

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Q1.12.3	Milestone and Mileposts
<p>Q1.12.3.1 Removal and re-location</p> <p>The Proposed Development would entail the removal and subsequent relocation nearby of designated heritage assets, causing a permanent moderate adverse effect [APP-075, Section 6.9]. CCC, HDC and SCDC, and HistE, what is your view on the removal and subsequent re-location of the Milestone and Mileposts?</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>We support this. It will safeguard these assets for future enjoyment.</p> <p>Surveying, recording, conserving and relocating the mile markers is an objective of the Local Authority archaeology brief to inform archaeological contractors to work with local communities to involve them in this work following an approach by Eltisley History Society, parish members and their County Councillor to do so. Their ambition to relocate heritage assets into the village might not ultimately be achievable but their involvement in the process is paramount so that a solution can be agreed upon.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from the Cambridgeshire authorities.</p>
<p>Historic England (REP1-078):</p>	<p>We accept the relocations in principle although we would agree that this would result in harm to their historic significance, as stated in the ES, chapter 6. We would also accept agreeing a methodology for relocation as suggested in in the Case for the Scheme. We would refer you to further detailed advice on these matters in our written representations, section 3.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Historic England.</p>
Q1.12.4	Archaeological Remains
<p>Q1.12.4.1 General</p> <p>There are a number of archaeological remains, in and close to the Order Limits, which would be adversely affected by the construction of the Proposed Development. Furthermore, the proposed diversion of a gas pipeline to enable the scheme to proceed would entail disturbance to archaeological remains [APP-158]</p> <p>a) Applicant, explain how the ES has considered the effects of the proposed pipeline diversion on archaeological remains? Is this the same approach for archaeological remains as for the remainder of the Proposed Development?</p>	

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	<p>b) Applicant, provide more detailed justification for concluding moderate adverse residual effects from the Proposed Development on the archaeological remains [APP-075, Section 6.9]? HistE and LAs to comment.</p> <p>c) Applicant, what consideration has been given to the of the effect of the Proposed Development on all these remains, combined? HistE and LAs to comment.</p> <p>d) The ES states that for Phase 1 of the trial trench evaluation, the original scope of the works required 771 trenches, but 95 trenches were de-scoped and removed [APP-173, paragraph 4.1.2]. What is the justification for the reduction in scope of the works and what effect would it have on the evaluation, including spatially? HistE and LAs to comment.</p> <p>e) Are parties satisfied with the approach, scope and conclusions of the archaeological assessment, and proposed mitigation?</p> <p>f) BBC, you state that the focus of the assessment seems to be 'changes to the visual setting of the monument' [RR-008a, paragraph 4.5]. Clarify whether you are referring to a specific monument; if so which one? Or are you referring to the assessment of all assets in general?</p>
<p>Bedford Borough Council (REP1-043):</p>	<p>b) It is not clear from Section 6.9 whether the moderate adverse effects on the archaeological remains are 'residual' or are the level if no mitigation takes place? Whilst the archive created from investigating the remains ahead of construction is not as valuable as retaining them the work will go some way to mitigating the effects.</p> <p>c) It is not clear to us that the effects as a whole have been considered.</p> <p>d) Certain trenches were removed due to changes in the redline boundary of the scheme.</p> <p>e) In general we consider the approach, scope, and conclusions of the archaeological assessment to be satisfactory. The proposed Archaeological Mitigation Strategy is being revised by Highways England following discussions.</p> <p>f) The comment relates to the overall approach to assessing setting impacts on designated heritage assets. We take the view that setting is the environment in which you experience a heritage asset (in line with Historic England guidance The Setting of Heritage Assets, 2017) and as such in order to fully understand changes to that setting you need to consider more than just visual changes but also account for other environmental changes such as increased (or decreased) for example.</p>
<p>Applicant Comment:</p>	<p>b) The effects are residual, with mitigation in place. This is explained in Section 6.9.1 of Chapter 6, Cultural Heritage [APP-075] of the Environmental Statement.</p> <p>c) Please refer to the Applicant's response to Q1.12.4.1 in the Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022].</p> <p>d) The Applicant notes the response from Bedford Borough Council.</p> <p>e) The Applicant notes the response from Bedford Borough Council.</p>

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	f) Impacts on the setting of heritage assets is detailed in Section 6.9 of Chapter 6, Cultural Heritage [APP-075] of the Environmental Statement.
CCC/HDC/SCDC (REP1-051):	<p>d) This was due to six factors:</p> <ol style="list-style-type: none"> 1. ecology - nesting birds in woodland edges and hedgerows near to trench locations, 2. the presence of farmers' tramlines that they wished to preserve, and 3. flooded field conditions (the evaluation was conducted in a wet winter period). 4. Specific areas contained asbestos and trench numbers were reduced by agreement. 5. Some access to parts of fields by landowners prevented some loss of trenching in small areas. 6. Some specific trenches were removed in small number on CCC's advice during monitoring visits where wider field areas had already demonstrated a lack archaeological remains. A few trenches were reduced in length owing to hitherto unknown buried services or tramlines. CCC adopt a pragmatic approach to trenching when they are satisfied that sufficient information has been obtained. However, where the trench loss was at watercourses or woodland edges where archaeological sites were also present or where geoarchaeological evaluation work was needed but could not happen, this was problematic as these requirements of the evaluation brief were unfulfilled. The Covid pandemic also hindered interaction by specialist personnel being unable to travel to site for specialist fieldwork. <p>In short, the reduced trench coverage will have reduced our understanding a little but we expect that mitigation strategies will comply with CCC's requirements to rectify this and enable both robust and subtle archaeological remains of the distant past to be investigated.</p> <p>e) CCC is satisfied with the approach, scope and conclusions of the archaeological assessment but not with the proposed mitigation in several areas of the scheme, as mentioned above. A table of sites agreed/not agreed has been the subject of discussion at numerous meetings.</p> <p>We do not approve the categorisation of sites as they have been devised in the Archaeological Mitigation Strategy or the low intensity investigation strategy proposed for just under half of the sites as this will prevent useful interpretation of their character and form and deny their use in comparative analyses and synthesis of the archaeology of the A428 corridor. CCC has a duty to conserve and enhance the cultural heritage of the county and to manage the change to the archaeological resource appropriately. We do not accept that ignoring parts of wider occupation areas is a suitable alternative to their investigation.</p>

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Applicant Comment:	<p>d) The Applicant notes the response from the Cambridgeshire authorities.</p> <p>e) There is not a low intensity investigation strategy. As stated above, the content of the AMS [APP-238] has been updated [TR010044/EXAM/9.23] to reflect the requirements of the now agreed Joint Council Brief and has been submitted at Deadline 3. The categorisation of sites has been designed to meet the aims of the AMS, which are stated in Paragraph 2.1.2: <i>“Not all sites will be fully excavated, as the primary aim of the Strategy is to maximise knowledge gain. The mitigation of the Scheme is not designed to allow recording for recording’s sake, but rather to excavate those sites with intrinsic or group value, which will add to the corpus of knowledge for the region.”</i></p> <p>The Applicant does not agree with the statement that parts of the wider occupation areas are being ignored. Areas not included in the mitigation areas are due to a lack of evidence from the evaluation (including analysis of aerial photographs, geophysics and evaluation trenching) or because features have been investigated during the evaluation and no further knowledge would be gained. Instead, the mitigation scheme is designed to allow more intensive investigation of those sites judged to be of intrinsic value. We also dispute the assertion that a low intensity of investigation has been proposed for ‘just under half’ of the mitigation areas. Of the 41 mitigation areas, five are of intrinsic value, which will be subject to more intense investigation than the industry standard; 18 are of group value or are key sites, which will be excavated in line with the council brief, and five sites will be fenced off so that there is no impact upon them. The remaining 13 sites will be subject to investigation by further sampling to answer key research questions, but this includes a number of sites where geoarchaeological analysis is required, and full scale excavation would not be appropriate.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>Comments on Q1.12.4.1 parts b) and c) to follow Applicant’s response.</p> <p>d) It is understood that the removal of the trenches related to changes to the order limits, existing and potential constraints and in some cases trenches were re-located or removed following consultation and agreement with the LAs. In Central Bedfordshire it is not considered that the reduction in the number of trenches effects the validity of the results of Phase 1 of the evaluation.</p> <p>e) CBC’s Archaeologist is content with the approach, scope and conclusions of the archaeological assessment. As noted previously there are some points in the AMS (APP-238) which requirement clarification in order to bring it into line with the archaeological mitigation that has already been agreed in relation to the planning permissions for the excavations granted by CBC. Following a meeting with the applicant and the LA Archaeologists on 12/08/2021 it is understood amendments will be made to APP-238. The detailed points of issue can be found in the Council’s Written Representations.</p>
Applicant Comment:	<p>Noted. The AMS [APP-238] has been updated [TR010044/EXAM/9.23] in line with CBC’s response and was submitted at Deadline 3.</p>

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Historic England (REP1-078):	Please refer to our Written Representation, section 4. If the Examining Authority has further queries following our written submission, please do contact us for advice.
Applicant Comment:	The Applicant notes the response from Historic England.
<p>Q1.12.4.2 Archaeological Mitigation Strategy</p> <p>a) BBC, submit the Archaeological Design Brief prepared jointly by BBC, CBC and CCC, mentioned in RR [RR-008a] and at Appendix B [APP-238].</p> <p>b) Applicant, provide a brief summary of the relevance of the Archaeological Design Brief to this Examination, with respect to NPS NN and local planning policies.</p> <p>c) BBC, provide proposed wording for Requirement 9.</p> <p>d) Applicant to comment.</p> <p>e) CCC, HDC, SCDC, CBC and HistE, what are your views on the scope of the archaeological mitigation strategy [APP-238] and its response to the joint Archaeological Design Brief?</p>	
Bedford Borough Council (REP1-043):	<p>a) A copy of the latest version of the Design Brief is attached as amended following discussions with the applicant.</p> <p>Certain trenches were removed due to changes in the redline boundary of the scheme. A copy of the latest version of the Design Brief is attached as amended following discussions with the applicant.</p> <p>b) The authorised development shall be carried out in accordance with an Archaeological Mitigation Strategy and individual Site Specific Written Schemes of Investigation to be submitted to and approved by the relevant planning authority.</p> <p>The Archaeological Mitigation Strategy shall include a timetable and the following components:</p> <p>(i) fieldwork and/ or preservation “in situ” of archaeological remains;</p> <p>(ii) a post-excavation assessment report and updated project design;</p> <p>(iii) a post-excavation analysis report, preparation of site archive ready for deposition at a store approved by the relevant Planning Authority, completion of an archive report, and submission of a publication report.</p>

No.	Question/Applicant Comment
Applicant Comment:	While the Applicant has no objection in principle to the proposed wording it will be considered further and if agreed, included in the updated dDCO to be submitted at Deadline 4. However, the Applicant does not accept the need for a timetable within the AMS to be included. This detail will not be available until the DCO is consented.
CCC/HDC/SCDC (REP1-051):	<p>a) Joint Authorities' Archaeological Brief for Investigation (JAAB produced by historic environment officers from CCC, Bedford Borough Council (BBC) and Central Bedford Council (CBC) was issued to the Applicant in December 2020, setting out the requirements for the archaeological programme, including a substantial public engagement element, a series of research aims and objectives, guidance for the preparation of the digital and physical archaeological archives, requirements for display and publication of the evidence. This was issued following the submission to CCC of a draft AMS that CCC had not been invited to be involved in the development of which is inconsistent with normal curatorial practices. The JAAB was issued to ensure that local requirements would be met and to retain a consistency with archaeological programmes current on other major development schemes in the vicinity of the Scheme's study area.</p> <p>Some parts of the AMS have conflicting research aims and objectives and this has recently been explained as deriving from the Applicant team's inclusion of a discussion paper and aspects of the Regional Research Framework being too directly applied and unedited (e.g. REF 48 of TR010044/APP/6.12, Vol 6 6.12 Archaeological Mitigation Strategy). That said, much of the AMS can be and has been approved by CCC as consistent with and relevant to the policies for recording archaeological remains contained in NPSNN paragraphs 5.139-5.14, which are similar to those in paragraphs 199-208 of NPPF.</p> <p>However, there are areas of the AMS where opinion has polarised between the Applicant team and CCC, specifically:</p> <p>a) Archaeological site areas that we consider should be included in the investigation scheme, and</p> <p>b) Investigation methodology: including the use of appropriate geoarchaeological techniques to ensure that the relationship of rivers and streams to the archaeological sites located in proximity to them is properly established.</p> <p>Following the return of CCC's review of the AMS listing 76 areas to be addressed in order to agree a suitable, operable archaeological programme, these areas are to be discussed by the Applicant's heritage team and CCC officers in the coming days and weeks. CCC are seeking to ensure that the AMS is suitably scoped and resourced so that scheme programming will not be subject to programme or financial risks owing to any misunderstanding about what will be required in the archaeological investigation programme. CCC require the AMS to contain robust and accurate summaries of the works needed at each of the 31 Cambridgeshire archaeological sites.</p>

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<p>Applicant Comment:</p>	<p>Since this response was prepared by CCC, the Joint Council Brief has been further discussed, amended and is now agreed. It forms Appendix B to the updated AMS [TR010044/EXAM/9.23], which has been submitted at Deadline 3.</p> <p>The Applicant does not agree with the statement on research objectives. The research objectives have been taken from the Regional Research Agendas and from other sources, such as the Rationale and Strategy and the evaluation excavation reports, as detailed in section 4 of the AMS [APP-238]. While a range of research questions is posed, not all of these will be answered by every site or mitigation area, which is why some of the aims and objectives may appear contradictory.</p> <p>The Applicant considers that all areas required by CCC are contained within the AMS. The contention is in the extent of these areas, and, in some instances, the amount of work to be done at each of them. Areas not included in the mitigation areas are due to a lack of evidence from the evaluation (including analysis of aerial photographs, geophysics and evaluation trenching) or because features have been investigated during the evaluation and no further knowledge would be gained. Instead, the mitigation scheme is designed to allow more intensive investigation on those sites judged to be of intrinsic value.</p> <p>The geoarchaeological methodology is in line with Historic England's guidance document on Geoarchaeology (Historic England (2015) <i>Geoarchaeology: Using Earth Sciences to Understand the Archaeological Record</i>). This methodology is available through the historic England publications website.</p> <p>Of the 76 areas to be addressed, 63 have been addressed and the AMS updated. A revised AMS [TR010044/EXAM/9.23] has been submitted at Deadline 3. The remaining areas of disagreement are mainly in relation to the extent of some of the mitigation areas. Summaries of the work required is contained within Section 5 and Appendix D of the AMS. In addition, each mitigation area will have a SSWSI to be agreed with the relevant Curator.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>e) The CBC Archaeologist has provided detailed comments to the applicant on the AMS (APP-238) and it has been agreed that these comments will be addressed in the revised document. If the revisions are made, then CBC will be content that within the scope of the DCO, the AMS responds to the requirements set out in the Archaeological Design Brief.</p>
<p>Applicant Comment:</p>	<p>As stated above, this has been agreed and a revised AMS [TR010044/EXAM/9.23] has been submitted at Deadline 3.</p>

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Q1.13	Landscape and Visual Effects
Q1.13.1	General
<p>Q1.13.1.1 Methodology</p> <p>Within a predominantly rural landscape the ES states that the proposed scheme would have significant adverse residual effects, both during construction and operation [APP-076, section 7.9].</p> <p>a) LAs, are you content with the Landscape and Visual Impact Assessment (LVIA) methodology, including the locations of viewpoints and photomontages [APP-123 – APP-137]?</p> <p>b) HistE's views are sought in light of heritage assets that are present, including scheduled monuments such as a Bronze Age barrow and medieval moated sites [APP-075, Paragraph 6.6.15], within the affected landscape.</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>The scope of the Landscape and Visual Impact Assessment was agreed with the Councils, and the methodology accords with relevant, and current best practice guidance, including <i>Highways England Design Manual for Roads and Bridges</i>¹⁸, the <i>Landscape Institute's Guidelines for Landscape and Visual Impact Assessment: Third edition</i> and <i>The Landscape Institute's Visual Representation of Development Proposals – Technical Guidance Note 06/19</i>¹⁹.</p> <p>¹⁸ https://www.standardsforhighways.co.uk/dmrb/</p> <p>¹⁹ https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/09/LI_TGN-06-19_Visual_Representation.pdf</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from the Cambridgeshire authorities.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>a) Regular meetings have taken place with the team to agree the content of the LVIA, methodology and locations of viewpoints etc. CBC is happy that the area concerning CBC is adequately covered with both summer and winter photos.</p>

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Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.
Historic England (REP1-078):	Please refer to our Written Representation section 4. If the Examining Authority has further queries following our written submission, please do contact us for advice.
Applicant Comment:	Section 4 of Historic England's Written Representation relates to Chapter 6, Cultural Heritage [APP-075] of the Environmental Statement and Appendices, whereas Section 3 deals with designated heritage assets. The response to comments made there are contained in the Applicants comments on Written Representations [TR010044/EXAM/9.21].
Q1.13.2	Visual Impact
<p>Q1.3.2.1. Design and visual appearance</p> <p>Applicant, in the Schedule of Mitigation [APP-235, EMB – LV8] you have identified “<i>Factoring landscape and visual considerations into the form and design of permanent structures (for example footbridges)</i>” as a commitment. The ExA notes that there is limited detail about the design and visual appearance of permanent structures, besides the engineering sections [APP-019] and the limited visuals in the ES [APP-072].</p> <p>a) In the absence of this information, please elaborate on how the design and visual appearance of the various permanent structures of the Proposed Development such as the grade separated junctions, bridges, gantries and signs, have been considered in LVIA?</p> <p>b) Local Authorities to comment.</p>	
CCC/HDC/SCDC (REP1-051):	With reference to computer generated Zones of Theoretical Visibility (ZTVs) The LVIA methodology [APP 6.1.] does not make note of elements which may have vertical features which might add to the assumed height of the highway; the highest points of the dual carriageway, with additional 1m allowance for vertical limits of deviation, and an additional 4m allowance for high sided vehicles. This would therefore not appear to include elements such as suspension mechanisms, arch bridges, gantries or similar features which may result in a change to the magnitude of visual effects. The methodology suggests that some allowance has been made for additional features, such as signage, in the fieldwork element of the assessment. The visual effects narrative [APP 6.1. – Table 1.3] explicitly discusses new bridges, roundabouts, and sliproads, though of course no detail on the design of the bridges is yet available which is a limitation to the assessment. This is why it is maintained that flexibility needs to be maintained within the Second Iteration of the EMP for any additional mitigation which may be identified as necessary during the development of detailed design proposals for permanent structures. Please see response to Q1.10.2.1.

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<p>Applicant Comment:</p>	<p>Zones of Theoretical Visibility (ZTV) are a tool which have been used to inform definition of the study area and the location and extent of landscape and visual receptors which may be affected by the Scheme. As stated in paragraph 1.2.39 of Appendix 7.2 Landscape and Visual Impact Assessment Methodology and Study Area [APP-180] of the Environmental Statement, the ZTVs are based on the extent of built infrastructure within the Order Limits. This includes the earthworks and structures. The height of the carriageway was further increased by 1 metre to account for the vertical limits of deviation and by an additional 4 metres to account for the height of high-sided vehicles.</p> <p>As stated in paragraph 6.6 of GLVIA3 “visibility mapping is an important tool in preparing the visual effects baseline but does not in its own right identify the effects”. ZTVs have therefore been used alongside other desk based resources and fieldwork to judge the likely significant effects reported in Chapter 7, Landscape and Visual Effects [APP-076] of the Environmental Statement. This includes consideration of the temporary and permanent structures proposed as part of the Scheme, made with reference to other documents in the Application, including:</p> <ul style="list-style-type: none"> • General Arrangement Plans [APP-011]. • Engineering Sections (Part 3 - Structures General Arrangements) [APP-019]. • Environmental Masterplan [APP-091]. • Construction Compound Location and Indicative Layout [APP-092]. • Photomontages [APP-123 to APP-137]. • Landscape cross-sections [APP-138]. <p>The methodology employed in generating the ZTVs is set out in Appendix 7.2 of Chapter 7, Landscape and Visual Effects of the Environmental Statement [APP-180]. The landscape and visual effects reported in the Environmental Statement have been determined in accordance with the methodology set out in Appendix 7.2 [APP-180] of Chapter 7, Landscape and Visual Effects of the Environmental Statement [APP-076]. Professional judgement has been made in line with GLVIA and LA 107: Landscape and Visual Effects.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Any LVIA will need to include the full structures and include winter landscape to enable the ‘worse case’ scenario to be considered.</p>

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Applicant Comment:	<p>The Applicant confirms that the structures which form part of the Scheme have been considered in forming judgements on landscape and visual effects, as reported in Chapter 7, Landscape and Visual Effects of the Environmental Statement [APP-076]. These effects have been considered at three points in time:</p> <ul style="list-style-type: none"> • During construction (winter). • Year 1 of operation (winter). • Year 15 of operation (summer).
Q1.13.3	First Iteration EMP and Landscape and Ecology Management Plan
<p>Q1.13.3.1 Mitigation</p> <p>a) LAs, are you satisfied with the level of detail regarding the proposed mitigation that would have been secured through the First Iteration EMP, including the Landscape and Ecology Management Plan [APP-234] and the dDCO [APP-025]?</p> <p>b) The ES states that one of the measures to mitigate the effects of construction activities includes sympathetic lighting to minimise disturbance to nearby receptors. Applicant, are you intending to provide any further information about the objectives for lighting measures, than is already provided in the First Iteration EMP [APP-234, Section 1.4]? LAs and NE to comment.</p> <p>c) LAs, would the Proposed Development be sufficiently screened, particularly relative to existing settlements, such as Roxton, St Neots, or Caxton-Toseland?</p> <p>d) CCC, elaborate on your concerns regarding HE's commitment to timing of planting, maintenance regime, and planting mixes [RR-013].</p>	
CCC/HDC/SCDC (REP1-051):	<p>The Councils refer to section 8 of their Written Representation in addition to the points made below. The Councils will consider the response from the Applicant and make further submissions at Deadline 3 if necessary.</p> <p>Insufficient information about mitigation has been provided:</p> <p>a) It is not possible to determine the full level of impact of the scheme, due to incomplete survey work. Therefore, it is not possible to determine whether an acceptable level of mitigation has been secured as shown in the First Iteration EMP due to incomplete baseline survey for the following ecological receptors: Protected Road Verge (grassland of county importance), arable field margins (priority habitat), unimproved neutral grassland (potential priority lowland meadow habitat), aquatic habitat, terrestrial invertebrates, aquatic invertebrates, and bats. Furthermore, it is already possible to see where there are already some deficiencies in the information provided (as detailed below).</p>


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	<p>Protected Road Verge S8 – no consideration of PRV has been provided within the design / assessment. During the 2012 PRV surveys (undertaken by CCC) a nationally scarce vascular plant was recorded at the site and therefore, the site meets criteria for County Wildlife Site status, and it therefore considered of county importance for its grassland. A survey was undertaken July 2021 and results will be available early Sep 2021. There are no measures to protect or enhance this site within the LEMP in order to mitigate any adverse impact. Such sites comprise a vital element of the county's ecological networks and habitat improvement of the network verge is specifically cited in NPS NN Section 5.36.</p> <p>b) Arable Field Margins (priority habitat) – no mitigation has been provided within the LEMP for the loss of district importance Arable Field Margins (Fields A29 & A30, para 4.3.3, Appendix 8-3, 6.3 ES). The scheme does not protect existing priority habitat or proposed re-instatement on sites that will be temporarily lost. An Arable Farm Margin mitigation strategy is required to demonstrate how this habitat can be protected, mitigated, and restored within the Order Limits.</p> <p>c) Hedgerows / Woodland (priority habitat) – there will be increases in woodland coverage, but the planting mixes do not reflect key characteristic (e.g. elm, particularly the Huntingdonshire variety which is resilient to Dutch elm disease) and/or include species not resilient to climate change (e.g. silver birch). And therefore, will be of lower quality. See answer to (D) below with regards to planting mixes.</p> <p>d) Unimproved neutral grassland (potential priority habitat) – at this stage, it is not possible to determine the quality of the grassland (due to lack of survey), however it has the potential to be of county importance (e.g. support notable species / good botanical assemblage) and/or priority lowland meadow habitat. No mitigation has been provided within the LEMP for the loss of unimproved neutral grassland, instead species-poor / mixes containing species not indicative of the local area have been selected.</p> <p>Bats (European Protected Species) – with the lack of information submitted about the extent of lighting across the scheme, it is not possible to determine whether mitigation is sufficient. Requirement 17(2)a of the DCO states the lighting scheme will incorporate mitigation measures set out in Chapter 8. However, there are no specific mitigation measures set out at chapter 8, with the exception of a generic statement saying the lighting scheme has been designed to minimise spill onto adjacent habitats [8.9.122, Chapter 8, 6.1 ES]. Since there must be certainty of likely impacts on bats as European Protected Species, we would expect an outline lighting strategy to be submitted or evidence that there will be no lighting of hedgerows or tree belts. There is an indicative functionally linked habitat around Eversden and Wimpole Woods SAC identified in the SCDC's Biodiversity Supplementary Planning Document Consultation Draft (July 2021)²⁰. This shows hedgerow adjacent to the proposed route which falls within the SAC's 10 km wider conservation area (Natural England) which would be negatively impacted.</p> <p>Bats (European Protected Species) – there is insufficient detail about the design of the bat crossings to demonstrate they will be designed effectively for bats. There is no proposed design within the DCO documents, nor requirement for ecologically sensitive design of these structures within the DCO. Eight underpasses are shown as mitigation measures for otters and badgers in the applicant's Environmental Statement, Chapter 8: Biodiversity (and bats are mentioned in the text and in the Environmental Masterplan). However,</p>


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	<p>there do not appear to be any plans to install underpasses that are a suitable height for bats, or green bridges, which may be a better alternative, or whether lighting will affect the underpasses. There is scientific evidence that underpasses have the potential to reduce the number of bats killed by traffic and increase the permeability of roads for bats to maintain connectivity across the landscape, but they must be built on pre-construction commuting routes. We would expect evidence that bat underpasses are being constructed in appropriate locations. The Environmental Masterplan cites 'creation of habitat to encourage bat movement under the viaduct and along the River Great Ouse'. These measures are not specified.</p> <p>Great Crested Newts (European Protected Species) – ES states that the loss of breeding ponds and terrestrial habitat will be compensated through use of the District Level Licensing or on-site mitigation (under NE licence), or a combination of both. And that “no operational impacts are predicted to occur for... Great Crested Newt” [paragraph 8.9.135, Chapter 8, 6.1 ES]. However, no DLL certificate has been supplied to demonstrate the scheme is eligible for DLL (in accordance with NE guidance, this should be submitted as part of application for planning permission). In addition, no on-site mitigation (enhancement / creation of GCN habitat) has been provided within the LEMP. It is also noted that in Chapter 8, it is proposed to translocate GCN to existing ponds with GCN – this is considered inappropriate and poor practice, given the ponds are likely to be at carrying capacity & it would also risk spreading disease into healthy populations. An NE licence would be unlikely to be granted for this type of translocation. Actions to be taken for Great crested newts are not mentioned in the Biodiversity Pre-Commencement Plan (Feb 2021).</p> <p>e) Farmland birds - ES states that “No operational impacts are predicted to occur for... birds” [paragraph 8.9.135, Chapter 8, 6.1 ES] but this has not been adequately demonstrated for farmland birds within the LEMP. No landscape scheme is proposed beyond the narrow route corridor and therefore, is not suitable for breeding / wintering farmland bird species that are sensitive to noise / lighting etc. More detailed is required as to how these species will be mitigated within the wider Order Limits (e.g. restoration of site compounds / borrow-pits).</p> <p>f) Aquatic habitats / aquatic invertebrates - ES states “the design of the Scheme includes the creation of 18 ponds and patches of wetland as well as the restoration of sections of the Hen Brook and other watercourses” [paragraph 8.9.98, Chapter 8, 6.1 ES]. However, no ponds are proposed within the LEMP. The wetland habitats provided within the LEMP will be species-poor, with a small number of dominant grass species (e.g. rye grass). No aquatic or marginal species are proposed (with the exception of reed canary grass) and therefore, not of sufficient quality to mitigate loss of ponds/ aquatic invertebrate habitat. No information is provided within the LEMP about the restoration to the watercourses (including Hen Brook) – it is not clear whether this information will come forward as part of requirement 3 or 4 (2nd / 3rd Iteration EMPs).</p> <p>g) Terrestrial Invertebrates. From the survey information provided to date (albeit incomplete), elm and deadwood are two key habitats for terrestrial invertebrates of local & county importance (respectively). The LEMP does not include mitigation for loss of elm. While the applicant will consider elm within hedgerows, there is no confirmation this will be delivered, and there's no commitment for inclusion with woodland. In addition, there is a proposal to create log piles, however this will not compensate for the loss of standing deadwood (upon</p>

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	<p>which notable invertebrates were recorded).</p> <p>h) Biodiversity Net Gain – the LEMP does not provide any targets for the type and condition of the habitats to be created and how they will be monitored in order to deliver the 20.5% BNG. Requirement 6 landscape does not include any requirements for remedial actions for reinstating habitats that have failed (part from scrub and trees), nor is there any measure for managing the habitats until BNG has been delivered. This might be picked up as part of requirements 3 & 4 (2nd / 3rd EMP), but this is unclear at this stage. The EMPs will need to include a timetable for habitat condition assessments, mechanism for remedial action, and management until they need target condition (as set out in BNG assessment).</p> <p>Q1.13.3.1 c) It is considered that additional screening could be provided for the benefit of residents of St Neots, particularly in the vicinity of Wintrigham Park which is currently under development. Effects here have been assessed in relation to receptors on Footpaths FP 1/9 and FP 194/55 (Viewpoint 27) and receptors on Footpath FP 1/19 (Viewpoint 28), though in the near future the receptors will also be residential. The visual effects of the development to these receptors remains 'Moderate adverse' at year 15 of operation, though it is accepted that it is not possible to screen all elements of the proposed road corridor and associated infrastructure completely.</p> <p>D)</p> <p><i>Timing</i></p> <p>Timing of planting – in light of the 90%+ failure of sections of the trees planting along some sections of the A14 Cambridge – Huntingdon scheme, we are mindful to ensure the same issue isn't repeated. And therefore, seek assurances within the documentation that the planting will be undertaken at the correct time of year.</p> <p><i>Maintenance regime</i></p> <p>Currently, the LEMP proposes an initial 5-year management period, followed by a long-term maintenance period. However, we are unclear how long this 'long management' period would last. It should last for the lifetime of the development. Or at the very least, a sufficient time period to enable all ecological mitigation and enhancement to be delivered, with habitat meets its target condition to deliver Biodiversity Net Gain (in accordance with Technical Note accompanying Defra BNG model 3.0) and species populations to have successfully re-established to pre-construction levels.</p> <p>Currently, the maintenance regime does not include objectives for each habitat, upon which the site will be managed / habitat condition assessed or monitor the success of mitigation for species (e.g. bats, GCN, terrestrial invertebrates). The regime should also include timetable of habitat condition assessments to demonstrate whether or not the target conditions have been achieved.</p> <p><i>Mixes</i></p> <p>LE1.1 amenity grassland and LE1.6 open grassland (containing only 6 grass species) are not considered appropriate for a rural road scheme. LE1.3 species-rich grassland is not well balanced / characteristic of the area. The grassland mixes should maximise the benefit for</p>

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	<p>wildlife through the use of wildflower species-rich grassland throughout the scheme, using mixes that are indicative of the local area.</p> <p>LE2.1 woodland mix figures are inaccurate & add up to greater than 100%. The use of silver birch at 25% is not appropriate, given it is not resilient to the climate change predicted within our area.</p> <p>LE2.1 woodland mixes, scrub mixes (LE2.2, LE2.4, LE2.5, LE2.6 & LE2.8) and hedgerow mixes (LE4.3 & LE4.4) do not include elm. It is noted that "<i>English Elm (Ulmus procera) and small-leaved elm (Ulmus minor) are under consideration as part of the planting mix, predominantly for hedgerows</i>" [paragraph 1.10.14, LEMP] but there is no guarantee this will be delivered. The Huntingdonshire variety of elm, which shows resistance to Dutch Elm disease is an important element of the local woodland and hedgerows (as discussed above). It might not be possible at this stage to commercially source sufficient stock for the planting scheme (depending on time scales). It may require a mechanism to be set up to work with a local nursery to produce Huntingdonshire elms, to be installed along the scheme and (where this is not possible) the wider Huntingdonshire landscape.</p> <p>LE2.5 / LE5.1 – good to have a variety of species. Hornbeam and Beech (only found in Plantation headlands in S. Cambridgeshire) are not characteristic of the area, but acceptable in small quantities due to their resilience to predicted climate change. However, we are concerned about the usage of Silver birch, willows and alder on areas / embankments with limited rain / water retention in the soils.</p> <p>L-10: Indicative individual trees mix. Disappointing that the Huntingdonshire variety of elm is not included within individual trees. It would be beneficial to locate elm specimens in close proximity to the veteran English elm, to future proof this habitat / if this tree was inadvertently impacted by the scheme.</p> <p>The planting mixes for banks and ditches (LE6.2), reedbeds (LE 6.3) and marsh and wet grassland (LE 6.4) are species poor, comprising a small number of dominant species (e.g. rye grass and reed canary grass) and therefore provided little benefit to wildlife. These habitats were identified as being mitigation for loss of aquatic habitat (e.g. ponds) and associated aquatic invertebrates. Therefore, the planting mixes should be species-rich, including flowering plants, and include aquatic, marginal and wet grassland mixes. For example, use of coir rolls with a variety of native plant species should be used to maximise their biodiversity value.</p> <p>²⁰ https://www.greatercambridgeplanning.org/media/2316/gcsp-biodiversity-planning-doc.pdf</p>
<p>Applicant Comment:</p>	<p>Comments on Written Representations [TR010044/EXAM/9.21].</p> <p>The Applicant can confirm that since submission of the DCO application a suite of surveys covering terrestrial habitats, aquatic habitats and certain species has been, and continued to be, undertaken, in addition to carrying out searches for any new records of flora and fauna. The following list indicates the surveys currently being undertaken or already completed during 2021:</p> <ul style="list-style-type: none"> • Terrestrial habitats including Phase 1 Habitat and flora surveys – survey(s) completed.

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	<ul style="list-style-type: none"> • Aquatic habitats • Bats • Barn Owl • Reptiles and reptile habitat • Great Crested Newt. <p>a. Further to the assessment undertaken of Protected Road Verge S8, Brockley Road, Elsworth (west side) in 2016 and 2018, a re-assessment was undertaken in July 2021, in the form of a detailed survey, which confirmed that the southern section of this PRV had been damaged and that the site was in unfavourable condition and declining in line with the most recent assessments undertaken by the Wildlife Trust (2019) which considered the southern section had “been destroyed by roadworks and should be removed from the PRV”. The results of these surveys are being used to provide any updates to those data collected in 2018-19 and will be communicated to CCC, SCDC and HDC and the Examination by deadline 4.</p> <p>b. Further to the assessment undertaken of arable field margins in 2016 and 2018, a re-survey was undertaken in July 2021. No field margins supporting notable or rare arable weeds were found within the Scheme boundary.</p> <p>c. The Applicant welcomes advice on species types and mixes for hedgerow and woodland creation and the incorporation of dead wood. The indicative species mixes were shared with the Council’s landscape architects in the autumn of 2020 and amended based on views received from HDC and SCDC prior to submission of the Application. If HDC/SCDC wish to propose further amendments, please include a copy of these in the Statement of Common Ground for formal discussion.</p> <p>d. Further to the assessment undertaken of grassland in 2016 and 2018, a re-assessment was undertaken in July 2021. No grassland supporting notable species and, or good botanical assemblages, or priority lowland meadow habitat was found within the Scheme boundary.</p> <p>Bats:</p> <p>The Scheme proposes lighting at conflict areas, typically roundabouts (see orange hatched carriageway in General Arrangement Plans). There is already lighting at most of these conflict areas, and this will be similar in scale to the baseline. For the majority of the Scheme and for the bat tunnel and other underpasses, there will be no lighting and hence there will be no impact from lighting on bats. Neither the River Great Ouse viaduct nor the Toseland Road bridge will be lit.</p>

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	<p>On close examination of the Biodiversity Supplementary Planning Document Consultation Draft (July 2021) and the 10 km sustenance zone for Eversden and Wimpole Woods SAC, a significant proportion of those hedgerows marked as part of the linkage do not exist (Figure 1) and of those that do, the structure of some is very poor (Figure 2).</p> <p>Figure 1. SAC 10 km sustenance zone to east of Eltisley</p> <p><u>(green lines = hedgerows as in Biodiversity Supplementary Planning Document Consultation Draft (July 2021); red line = boundary of South Cambridgeshire District council; black line = existing A428)</u></p> 

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	<p data-bbox="371 344 1491 373">Figure 2. Poor hedgerow adjacent to A428 to east of Eltisley within SAC 10 km zone.</p>  <p data-bbox="371 1015 2024 1075">This evidence further supports the conclusion that there is no coherent linkage between the Scheme and the Eversden and Wimpole Woods SAC.</p> <p data-bbox="371 1114 2074 1246">The main underpasses embedded in the Scheme are at the crossing of the River Great Ouse, the main line railway bridge, the tunnel at Alington Hill/Sir John's Wood, Hen Brook underpass and Pillar Plantation underpass, the alignment of which allow bats to pass without changing flight height or direction (Environmental Masterplan [APP-091] – Figure 2-4 of the Environmental Statement). Additionally, there are three further underpasses, the design of which will allow the passage of Otter and Badger (Environmental Masterplan [APP-091]).</p> <p data-bbox="371 1267 2074 1366">The Applicant has submitted an application to NatureSpace to join the District Level Licensing scheme for the Bedfordshire section of the Scheme and will submit a draft application to Natural England for a European Protected Species licence for the Cambridgeshire section of the Scheme. It is of note that there are no ponds (or other waterbodies) supporting Great Crested Newt within the Scheme boundary.</p>

No.	Question/Applicant Comment
	<p>e. The habitat creation within the Scheme boundary will be colonised by a number of farmland birds which will benefit from the range and quantity of habitats which are not found within the intense arable landscape of very large fields, very little woodland and, on the whole, poor hedgerows in terms of biodiversity value. This conclusion is supported by the net gain in biodiversity of habitats (excluding hedgerows) across the Scheme.</p> <p>f. Aquatic habitat surveys were undertaken in the spring and summer 2021 of a number of those watercourses and ponds that were found to be dry during the 2018 surveys [Appendix 8-4 Aquatic Habitats] (see response to CCC, SCDC and HDC for 1.3.1.1). The surveys found that these watercourses were either permanently dry or dry most of the time.</p> <p>g. As for (c) above, the Applicant welcomes advice on species types and mixes for hedgerow and woodland creation and the incorporation of dead wood. The species mixes were amended based on views received from the landscape architects from both HDC and SCDC. If HDC/SCDC wish to propose further amendments, please include a copy of these in the Statement of Common Ground for formal discussion.</p> <p>h. The biodiversity net gain calculations build in a measure to cater for the time that it takes different types of habitat to reach target condition and credits are awarded accordingly. In order to deliver the credits, the critical factors are the extent of the habitat types and the management needed to enable a given habitat type to develop towards its target condition. The extent of the different types of habitats is presented in the Environmental Masterplan [APP-091] and the management for these habitats is described in the First Iteration Environmental Management Plan [APP-234]. The latter includes remedial measures, if needed, for example removal of pernicious weed.</p> <p>Q1.13.3.1 c) – The Applicant has assessed the likely significant effects on landscape and views in Chapter 7 of the Environmental Statement [APP-76]. This includes an assessment of the views of future residents of the Wintringham development, which is currently under construction, against a future baseline. The Councils note in REP2-003n of their Local Impact Report that “<i>the route placement will therefore have negligible impact on those sensitive receptors and in that regard is found to be positive.</i>” No further assessment of mitigation is considered necessary.</p> <p>D ((d) in question)</p> <p>Timing – planting will be carried out in the first available planting season and at a time of the year appropriate to the species being planted, in accordance with the First Iteration Environmental Management Plan [APP-234]. The planting season for bare root plants is November to March inclusive and plants will be planted as early as possible in each planting season to maximise establishment.</p> <p>Maintenance regime – long term management of the proposed habitats will be carried out for the lifetime of the Scheme. Annex L of the First Iteration Environmental Management Plan [APP-234] provides an outline of how these habitats will be managed based on landscape element type. These prescriptions will be developed further in the Second Iteration Environmental Management Plan.</p>

No.	Question/Applicant Comment
	Mixes - As for (c) above, the Applicant shared the indicative species mixes with the Council's landscape architects in the autumn of 2020 and amended based on views received from HDC and SCDC prior to submission of the Application.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	a) Following discussions with HE, CBC is happy that the proposed mitigation is sufficient.
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.
Natural England (REP1-088):	Natural England would expect to see further detail provided on sympathetic lighting measures to confirm that there will be no adverse disturbance impacts to light sensitive species including bats and otters. We will be pleased to comment on a detailed lighting strategy for the scheme, which seeks to minimise adverse impacts to light sensitive species, in due course.
Applicant Comment:	The lighting strategy for the Scheme will be developed as part of the detailed design stage. The Scheme is only proposing lighting at conflict areas, typically roundabouts (see orange hatched carriageway in the General Arrangement Plans [APP-011]). There is already lighting at most of these conflict areas and this will be similar in scale to the baseline. For the majority of the Scheme and for the bat tunnel and other underpasses, there will be no lighting and hence there will be no impact from lighting on bats. Neither the River Great Ouse viaduct nor the Toseland Road bridge will be lit.

No.	Question/Applicant Comment
Q1.14	Land use including open space and green infrastructure
Q1.14.1	Geology and soils
	<p>Q1.14.1.1 BMV agricultural land</p> <p>The ES states that some 348 hectares of the BMV agricultural land will be permanently lost because of the Proposed Development, with some 512 hectares used temporarily, in association with the construction of the scheme [APP-078, paragraph 9.9.25].</p> <p>a) Applicant, please explain in what specific ways consideration was given to BMV during design of the Proposed Development and provide the justification for the acknowledged harm [APP-078, Table 9-14]. For land that is to be returned to agricultural use following the construction of the scheme, what consideration has been given to its soil condition?</p> <p>b) Interested Parties, your RRs refer to land that has been subject to regenerative agricultural practices to improve it [RR-039] [RR-061] [RR-083] [RR-113]. Provide further details about the effects of these practices. LAs and Applicant to comment.</p> <p>c) Applicant, how has the route / junction option selection process considered BMV agricultural land, including in terms of spatial functionality of remaining BMV agricultural land? LAs to comment.</p>
CCC/HDC/SCDC (REP1-051):	We have requested that the DEFRA Code of Practice for the Sustainable Use of Soils on Construction Sites is adhered to in all agricultural land reinstatement to ensure land returning to owners is workable in terms of agricultural practices.
Applicant Comment:	The Applicant can confirm that paragraph 1.3.2 of Annex E Soil Handling and Management Plan within the First Iteration Environmental Management Plan [APP-234] states that topsoil management will adhere to the Defra Code of Practice for the Sustainable Use of Soils on Construction Sites. This includes approaches and techniques for the stripping, stockpiling, re-spreading and ameliorating soils.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	The area of land although important, is not significant in the CBC area.

No.	Question/Applicant Comment
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.
Brown & Co on behalf of Messrs Pearson (REP1-080):	<p>In response to question 1.14.1.1. Part b in relation to RR-039, RR-061, RR-083 and RR-113. My clients land has been subject to regenerative agricultural practices for the previous 4 years. This practice involves considerable investment in the growing of cover crops, monitoring inputs and increasing or decreasing these inputs as required. In addition to this, my client also undertakes specific cultivation of the soils with the aim of improving soil health and condition. The long term aim is to reduce the requirement for high input farming, significantly increase soil biology and let the soil self-structure so that it becomes more resilient to climate change effects of wet winters and dry springs and works with the farmer to produce crops using fewer artificial inputs and maintaining crop production yields, all while sequestering carbon and positively contributing to tackling the climate crisis. My client would anticipate to start seeing the benefits more fully within 5 years and the full effects in approximately 10 years.</p> <p>My client has worked very closely with their advisors to monitor the soil structure and biology over the last 4 years and have incurred considerable expense in doing this. Over my clients land they have already started to see the benefits of this investment with increased soil biology and improved soil structure. Once the land has been used for the A428 project this investment will be lost as the land requires continuous management. In order to restore the land back to the current stage of regeneration this would require approximately 4-5 years of well managed herbal leys which would result in loss of production on this land for the period.</p> <p>I trust this answers the question however should there be any further questions in relation to this then my client would be pleased to answer them. My client has further concerns over the use of temporary land and the impact on their farming system.</p>
Applicant Comment:	The Applicant is currently carrying out soil surveys to establish the physical, chemical and biological characteristics of the soils sampled; of particular relevance to regenerative agriculture are the soil texture, structure, consistency, organic matter and nutrient levels. These will be recorded prior to disturbance and will act as a specification for restoration of the agricultural land used temporarily. Soils will be stripped, stockpiled and restored in accordance with good practice as set out in Annex E Soil Handling and Management Plan in the First Iteration EMP [APP-234] in order to maintain their quality, and soil health will be monitored following restoration to identify and correct any deficiencies (also set out in Annex E Soil Handling and Management Plan). Once the soils are returned in the same condition, particularly in respect of organic matter content, the remaining principles of regenerative agriculture are concerned with the ongoing management of the land and soil.

No.	Question/Applicant Comment
Q1.15	Need for Development and Consideration of Alternatives
Q1.15.1	Need for Development
<p>Q1.15.1.1 Parameters and description of the scheme</p> <p>a) What effect would widespread and long-term changes to people's working patterns, such as working from home for some or part of the time as experienced during the Covid-19 restrictions, have on the assessment of need for the scheme?</p> <p>b) What effect would the changes in ways of working, as a result of the ongoing rollout of high speed broadband infrastructure as referenced in the Government's National Infrastructure Strategy, have on the assessment of need for the scheme?</p> <p>c) With reference to Scheme Objective a Connectivity [APP-071, Section 2.2], what is the current and projected road journey time between Cambridge and Milton Keynes, with and without the scheme? What is the difference as a proportion of the overall journey time?</p> <p>d) With reference to Scheme Objective c. Economic Growth [APP-071, Section 2.2], describe spatially and locationally the people and jobs that would be served by the Proposed Development.</p> <p>e) List other development projects that would be enabled by the Proposed Development. LAs may also identify development projects. What would be the planned increase in dwellings/ population served by the Proposed Development upon completion?</p> <p>f) Explain what you mean by "Wider Economic Benefits" and "Journey Time Reliability" identified as benefits in the ES [APP-240, Table 4-4]. How are these benefits different to the previously identified "Commuting User benefits", "Other User benefits" and "Business User benefits" in the same table?</p>	
CPRE Cambridgeshire and Peterborough (REP1-056):	The CPRE response to the written question and the Applicants comments on this response are set out in Appendix A of this document
Applicant Comment:	See Appendix A of this document.

No.	Question/Applicant Comment
Q1.15.3	Cost benefit analysis
<p>Q1.15.3.1 Effect on air quality</p> <p>Explain how the overall negative benefit of the scheme in terms of air quality is consistent with the scheme objectives. (See related questions under Air Quality)</p>	
CPRE Cambridgeshire and Peterborough (REP1-056):	The CPRE response to the written question and the Applicants comments on this response are set out in Appendix A of this document
Applicant Comment:	See Appendix A of this document.
Q1.15.4	Alternative modal solutions
<p>Q1.15.4.1 East West Rail</p> <p>Additional Submission from EWR Company [AS-004], various RRs, including from BBC [RR-008a] and the TA [APP-242, Section 2.5] refer to the proposed EWR scheme that would provide a new railway linking Bedford to Cambridge. Applicant, explain your engagement with EWR Company in the development of the Proposed Development? EWR Company to comment.</p>	
East West Rail Company (REP1- 074):	<p>2.1.EWR Co reserves its position pending receipt of the comments of Highways England in response to this question. However, in the interim, EWR Co confirms that EWR Co and Highways England have been engaging regarding the A428 Black Cat to Caxton Gibbet Scheme (Scheme) and the development of East West Rail (the EWR Project) since 2018. A more detailed record of engagement is being set out in the draft Statement of Common Ground between EWR Co and Highways England (SoCG) which will be submitted in draft at Deadline 1, however, a summary of the engagement relating to the development of the EWR Project is also provided below:</p> <ul style="list-style-type: none"> • December 2018: Highways England shared details of the Scheme with EWR Co. • September 2019: Highways England shared 3D geometry of the emerging Scheme design with EWR Co.

No.	Question/Applicant Comment
	<ul style="list-style-type: none"> • February 2020: EWR Co attended a workshop with Highways England about maximising local and skills and employment outcomes of the Scheme. • March 2020: Highways England and EWR Co met to discuss information sharing, scheme interfaces and joint working. • May and June 2020: EWR Co attended Highways England's Strategic Stakeholder Board and Technical Working Groups that support the Scheme. • July 2020: EWR Co response to Highways England's Supplementary Consultation on the Scheme. • August 2020: Highways England shared flood modelling information for the Scheme with EWR Co. • October 2020: Highways England and EWR Co met to discuss information sharing • December 2020: Discussion of the opportunities to deliver the two schemes during similar construction timelines and create efficiencies during construction. • June 2021: EWR Co met with Highways England to discuss the potential for the two schemes to work together and the content of the SoCG. • August 2021: EWR Co held a Design Integration Workshop with Highways England.
Applicant Comment:	The Applicant agrees with the summary of engagement provided by EWR Co. The draft Statement of Common Ground with EWR Co [REP1-015] sets out a detailed record of engagement, including correspondence between the two projects.

No.	Question/Applicant Comment
Q1.16	Noise and Vibration
Q1.16.1	Construction and Operational effects on sensitive reports
<p>Q1.16.1.6 Significant noise effects of construction</p> <p>ES [APP-080, paragraph 11.3.11] states that consultation has been carried out with the Environmental Health Departments of BBC, CBDC, HDC and SCDC. Can the LAs confirm that they are in agreement with the assessment of significance and that there are no concerns regarding the mitigation provisions outlined, including the subsequent assessment stage?</p>	
<p>Bedford Borough Council (REP1-043):</p>	<p>The Council is not aware of the mitigation proposed for the borrow pits as there has not been any assessment. The applicant has suggested that Best Practicable Means would be sufficient to satisfy any concerns over noise from the borrow pits but has failed to show any assessment so far that this would reduce noise impacts to acceptable levels. Without that information Bedford Borough Council is unable to have confidence that the borrow pits would not cause significant impact on nearby Noise Sensitive Receptors.</p>
<p>Applicant Comment:</p>	<p>The Applicant can confirm that the excavation and backfilling of all potential borrow pits have been included in the predictions of construction noise presented within Chapter 11, Noise and Vibration [APP-080] of the Environmental Statement. The assessment demonstrates that activities at the borrow pits are not a direct source of potentially significant construction noise effects at nearby receptors.</p> <p>Additional information regarding the borrow pits is reported in the "Borrow Pits Excavation and Restoration Report" [TR010044/EXAM/9.24], which the Applicant has submitted to the Examination at Deadline 3. The additional information provided includes reference to (but is not limited to) the environmental assessment, excavation methodology, restoration of the borrow pits and the amount of soil to be removed from each borrow pit.</p> <p>Refer to the response to RR-008ax within the Applicant's Response to Relevant Representations [REP-021] submitted at Deadline 1 of the Examination for a description of the assumptions adopted in the assessment of construction noise impacts from all works, including the borrow pits and noise and vibration management measures during the construction of the Scheme.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>HDC and SCDC are of the view that the appropriate working hours are "08:00 – 18:00 Monday - Friday and 08:00 – 13:00 Saturday, with no working on Sundays and Bank Holidays. Basic noise mitigation measures have been outlined in para 1.2.4. Para 1.2.5 indicates that "these mitigation measures would be set out in the Second Iteration EMP". The mitigation provisions outlined need more location specific detail, including the subsequent assessment stage.</p> <p>The Councils also refer to section 9 of their Written Representation.</p>

No.	Question/Applicant Comment
<p>Applicant Comment:</p>	<p>The Applicant is not willing to change the core working hours as set out in Chapter 2 The Scheme [APP-071] of the Environmental Statement, as these time periods are required in order to deliver the Scheme within the overall construction programme. A consequence of a change to the core working hours would be an extension to the construction programme. However, the Applicant is willing to engage in discussions with the local authorities so that agreements can be sought when working close to sensitive locations, such as residential properties, or where there are specific activities, such as during school exams, where noise from construction could potentially be minimised. Where appropriate, discussions will be held with local authorities on these matters during the detailed design stage where mitigation can be discussed in more detail. This engagement will be secured in the next revision to the First Iteration Environmental Management Plan [APP-234].</p> <p>Annex B Noise and Vibration Outline Management Plan of the First Iteration Environmental Management Plan [APP-234], sets out the generic measures which will be used by the Principal Contractor to control noise and vibration during the construction phase. At the detailed design stage exact details of the works in terms of the location, extent and timing of the works, and the number and type of plant to be used, will be much more certain. Therefore, the ES is not the final stage for determining construction mitigation, the construction noise assessment will be re-visited at the detailed design stage to ensure Best Practicable Means (BPM) have been adopted and if localised noise barriers would be appropriate. The first step in applying BPM, before the need for barriers is considered, is to reduce the noise level at source. This includes the choice of plant, the construction activities to be undertaken and the timing of these activities (such as daytime or night time). For instance, there may be potential to undertake some tie-in works during the daytime, rather than during the evening and night as currently assumed in the ES.</p> <p>The First Iteration Environmental Management Plan [APP-234] includes a commitment to develop a Noise and Vibration Management Plan which will detail the management and monitoring to be applied at all construction sites, including tie-in works. This will be produced in consultation with the Local Authorities and must be approved by the Secretary of State before works can begin. The Noise and Vibration Management Plan (NVMP) is not a static document and will be updated and revised as necessary. The NVMP will build on the generic measures set out in the First Iteration Environmental Management Plan [APP-234] and will include adopting industry standard practice to:</p> <ul style="list-style-type: none"> • Apply Best Practicable Means as defined in Section 72 of Control of Pollution Act. • Integrate noise control into preparation of all method statements for construction activities. This would include the selection of low noise plant, siting plant away from receptors where possible to minimise noise disturbance, using acoustic enclosures, using temporary site hoardings/barriers and using less intrusive reversing alarms. • Develop and implement noise monitoring protocols – locations, duration, methods to publish data. • Develop procedures for installing noise insulation and temporary rehousing residents where it is not possible to mitigate construction noise below relevant trigger levels as defined by BS 5228.

No.	Question/Applicant Comment
	<ul style="list-style-type: none"> Develop a process to ensure ongoing compliance with the Noise and Vibration Management Plan and for corrective actions required to address any non-compliance.
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>CBC is concerned about the level of impact given the duration of the construction project. As advised above, the proposed hours of work are outside those that CBC allow for construction sites in Central Bedfordshire, i.e. starting before 8am.</p> <p>Therefore, CBC request that the following hours are included as a requirement in the draft DCO:</p> <p>- 8am to 6pm Monday to Fridays, 8am to 1pm on Saturdays and no working on Sundays or Bank Holidays.</p> <p>However, in view of the size and scale of the project, CBC would be willing to consider variation to these hours where particular circumstances required this and appropriate mitigation measures were in place.</p> <p>Central Bedfordshire is an area of considerable growth with a plethora of construction sites already operating across our district, and residents have therefore been subject to impacts from these construction site operations at a local level for some time. For such a major project, it will be essential to ensure that any noise impacts are robustly controlled in accordance with the provisions of BS5228:2009 Parts 1 & 2 at all times and that this is a requirement of the draft DCO. Paragraph 11.3.11 makes reference to further baseline monitoring that was due to be carried out but "postponed" due to the impacts of Covid 19. CBC has now been advised that this further monitoring will not be taking place but are unclear as to the justification for this, as there was clearly an identified need for the further monitoring in the first place.</p> <p>CBC note the proposed use of localised noise barriers and encourage these to be deployed where necessary to reduce construction noise impacts on residential receptors.</p> <p>CBC would expect it to form part of the construction noise mitigation measures set out in the First or Second Iteration EMP.</p> <p>CBC note the intention to undertake surveys to check compliance with BPM measures, but would want to know details as to frequency of these, and who would be carrying them out, reporting arrangements etc.</p> <p>Most of the receptors identified in table 11-10 are outside of Central Bedfordshire. However, the small number of receptors identified in our district (R16,17 & 18) are predicted to experience noise levels above the LOAEL, with R16 expected to experience levels above the SOAEL for daytime, evening & weekends and night-times which is a significant concern. The assessment states that these works will be of very short duration, but this is not clarified. CBC would need to see further clarification (once details of the works are known, as referenced in paragraph 11.9.13) of this before we can comment on the assessment of significance, although the level of impact predicted for R16 above the SOAEL in itself is a concern.</p>

No.	Question/Applicant Comment
Applicant Comment:	Please refer to the Applicant's response to items 10.1 and 10.2 of REP1-055h in the Applicant Comments on Written Representations [TR010044/EXAM/9.21].
Q1.16.2	Proposed mitigation, management and monitoring
<p>Q1.16.2.4 Offsite noise barriers</p> <p>a) Can the Applicant confirm whether or not the use of offsite noise barriers has been considered as a potential means of reducing adverse effects.</p> <p>b) Can the Applicant explain how it has been determined that the additional reductions would be limited to 1dB(A).</p>	
CCC/HDC/SCDC (REP1-051):	<p>HE's acoustic consultants have explained that they would be unable to use offsite noise barriers because this is outside of their boundary. The Councils believe this could be offered to noise sensitive residential properties such as those close to the scheme at Potton Road (Parkers Farmhouse (R20) and Rectory Farm Cottage (R21) and Greyholme (R25) and Tithe Farm on Cambridge Road. Also Wintringham Cottages (located to the north of the existing A428, close to the Cambridge Road junction) would particularly benefit from this because their back garden directly adjoins the scheme and the Councils question the final sentence in para 11.9.69 which informs us that a roadside noise barrier would not be effective because Wintringham Cottages are too far from the scheme. It may be possible to replace a garden fence with an acoustic fence.</p>
Applicant Comment:	<p>Please refer to the Applicant's response to REP1-048bv in Applicant Comments on Written Representations [TR010044/EXAM/9.21] in which further details of the operational noise mitigation considered at these specific locations are discussed.</p> <p>As set out in paragraph 11.8.4 of Chapter 11, Noise and Vibration [APP-080] of the Environmental Statement, the assessment of construction noise impacts does not include localised temporary site hoardings/noise barriers. This ensures that the results of the construction noise assessment are robust. The need for localised temporary site hoardings/noise barriers, including their location, will be determined through the detailed design phase and included in the Noise and Vibration Management Plan, which will form part of the Second Iteration Environmental Management Plan.</p> <p>Whilst both onsite and offsite locations would be considered at detailed design stage, onsite locations would be preferred due to issues including, but not limited to land access permissions, maintaining access to properties, visual impacts and ongoing maintenance. In addition, noise barriers are generally most effective and practical when located as close as possible to the source. For similar reasons, no offsite noise barriers have been proposed as a means of reducing adverse effects from operational traffic noise. However, a range of mitigation measures have been embedded into the Scheme design to minimise adverse impacts, including cuttings, noise bunds and low noise surfacing materials. Further details of these measures are set out in Table 7 of the Schedule of Mitigation [APP-235].</p>

No.	Question/Applicant Comment
<p>Q1.16.2.5 Monitoring</p> <p>Monitoring requirements are described in the ES [APP-080, Section 11.10]. The LAs are asked to confirm whether or not they are satisfied with the monitoring arrangements proposed.</p>	
<p>Bedford Borough Council (REP1-043):</p>	<p>The monitoring arrangements are much too vague and there is no Requirement for a more detailed scheme covering this element.</p>
<p>Applicant Comment:</p>	<p>As stated in paragraph 1.4.12 of Annex B of the First Iteration Environmental Management Plan [APP-234], the Applicant will undertake noise measurement surveys during construction, as required, The exact timing, locations and frequency of monitoring will be based on the outcome of the updated construction noise assessment which will be undertaken at detailed design stage. At this stage, exact details of the works in terms of the location, extent and timing and the number and type of plant to be used, will be much more certain. In addition, the updated construction noise assessment at the detailed design stage will include the outcome of the process to apply Best Practicable Means (BPM) and where localised noise barriers would be appropriate. The details of the proposed monitoring during construction will be included in the Noise and Vibration Management Plan (NVMP), which will be produced at the detailed design stage in consultation with the Local Authorities and must be approved by the Secretary of State before works can begin. The Noise and Vibration Management Plan is not a static document and will be updated and revised as necessary.</p>
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>Confirmatory monitoring of operational noise should be undertaken at Rectory Farm Cottage (R21), Tithe Farm (R25), Oak Tree Cottage (Cambourne) and Eltisbury.</p>
<p>Applicant Comment:</p>	<p>Please refer to the Applicant's response to REP1-048bv in Applicant Response to the Written Representations [TR010044/EXAM/9.21].</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>CBC is encouraged to note that monitoring for both construction and operational phases is proposed, but cannot comment further on the adequacy of the arrangements as no details of the monitoring arrangements have been provided i.e. frequency, location, who would be carrying out the monitoring, reporting arrangements and most importantly what actions would be taken for any issues identified (and what the benchmarks for action are). These details require further clarification and confirmation before we can confirm that they are satisfactory and the details are requested from HE.</p>

No.	Question/Applicant Comment
<p>Applicant Comment:</p>	<p>As stated in paragraph 1.4.12 of Annex B of the First Iteration Environmental Management Plan [APP-234], the Applicant will undertake noise measurement surveys during construction, as required, The exact timing, locations and frequency of monitoring will be based on the outcome of the updated construction noise assessment which will be undertaken at detailed design stage. At this stage, exact details of the works in terms of the location, extent and timing and the number and type of plant to be used, will be much more certain. In addition, the updated construction noise assessment at the detailed design stage will include the outcome of the process to apply Best Practicable Means (BPM) and where localised noise barriers would be appropriate. The details of the proposed monitoring during construction will be included in the Noise and Vibration Management Plan (NVMP), which will be produced at the detailed design stage in consultation with the Local Authorities and must be approved by the Secretary of State. The Noise and Vibration Management Plan is not a static document and will be updated and revised as necessary.</p> <p>With regard to operation, as set out in Chapter 11, Noise and Vibration of the Environmental Statement [APP-080] Section 11.10, the performance specification of specific operational mitigation measures would be confirmed at the detailed design stage to ensure the performance assumed in the assessment is achieved. Surveys would be undertaken to ensure that measures, such as low noise surfacing materials, were installed as required.</p>

No.	Question/Applicant Comment
Q1.17	Significant Cumulative Effects
Q1.17.1	Approach to assessment
	<p>Q1.17.1.1 Methodology and mitigation</p> <p>The Applicant has drawn a distinction between combined effects (where an individual receptor is affected simultaneous by more than one type of impact, such as noise, air quality and visual impact, as a result of the Proposed Development) and cumulative effects (where the effects of the Proposed Development are assessed alongside the effects of other proposed schemes on a single receptor) [APP-084, Section 15.3].</p> <p>a) Have you assessed cumulative and combined effects for receptors effected by construction traffic? Explain with reasons.</p> <p>b) LAs to comment.</p>
Bedford Borough Council (REP1-043):	Noise and dust impact from construction traffic in and around the borrow pits has not been assessed.
Applicant Comment:	<p>The methodology for assessing construction traffic noise impacts on existing roads is set out in para 11.3.26-11.3.28 of Chapter 11, Noise and Vibration [APP-080] of the Environmental Statement. Construction traffic on the haul roads within the site boundary are included in the general construction noise assessment. The assessment is based on information provided by the Principal Contractor and includes construction traffic in relation to the operation of the borrow pits both on existing roads and the haul road within the Scheme.</p> <p>Regarding dust impacts, these are not assessed specifically, rather a risk assessment is carried out to identify the appropriate mitigation measures required for the Scheme. This is set out in Chapter 5, Air Quality [APP-074] of the Environmental Statement with the mitigation measures, including measures for the borrow pits, set out in the Dust Management Plan in Annex A of the First Iteration Environmental Management Plan [APP-234].</p>
CCC/HDC/SCDC (REP1-051):	<p>Noise levels will have more of a disturbing effect on residents if they can visually see the noise source. Whilst dense vegetation would not stop sound transmission, it would reduce the perception of noise.</p> <p>Construction traffic has been considered as a part of the Landscape and Visual Impact Assessment [APP-076]. We are therefore satisfied that the effects of construction traffic are included within the landscape and visual combined effects [APP-083].</p> <p>We also consider that the cumulative effects of construction traffic on landscape and views has been sufficiently addressed through the</p>

No.	Question/Applicant Comment
	<p>identification of potentially simultaneously occurring developments in vicinity to the DCO area.</p> <p>The Councils may wish to respond to this question once they have seen and considered the Applicant's response.</p>
Applicant Comment:	<p>The Applicant notes the response from the Cambridgeshire authorities.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>b) CBC note the distinction. As we have advised, CBC is particularly concerned about the cumulative impacts of the EWR and Black Cat projects in terms of both noise and Air Quality impacts. The submissions do not seem to adequately consider the cumulative impacts of both projects from an operational perspective in terms of noise and air quality impacts.</p>
Applicant Comment:	<p>Refer to the response to RR-123a [REP1-021] within the Applicants Response to the Relevant Representations submitted at Deadline 1.</p>
Q1.17.2	Assessment of cumulative effects
<p>Q1.17.2.1 Approach</p> <p>a) LAs, are you satisfied with the Applicant's approach to shortlisting other proposed schemes for assessing cumulative effects [APP-084, Section 15.3]?</p> <p>b) LAs, do you agree with the five other proposed schemes that have been included in the assessment of cumulative effects [APP-084, Section 15.6]?</p>	
CCC/HDC/SCDC (REP1-051):	<p>The shortlisting process for cumulative effects followed the Planning Inspectorate Advice Note Seventeen and we are satisfied with the applicant's approach to the process from a landscape perspective.</p> <p>We can confirm that we agree with the five other proposed schemes that have been included in the assessment of cumulative effects from a landscape perspective.</p> <p>The Councils also refer to their comments at 15.7.5 of the Written Representation on the cumulative impact of the Scheme with East West Rail and other projects.</p>

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Applicant Comment:	The Applicant notes the response from the Cambridgeshire authorities.
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	Neutral.
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.
<p>Q1.17.2.2 Proposed mitigation</p> <p>The ES states that three other proposed schemes are predicted to cause significant cumulative effects with the Proposed Development. However, the Applicant has proposed no additional mitigation measures above those presented within the First Iteration EMP [APP-084, Section 15.7] [APP-229].</p> <p>a) LAs are you content with this approach.</p> <p>b) Applicant provide justification.</p>	
CCC/HDC/SCDC (REP1-051):	<p>The Councils consider that mitigation measures should be applied based on the combined effect.</p> <p>The identified 'Moderate Adverse' cumulative effects [APP-084, Section 15.6] are all temporary in nature and relate to the possible overlap of construction activities between the other proposed schemes and the Proposed Development. From a landscape perspective it is accepted that no further mitigation is considered practical to help mitigate these temporary effects.</p> <p>Moderate Adverse cumulative visual effects have been identified on the residents of Swansley Farm (Receptor R104 on Figure 7.11 Environmental Statement [APP-112]) and Tithe Farm (Receptor R66 on Figure 7.11 Environmental Statement [APP-112]), both reducing to slight adverse cumulative visual effect by year 15. It is accepted that landscape and visual mitigation inevitably takes time to establish and therefore the effects are likely to be of greater magnitude during construction and year 1 than at year 15.</p> <p>Notwithstanding this, HDC have made requests via Relevant Representation [RR-048] that additional planting in the form of individual trees and linear tree blocks is provided to the western and northern edges of the new Cambridge Road Roundabout, particularly where long stretches of mixed native hedgerow are proposed. [APP-091 – General Arrangement plans Regulation 5(2)(O) Sheet 9]. It is considered</p>

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	<p>that this could help to further help to reduce the long term cumulative visual effects on Tithe Farm (Receptor R66 on Figure 7.11 Environmental Statement [APP-112])</p> <p>The Councils will consider the response from the Applicant and make further submissions on this point at Deadline 3 if necessary.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from the Councils accepting that no further mitigation is practical to help mitigating temporary cumulative landscape effects relating to construction.</p> <p>The Applicant notes the response from the Councils accepting that landscape and visual mitigation inevitably takes time to establish and therefore the effects are likely to be of greater magnitude during construction and year 1 than at year 15.</p> <p>Regarding the visual effects relating to residents of Tithe Farm (Receptor R66 on Figure 7.11 Construction Phase [APP-112] of the Environmental Statement), the Landscape and Visual Impact Assessment of the Scheme determined that residual effects at year 15 of operation would be slight adverse.</p> <p>Furthermore, the Applicant can confirm that paragraph 15.6.3 in Chapter 15, Assessment of Cumulative Effects [APP-084] of the Environmental Statement recorded that the cumulative effect on residents of Tithe Farm (Receptor R66) in year 15 of operation would also be slight adverse when considered together with the landscape and visual effects of the Loves Farm development.</p> <p>Accordingly, no further mitigation is proposed by the Applicant as the individual and cumulative effects on Tithe Farm (Receptor R66) are not significant.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Applicant Comment:</p> <p>The three other proposed schemes identified with the potential to cause significant cumulative effects (para. 15.6.3) are not located within CBC. As such the locally impacted LPAs would be better placed to comment on this question.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Central Bedfordshire Council.</p>

No.	Question/Applicant Comment
Q1.17.3	Assessment of combined effects
<p>Q1.17.3.1 Proposed mitigation</p> <p>Applicant, you have identified four receptors which would experience large adverse combined effects, and numerous others would experience moderate adverse effects [APP-084] [APP-112].</p> <p>a) Applicant, explain your position that no additional mitigation measures are proposed to alleviate the combined effects.</p> <p>b) LAs, do you agree with Applicant's position. If not, what additional mitigation would be appropriate and effective, particularly for the four receptors that are worse effected.</p>	
<p>CCC/HDC/SCDC (REP1-051):</p>	<p>Additional noise mitigation would be required as set out below:</p> <p>Q1.17.3.1 b) Landscape Response HDC and SCDC</p> <p>The four receptors that would experience 'Large Adverse' combined effects are situated around the Black Cat Roundabout and the Roxton Road Link, and the effects would be temporary during construction. [APP-084 15.5] We therefore defer comment to Bedford Borough Council.</p> <p>With regard to other temporary combined effects during construction, we accept the limitations of landscape mitigation due to the time it takes for any planting to establish.</p> <p>In terms of permanent combined effects, there are seven receptors which are likely to experience significant effects, seven receptors have been identified as experience large adverse combined effects and eight as moderate adverse combined effects. The following is a summary of those receptors within Cambridgeshire, and the LA's position on the adequacy of proposed landscape mitigation:</p> <ol style="list-style-type: none"> Glen Eden, The Bramleys, Parkers Farmhouse, The Bungalow, Eynesbury Warehouse - Potton Road, PE19 6XJ. The visual effects on the receptor are considered to be very large adverse at year 1 and moderate adverse at year 15 (Receptor R52 on Figure 7.11 Environmental Statement [APP-112]) LA's position: The change in view is largely due to new landform and vegetation which curtails long distance views. Considerable areas of new native woodland have been proposed alongside the route adjacent to these receptors. As the woodland establishes it will soften the appearance of the new landform, but the new landform inevitably means that there will be significant adverse residual effects. Rectory Farm and Rectory Farm Cottage, Potton Road, PE19 6XJ. The visual effects on the receptor are considered to be large adverse at year 1 and moderate adverse at year 15 (Receptor R53 on Figure 7.11 Environmental Statement [APP-112]). LA's position: The receptor is situated in the immediate proximity of the proposed new highway. Native tree planting has been proposed

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	<p>within the landform surrounding the route, but will take time to establish. Planting of feathered or standard trees within the proposed native hedgerow along this section of road would help to provide more instant mitigation of visual effects.</p> <p>3. 1-4 Wintringham Cottages, Toll Gate Cottage, Wintringham Road, PE19 6SP. The visual effects on the receptor are considered to be large adverse at year 1 and moderate adverse at year 15(Receptor R62 on Figure 7.11 Environmental Statement [APP-112])</p> <p>LA's position: The effects on this receptor will be mixed. A reduction of traffic is predicted on the existing A428 which passes directly to the south of the property. However, the receptor will be in close proximity to the permanent structures and lighting surrounding the new Cambridge Road junction. Though there is a framework of existing woodland to the north of the road corridor, the LA request that additional tree planting is introduced within the long stretches of hedgerow, and that this tree planting is formed of blocks as well as individual trees of more mature stock than the proposed hedgerow plants [As detailed in Annexe L of the First Iteration EMP, APP-234]. It is thought that this would further help to filter night-time light intrusion to this receptor.</p> <p>4. Tithe Farm, Cambridge Road, PE19 6SW. The visual effects on the receptor are considered to be moderate adverse at year 1 and slight adverse at year 15(Receptor R66 on Figure 7.11 Environmental Statement [APP-112]).</p> <p>LA's position: The visual effects on this receptor are thought by LVIA to be minimised by existing mature vegetation surrounding the farm complex. It is identified however that new lighting introduced around the Cambridge Road Junction would be seen between the intervening vegetation, where once views were over a dark landscape, yet only native hedgerow planting has been proposed on the north-western edge of the proposed new road infrastructure. The DCO red line area extends some way beyond this edge, and it is requested that additional tree planting is introduced within the space between Tithe Farm and the proposed A428 and Cambridge Road junction. This should be in the form of additional mature tree planting within proposed hedgerows, as well as new linear blocks of woodland in keeping with the landscape character.</p> <p>5. Weald Farm Cottages, North Farm Cottage, Cambridge Road, PE19 6SR. The visual effects on the receptor are considered to be large adverse at year 1 and moderate adverse at year 15 (Receptor R80 on Figure 7.11 Environmental Statement [APP-112]).</p> <p>6. North Farm, Cambridge Road, PE19 6SR. The visual effects on the receptor are considered to be large adverse at year 1 and moderate adverse at year 15 (Receptor R81 on Figure 7.11 Environmental Statement [APP-112]).</p> <p>LA's position items 5 and 6 (R80 and R81): The receptors would experience a change in the view in terms of landform, where the proposed road is on an embankment, the introduction of the new Bridleway Accommodation Bridge, as well as moving traffic and headlights at night. The current mitigation comprises areas of linear tree and shrub planting, as well a native hedgerow to the southern edge of the planting. As the vegetation matures views would be reduced, though some views of passing cars on the elevated land would be remain inevitable. It is considered that adequate mitigation in keeping with local landscape character has been proposed.</p> <p>7. Pastures Farm, Ermine Street, CB23 3PF. The visual effects on the receptor are considered to be moderate adverse at year 1 and</p>

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	<p>slight adverse at year 15 (Receptor R102 on Figure 7.11 Environmental Statement [APP-112]).</p> <p>LA's position: The assessment considers that the current vegetation surrounding the farm complex will provide considerable screening of the realigned A428. However the removal of vegetation along the existing A428 paired with the proposed new vegetation not being established yet, it is considered there will be moderate changes to the view in year 1. The assessment also considers that by year 15 the changes will be barely perceptible. It is accepted that landscape mitigation takes time to establish, and therefore short-term effects are unavoidable. However additional individual tree planting to reflect the groups on the northern edge of the road in this section, would somewhat help to reduce the effects at the earlier stages of operation.</p> <p>8. Oak Tree Cottage, New Bungalow - St, Neots Road, CB23 3PH. The visual effects on the receptor are considered to be moderate adverse at year 1 and 15 (Receptor R105 on Figure 7.11 Environmental Statement [APP-112]).</p> <p>LA's position: Whilst the Assessment of Cumulative Effects chapter of the EIA [APP-086] report states that visual effects on the receptor will be moderate adverse at year 1 and 15 [Table 15-3] The LVIA [APP-076] states the effects will be slight adverse at year 1 and neutral at year 15. We believe this is an error in the Cumulative Effects chapter and have no further comments.</p> <p>9. The Range, Potton Road, Abbotsley, PE19 6XJ. The visual effects on the receptor are considered to be moderate adverse at year 1 and slight adverse at year 15 (Receptor R114 on Figure 7.11 Environmental Statement [APP-112]).</p> <p>LA's position: Some views of the proposed development are inevitable, however one of the west facing embankments on this section of the road [APP-091, Environmental Master Plan Sheet 5 of 16] is proposed to be left as bare ground. The LA's request that no areas of bare land are left to self-colonise post completion, but that a species rich grassland or meadow is introduced as a minimum land cover on any new embankment and cuttings. This would help to reduce adverse effects in the early years of operation and promote a high level of design.</p> <p>10. Papworth Hotel / Iway Inn, Ermine Street South, CB23 3PB. The visual effects on the receptor are considered to be moderate adverse at year 1 and slight adverse at year 15 (Receptor C29 on Figure 7.11 Environmental Statement [APP-112]).</p> <p>LA's position: The hotel is in a very proximate location to the proposed new junction at Caxton Gibbet. Considerable new woodland planting has been proposed for the area surrounding the hotel and it is accepted that the time required for mitigation to establish limits the mitigation potential in the early years of operation. The proposed mitigation is considered acceptable.</p>
Applicant Comment:	<p>The Applicant welcomes the Council's detailed response in relation to landscape and visual effects and associated mitigation. Although the Council's response refers to noise mitigation, the details only refer to landscape and visual. Therefore further clarification with regard to landscape and visual is provided below.</p>

No.	Question/Applicant Comment
	<ol style="list-style-type: none"> 1. R52 - Glen Eden, The Bramleys, Parkers Farmhouse, The Bungalow, Eynesbury Warehouse - Potton Road, PE19 6XJ – The Applicant notes that the Council's accept that there will be significant residual adverse visual effects in year 15 of operation and that additional mitigation would not further reduce these effects. 2. R53 - Rectory Farm and Rectory Farm Cottage, Potton Road, PE19 6XJ – The Councils propose "<i>planting of feathered or standard trees within the proposed native hedgerow along this section of road would help to provide more instant mitigation of visual effects</i>". There are very few trees in the hedgerows along roads in this elevated part of the landscape. The Applicant considers that additional tree planting within hedgerows would not accelerate the effectiveness of mitigation with the majority of screening provided by belts of trees and shrubs and hedgerows. 3. R62 - 1-4 Wintringham Cottages, Toll Gate Cottage, Wintringham Road, PE19 6SP – Sheet 9 of the Environmental Masterplan [APP-091] illustrates that 1-4 Wintringham Cottages are located approximately 250m to the south of the mainline of the Scheme in slight cutting. The proposed hedgerow along the southern boundary lies adjacent to a realigned watercourse, which is a constraint to tree planting in this location. 4. R66 - Tithe Farm, Cambridge Road, PE19 6SW - the Landscape and Visual Impact Assessment of the Scheme determines that residual effects during year 15 of operation would be slight adverse and therefore not significant. No further mitigation is proposed. 5. R80 - Weald Farm Cottages, North Farm Cottage, Cambridge Road, PE19 6SR – The Applicant wishes to clarify that there is a presentational error in Table 15-4 of Chapter 15, Assessment of Cumulative Effects [APP-084] of the Environmental Statement. Visual effects relating to R80 in year 1 of operation are predicted to be moderate adverse, and at year 15 of operation are predicted to be slight adverse (not large adverse at year 1 and moderate adverse at year 15, as stated). The Councils consider "<i>that adequate mitigation in keeping with local landscape character has been proposed</i>". No further mitigation is proposed. 6. R81 - North Farm, Cambridge Road, PE19 6SR - The Councils consider "<i>that adequate mitigation in keeping with local landscape character has been proposed</i>". No further mitigation is proposed. 7. R102 - Pastures Farm, Ermine Street, CB23 3PF - the Landscape and Visual Impact Assessment of the Scheme determines that residual effects during year 15 of operation would be slight adverse and therefore not significant. Substantial linear belts of trees and shrubs, hedgerows and individual trees are proposed. No further mitigation is proposed. 8. R105 - Oak Tree Cottage, New Bungalow - St, Neots Road, CB23 3PH – The Applicant wishes to clarify that there is a presentational error in Table 15-3 of Chapter 15, Assessment of Cumulative Effects [APP-084] of the Environmental Statement. Visual effects relating to R105 in year 1 are predicted to be slight adverse, and at year 15 of operation are predicted to be neutral (not moderate adverse for both year 1 and year 15 as stated). No further mitigation is proposed. 9. R114 - The Range, Potton Road, Abbotsley, PE19 6XJ -The route of the Scheme in this section would be in cutting, not on embankment. Land not proposed for grassland or planting on the eastern side of the Scheme will be regraded and returned to

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	<p>agriculture on completion. Substantial blocks of woodland and hedgerows are proposed in this section to integrate the Scheme into the landscape and to provide visual screening. No further mitigation is proposed.</p> <p>10. C29 - Papworth Hotel/Iway Inn, Ermine Street South, CB23 3PB - the Landscape and Visual Impact Assessment of the Scheme determines that residual effects during year 15 of operation would be slight adverse and therefore not significant. The Applicant notes that the Councils accept that considerable new woodland planting has been proposed for the area and considers the proposed mitigation acceptable.</p>
<p>Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):</p>	<p>Refer to written representation.</p>
<p>Applicant Comment:</p>	<p>The Applicant notes the response from Central Bedfordshire Council. Please refer to the Applicant's comments on the Written Representations [TR010044/EXAM/9.21].</p>
<p>Q1.17.4</p>	<p>East West Rail</p>
<p>Q1.17.4.1 East West Rail</p> <ul style="list-style-type: none"> a) EWR, provide brief background for the EWR scheme and any specific national policy positions (such as NPS NN, NPPF) or local policy positions or approvals that would support your representation. b) EWR, your submission [AS-004] states that there are likely to be significant engineering interfaces between your scheme and the Proposed Development. Explain what these are. c) EWR, explain if the Proposed Development could, and in what ways, affect the likely deliverability of the intended EWR scheme? d) EWR, what is the appropriate protection that you wish to seek for your scheme that you believe can be secured in this Examination. How do you believe these protections can be secured? e) EWR, explain the modification to the dDCO that you would require. f) Applicant may comment to any of the questions above. 	

No.	Question/Applicant Comment
	<p>g) Applicant, with reference to Advice Note 17, explain with reasons if EWR should be included in the assessment of cumulative effects in the ES? EWR may comment.</p> <p>h) Applicant and EWR, explain if efficiencies could be made if there was greater collaboration between the Proposed Development and the EWR scheme, particularly in terms of land take and loss of functional BMV agricultural land? LAs may also comment.</p>
East West Rail Company (REP1-074):	EWR Co provided a response to question 1.17.4.1, which is document reference [REP1-074]. Due to its length, the document has not been replicated in this document, but the Applicant has commented
Applicant Comment:	<p>a) The Applicant notes the background to the EWR project and the policy support that has been provided.</p> <p>b and c) The Applicant notes the areas which the EWR Co has identified as having significant engineering interfaces between the Scheme and the EWR project. The Applicant also notes however that the EWR project's horizontal and vertical alignments are still in development (paragraph 5.3 of [REP1-074]) and that it is not known whether the railway will go over or under the Scheme at any possible engineering interface. The Applicant's position therefore remains unchanged, in that there remains too much uncertainty on the preferred alignment for the Applicant to consider any specific provision for any new infrastructure which may be required as part of the East West Rail scheme.</p> <p>d and e) Whilst the Applicant maintains the view that Protective Provisions for EWR are not required to be included in the dDCO [REP1-003], the Applicant will review and consider any protective provisions proposed by EWR. However, no such draft protective provisions have been provided to the Applicant to date.</p> <p>g) The Applicant agrees with EWR Co that there is not sufficient information available for the Scheme to undertake a meaningful cumulative effects assessment including EWR at this stage. The Applicant's position on this matter is set out in its responses to RR-013au/RR-048au/RR-100au [REP1-021] submitted at Deadline 1.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	Refer to written representation.
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.

No.	Question/Applicant Comment
Q1.18	Socio-economic effects
Q1.18.1	Methodology
<p>Q1.18.1.1 Human health study area</p> <p>The ExA notes that study area for human health in the ES [APP-081, Section 12.5]. Should the effect on mental and physical health also be considered for receptors (particularly residential receptors) that will experience large and moderate adverse combined effects [APP-084] [APP-112]? LAs to comment.</p>	
CCC/HDC/SCDC (REP1-051):	<p>Yes, there are some residential receptors who would experience significant increases in noise levels and who may need additional support. This should be clearly assessed. Some of the receptors that should be considered are at Potton Road (e.g. Rectory Farm Cottage and/or Parkers Farmhouse, Wintringham Park (e.g. Cole Walk), Wintringham Village (e.g. Wintringham Cottages), Cambourne West (e.g. Oak Tree Cottage) and Eltisley, or where justifiable complaints have been received.</p>
Applicant Comment:	<p>The Applicant refers the Cambridgeshire Authorities to its response to Q1.18.1.1 [REP1-022] submitted at Deadline 1 which provides justification as to why mental and physical health are not parameters requiring consideration in the assessment of health reported in Chapter 12, Population and Human Health [APP-081] of the Environmental Statement.</p> <p>Furthermore, Public Health England has confirmed in its response to Q1.2.1.1 and Q.1.2.1.4 in the ExA's First Written Questions [REP1-090] that it is satisfied that construction and operation of the Scheme would not have a significant impact on public health.</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	<p>This would be something for our Public Health teams to consider and comment on.</p>
Applicant Comment:	<p>The Applicant notes the response from Central Bedfordshire Council.</p>

No.	Question/Applicant Comment
Q1.19	Water quality and resources
Q1.19.1	General
<p>Q1.19.1.1 General</p> <p>There is scope for the construction and operation of the proposed scheme to affect the water environment, including water quality.</p> <p>a) Are you satisfied that construction activities and water use from the scheme would not cause harm to the water environment and the species that live in or around it [APP-082]?</p> <p>b) Are you satisfied that the risk of pollution from the scheme, both during construction and operation and both direct and indirect, would not cause harm to the water environment and the species that live in or around it [APP-082]?</p>	
CCC/HDC/SCDC (REP1-051):	There is a concern that the criteria for dealing with pollution is if "Contaminated Land" (defined by Part 2A EPA) is encountered, whereas we would prefer that any unsafe contamination is remediated. See response to Q1.1.1.3.
Applicant Comment:	<p>The Scheme will involve the excavation of materials along much of the route. An initial desk study did not identify any potentially contaminated sites, which would be disturbed by the Scheme. In addition, a ground investigation and subsequent groundwater quality monitoring have not identified any areas of contaminated land within the Order Limits. Groundwater quality monitoring has not identified any areas of contaminated groundwater that may be impacted by the Scheme.</p> <p>In the unlikely event that areas of potentially contaminated ground are encountered, these will be managed in accordance with current guidelines to ensure that there are no long-lasting risks to human health or to controlled waters. Details of how any contaminated ground will be managed is included in the First Iteration Environmental Management Plan [APP-234].</p>
Freeths LLP on behalf of Central Bedfordshire Council (REP1-054 and REP1-055):	This would be a matter for the Environment Agency or our Suds team to comment on.

No.	Question/Applicant Comment
Applicant Comment:	The Applicant notes the response from Central Bedfordshire Council.
Natural England (REP1-088):	Natural England has reviewed Volume 6 (Chapter 13: Road Drainage and Water Environment of 6.1 ES) and is satisfied that construction activities, water use and direct and indirect pollution through the construction and operational phases of the scheme would not cause harm to the water environment dependent species.
Applicant Comment:	The Applicant notes the response from Natural England.
Environment Agency (REP1-076):	a) and b). Yes, we are satisfied that the risk of pollution from the scheme, both during construction and operation and both direct and indirect, would not cause harm to the water environment
Applicant Comment:	The Applicant notes the response from the Environment Agency.

Appendix A

REP1-056 CPRE Cambridgeshire and Peterborough

Reference Number	Question Response /Applicant's Comments
REP1-056a	<p>Please find below the Written Response of CPRE Cambridgeshire and Peterborough as requested.</p> <p>Q1.11.1.3 Campaign to Protect Rural England Comments on transport modelling RR-023, on behalf of CPRE, refers to the modelling undertaken by the Applicant as not being adequate, explain why this considered to be the case.</p> <p>CPRE Cambridgeshire & Peterborough Response:</p> <p>1. Modelling in a Multi-Modal Context + MRN/SRN Impacts</p> <p>Considerably more evidence is required to demonstrate adequate transport modelling has been undertaken which illustrate clearly the wider traffic impacts of the proposed scheme. These include calculation of induced demand in a multi-modal context.</p> <p>There appears to have been no proper traffic modelling of the effect the scheme will have on traffic volumes on the Strategic Road Network, (SRN), and Main Road Network, (MRN), routes adjoining and away from the immediate vicinity of the proposed route. It is totally unacceptable that the use of the SRN and MRN routes has been classified by Highways England as “rat-running”. These are major roads and used as such. There is no traffic modelling of the effects the scheme will have on other local roads, some of which despite their ‘B’ or ‘C’ designation are a very important component of rural and long distance transport in South Cambridgeshire.</p> <p>Extensive research published by the CPRE national charity in March 2017 which reviewed previous major road schemes and by-passes across the whole of England demonstrates that the short-term, mid-term and long-term effect of major new routes has been to substantially increase traffic flows on other local roads. See the report “The Impact of Road Projects in England” here: https://www.cpre.org.uk/resources/the-impact-of-road-projects-in-england/</p> <p>It is unacceptable that any new transport scheme designed in the 21st century should adopt a mid-20th century approach to transport integration and to the claimed economic and social benefits of such schemes. Further research by CPRE nationally, also published by CPRE in March 2017, debunks many of these claims. See the</p>

Reference Number	Question Response /Applicant's Comments
	<p>report "The end of the road? Challenging the road-building consensus" here: https://www.cpre.org.uk/resources/the-end-of-the-road-challenging-the-road-building-consensus/</p>
Applicant Comment	<p>The Applicant has undertaken traffic modelling both at a strategic and local level in order to assess both the wider and local impacts of the Scheme.</p> <p>The extent of the strategic traffic model area was defined as the area over which the Scheme may have significant impacts. Consideration was given to potential air quality and noise impacts as well as potential traffic volume and speed changes. The area of detailed modelling extends to the A1(M) J14 to the northwest of Huntingdon, the A428 to the west of Bedford and the A14/A11 junction to the east of Cambridge. It extends southwards to include the A507/A505 routes between Milton Keynes and Cambridge.</p> <p>Details of the development of the strategic traffic model are provided in the Combined Modelling and Appraisal Report [APP-250]. Chapter 4 of this report provides details of the forecast traffic flows and a comprehensive assessment of the impacts of the scheme on the strategic and local road network. This also demonstrates that there is significant relief to the local road network as a result of transfer to the Scheme.</p> <p>It is noted that a more detailed description of the development of the forecast model that provides details of the modelling of variable demand i.e. the effect of changes in transport infrastructure and travel costs on patterns of demand, is included in the Combined Modelling and Appraisal Report - Appendix C - Transport Forecasting Package: Traffic Forecasting Report [APP-253].</p> <p>A number of local models were developed in order to provide a more detailed operational assessment of the impacts of the Scheme at local junctions. The local junction models were developed following an initial assessment of traffic flow changes from the strategic model to identify locations where detailed models were required. Local models were also developed to assess the new and re-designed junctions associated with the Scheme.</p> <p>Details of the development of the local models, together with the results of the impact on the operation of the existing junctions as a result of the Scheme are provided in the Transport Assessment Annex [APP-243]. Details of the development and operational assessment of the Scheme junctions are provided in Transport Assessment – Part 1 [APP-241].</p> <p>The Applicant does not agree with CPRE's interpretation of the report that '... the short-term, mid-term and long-term effect of major new routes has been to substantially increase traffic flows on other local roads.' We do not</p>

Reference Number	Question Response /Applicant's Comments
	<p>consider that the quotes report 'The Impact of Road Projects in England' makes the assertion about traffic increases on local roads.</p> <p>The Scheme provides significant relief to a number of local roads. Details of the roads that are relieved by the Scheme are shown in Figures 4.7 and 4.8 of the Combined Modelling and Appraisal Report (APP-250).</p> <p>It is recognised that in certain circumstances, new schemes can generate traffic. For this reason, a Variable Demand (VDM) approach to traffic modelling was adopted whereby the volume of induced traffic was determined. This was carried out in accordance with the guidance set out with reference to the Department for Transport (DfT) Transport Appraisal Guidance (TAG). Details of the VDM methodology for forecasting are presented in Section 5.4 of Appendix C of the Combined Modelling and Appraisal Report [APP-253].</p> <p>The traffic forecasts take into account the effects of changes in travel cost as a result of the Scheme upon demand for travel using a Variable Demand Model (VDM). The VDM process is described in Chapter 5.4 of Appendix C of the Combined Modelling and Appraisal Report; Transport Forecasting Report (APP-253). While the Scheme does not generate (induce) trips, the VDM forecasts a very small transfer of trips from rail to road. This is illustrated in Table 5-24 of APP-253 that compares the trip matrix totals with and without the Scheme. This demonstrates that the change in totals for all vehicle categories is negligible i.e. less than 0.0001%.</p> <p>The main impact of the Scheme result from drivers changing their destination as the Scheme reduces travel times between the A1 and Caxton Gibbet and also due to drivers using different routes to make their journey, such as using the Scheme rather than travelling through Toseland. This results in additional kilometres travelled.</p> <p>A comparison of the total vehicle distance with and without the Scheme for each modelled time period is presented in Tables 6-4 and 6-5 of APP-253. This shows that the increase in vehicle kilometers as a result of the scheme is very small, ranging between 0.4% to 0.5%.</p> <p>It is noted that the Scheme appraisal has followed the DfT's TAG guidance and takes account of latest appraisal methods. This ensures a consistent approach is applied for the appraisal of all schemes under consideration.</p>
REP1-056b	<p>2. Smarter Working</p> <p>In the light of the recent and ongoing COVID19 pandemic and the fundamental strategic re-alignment of future workplace models, CPRE argue that the modelling should be re-examined to take into account reduced commuting. There is a clearly developing modal shift to home-working and intermittent workplace attendance using digital infrastructure and tools which has reduced and will likely further reduce the need to commute and which has accelerated the introduction of SMART working across many sectors of employment which will see people returning</p>

Reference Number	Question Response /Applicant's Comments
	<p>to offices at a potential maximum of 2 days a week. This is exemplified by the Civil Service: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/935990/Smarter_Working_-_learning_lessons_from_COVID-19.pdf and within Cambridgeshire: https://www.connectingcambridgeshire.co.uk/smart-places/smart-cambridge/</p> <p>Within Cambridgeshire we know of many companies and other organisations, small and large, which are already either closing or reducing their office space or which are converting it to accommodate fewer people each day in a COVID-safe working environment. These include: Royal Society of Chemistry: https://www.rsc.org/covid-19-response/ Arthur Rank Hospice Charity https://www.arhc.org.uk/latest-news/more-colleagues-return-to-the-hospice/</p> <p>Major retailers such as John Lewis are closing their stores completely in favour of online retailing: https://www.cambridge-news.co.uk/news/local-news/peterboroughs-john-lewis-store-close20917269</p> <p>All this is in addition to the nation-wide closure of many bank branches in favour of online services which has led to many less journeys for financial purposes. https://www.santander.co.uk/personal/support/ways-to-bank/our-branches https://www.tsb.co.uk/our-branches/</p> <p>In Cambridge, Cambridgeshire County Council who are the local highways authority, recently deferred a major transport decision for additional park-and-ride capacity at the A10/M11 junction until the effects of COVID on commuter car-traffic demand has become clear. The Minutes of this decision taken on 29th July 2021 are yet to be published.</p> <p>Clearly, COVID is going to have a long-lasting and probably permanent effect on peak traffic flows. It therefore seems sensible to model these effects properly before spending large sums of public money, rather than relying on out-of-date and questionable data to justify additional and already-strained government borrowing.</p>
Applicant Comment	<p>It is acknowledged that COVID-19 has led to an increase in home working. Following the lifting of the travel restrictions, it is expected that there could be impacts on travel behaviour in the medium and longer-term. At present there is no consensus on what these impacts will be or the scale of these changes. However, it is possible that the COVID-19 pandemic and the associated restrictions have accelerated a number of trends in travel behaviour.</p> <p>The impacts of increased homeworking on travel are nuanced and complex. On one side, an increase in homeworking and remote meetings could reduce the number of commuting and business trips made by employees during the working day. However, the removal of commuting time provides additional time in which new trips could be made (such as to gyms, restaurants/bars, or to visit friends/family).</p>

Reference Number	Question Response /Applicant's Comments
	<p>Travel by public transport reduced by a larger amount than highway travel during the COVID-19 pandemic. This is partly due to the social distancing measures enforced on public transport and a perceived concern about infection susceptibility on public transport, especially on crowded bus and rail services. In addition, trips previously made by rail commuters are no longer made due to commuters working from home.</p> <p>It is possible that some trips which used public transport prior to the COVID-19 pandemic are now being made by car or active modes (walking and cycling), in part offsetting the reductions in highway traffic due to increased working from home, but it is unclear whether these trends will persist into the long-term.</p> <p>A review of available evidence has been undertaken including a review of the Department for Transport's (DfT) national traffic information by mode and destination type, and the Office of National Statistics trends in working from home by sector and by region. This analysis is reported in 'Assessing the Potential Impacts of COVID 19 – the implications for traffic forecasts for the Scheme' (REP1-029)</p> <p>The available evidence from the latest DfT travel statistics issued in July 2021, demonstrated that travel on the highway network reduced significantly due to the lockdown measures. However, the reductions have been less than those for rail and bus, and the recovery in highway travel has been stronger than that for public transport.</p> <p>The data from the DfT travel statistics is presented in Figure 2-1 of REP1-029. This demonstrates that highway travel has returned to broadly pre-COVID levels, whereas travel by public transport remains suppressed at around 30% to 50% below pre-COVID levels.</p> <p>Data from sites at four locations on the Strategic Road Network (SRN), in the vicinity of the proposed Scheme (two locations on the A428 and one on the A1 and the A421), were also assessed between 1st January 2020 to June 2021. This analysis is presented in Section 2.4 of REP1-029 and demonstrates a similar pattern to the results from the Department for Transport's national monitoring survey and provides further evidence of that traffic flows have recovered close to pre COVID levels.</p> <p>To summarise, the evidence available from the national and local traffic monitoring demonstrates that the demand for road-based travel is very resilient. Although we cannot be certain about the impacts of the pandemic on the demand for travel over the longer term, the latest data provides reliable evidence in support of the need for the Scheme.</p>

Reference Number	Question Response /Applicant's Comments
REP1-056c	<p>3. Climate Change</p> <p>With the declaration of a UK Climate Emergency and the intended UK transition to net zero carbon by 2050, the implications of this on the modelling need to be re-examined. The argument being made is that the proposed road improvement scheme is being put forward to 'unlock' future housing growth and therefore induce road demand and at the same time arguments for growth in the Ox-Cam corridor are being made.</p> <p>However, in the Government's announcement of the Oxford-Cambridge Arc Advisory Panel it is stated that the panel will be focusing on the area between Bedford and Cambridge... including potential settlements linked to East West Rail stations. https://www.gov.uk/government/groups/oxford-cambridge-arc-expert-advisory-panel The implies a modal shift away from the car and onto rail as any potential development would be linked to Cambridge and Bedford via the rail network. The implications of this on the modelling, and the resulting viability and cost-effectiveness of the proposed road-based improvements need to be reexamined.</p> <p>There is also an assumption that car-based travel will remain possible and feasible because existing oil-based fuels will be replaced by battery-powered transmission systems. This assumption is not borne out by the future availability of materials to continue building such vehicles. https://www.iom3.org/resource/sustainability-in-mining-lawrence-morris.html https://www.newscientist.com/article/mg24933190-400-why-using-rare-metals-to-clean-up-the-planet-is-no-cheap-fix/</p>
Applicant Comment	<p>The Scheme will support the move away from petrol and diesel vehicles by providing the necessary road infrastructure for the future use of low emissions and electric vehicles.</p> <p>As stated in the Applicant's Response to Examining Authority's First Round Written Questions [REP1-022], question 1.1.1.1, GHG emissions from road users presented in Chapter 14, Climate of the Environmental Statement [APP-083] have been calculated using the DMRB calculator which is based on the Defra Emissions Factors Toolkit (EFT) along with the outputs of traffic modelling for the Scheme. This approach does not currently factor in the impact of recent government policy presented in the Transport Decarbonisation Plan (TDP), published in July 2021. The EFT used to calculate road user emissions only accounts for traffic fleet projections to 2030 and therefore no consideration has been given in the model to the targets presented in the TDP such as the end of the sale of new petrol and diesel cars by 2030 and the associated uptake of electric vehicles. This means that the GHG emissions from road users presented in the Environmental Statement represent a conservative estimate of carbon emissions. It is anticipated that road user emissions from the Scheme will decarbonise by 2050 in line with the TDP. The same approach to the calculation of emissions is undertaken for emissions of particulates (in the baseline year) and oxides of nitrogen (in the baseline year and opening year).</p>

Reference Number	Question Response /Applicant's Comments
	<p>The focus of the TDP is more 'blended' transport, utilising less carbon intense transportation when possible. It states that decarbonising motor transport is a vital part of this plan and sets out a number of targets and commitments to allow this to happen including:</p> <ul style="list-style-type: none"> • Sales of all new petrol and diesel cars and vans to be phased out by 2030. • Sales of new diesel HGVs (less than 26 tonnes) to be phased out by 2035. • Sales of new diesel HGVs (over 26 tonnes) to be phased out by 2040. • An initiative to support the uptake of 4,000 zero emissions buses. The overarching target presented in the TDP is to decarbonise road transport to net zero by 2050. <p>A further aim of the TDP is to tackle road congestion, particularly in urban areas, and a number of solutions are presented including increasing the share of trips taken by public transport, cycling and walking, increasing car occupancy and shifting more freight transportation from road to rail. It should be noted however, that options for improving public transport, cycling and walking were considered and assessed as part of the option identification and option selection stages of the Scheme development. This demonstrated that an alternative mode solution would not contribute to solving the problems experienced on the A428 between the A1 and Caxton Gibbet and at the Black Cat junction. The alternatives therefore would not meet the Scheme objectives. Details of this assessment are presented in the 'Assessment of Alternative Modes' at Appendix Q1.1.1.1.</p> <p>The TDP also recognises the importance of road improvements as part of the solution to reduce congestion. Page 103 of the TDP states: 'Continued high investment in our roads is therefore, and will remain, as necessary as ever to ensure the functioning of the nation and to reduce the congestion which is a major source of carbon.' 'In the coming years, our ambitious and accelerating plans to decarbonise all road traffic, described elsewhere in this document (the TDP), will transform roads' impact on greenhouse gas emissions.'</p> <p>Also, in July 2021, National Highways published its own 2030/2040/2050 net zero highways plan. This plan includes commitments to ensure that National Highways' corporate emissions become net zero by 2030, its maintenance and construction activities will become net zero by 2040 and road user emissions on the strategic road network will become net zero by 2050.</p> <p>National Highways recognise that they have a key role in the development and maintenance of a strategic road network that will facilitate the journey to net zero emissions. As part of this the National Highways net zero plan sets out commitments to develop a blueprint for EV charging and energy storage by 2023 and to report to government on global HGV technology trials and set out proposals for trials in the UK in 2022.</p>

Reference Number	Question Response /Applicant's Comments
	<p>The Applicant can confirm that it does not intend to make provision within the Scheme for ultra-rapid charge point infrastructure at this time.</p>
REP1-056d	<p>4. Cancellation of the Oxford – Cambridge Expressway</p> <p>A key change to modelling for the A428 has been delivered as a consequence of the government's cancellation of the western component of Ox-Cam Expressway on 18th March 2021. https://www.gov.uk/government/news/oxford-to-cambridge-expressway-project-cancelled-astransport-secretary-looks-to-alternative-plans-for-improving-transport-in-the-region</p> <p>The proposed section of the road between Oxford and Milton Keynes was deemed not to be cost effective. The Department for Transport concluded that the costs associated with the road projects outweighed the benefits.</p> <p>The A428 formed part of this 'Expressway' link between Oxford and Cambridge as recognised in the current A1 improvement study, see below. Transport Secretary Grant Shapps said: "Our analysis shows the expressway cannot deliver such links in a way that provides value for money for the taxpayer, so I have taken the decision to cancel the project'.</p> <p>This cancellation will have a major impact on the forecast modelling for the A428 as a component of the overall Oxford-Cambridge Expressway. For this reason, the justification for the A428 Road Improvement Scheme should be re-examined and fresh modelling completed.</p>
Applicant Comment	<p>The traffic forecasts used to assess the A428 Scheme and to calculate the scheme benefits have not taken account of the proposed Ox-Cam expressway.</p> <p>The traffic forecasts for Scheme assessment and appraisal were prepared following Department for Transport (DfT) Transport Analysis Guidance (TAG) Unit M4. It advises that only developments, including transport schemes, classified as being either 'near certain' or 'more than likely' should be included in the 'core' scenario (both with and without the Scheme).</p> <p>The Ox-Cam was not included in the core scenario as it was only classified as 'reasonably foreseeable'. This was due to there being no precise details of the route with only potential corridors having been identified. There were no commitments or planning applications submitted for the project.</p> <p>The traffic forecasts as presented in the Combined Modelling and Appraisal Report [APP-250] do not consider the impact of the Ox-Cam expressway and the A428 has been assessed without this and therefore the cancellation of the Ox-Cam project has no impact on the economic appraisal nor the justification of the A428 Scheme.</p>

Reference Number	Question Response /Applicant's Comments
REP1-056e	<p>5. Wider concerns across Cambridgeshire</p> <p>CPRE supports the concerns of the joint local authorities within Cambridgeshire at the lack of a joinedup approach to transport planning in this proposal and in the other aspects outlined in the proposed draft response of the councils listed as Item 4 in the Meeting Papers of the July 2021 meeting of the Cambridgeshire County Council, (CCC), Economy and Environment Committee entitled: <i>“Appendix A: Draft response to Highways England’s consultation on the A428 Black Cat to Caxton Gibbet proposals”</i>. We wish to draw particular attention and to express support in relation to the following statements made in the above CCC document:</p> <p><i>4. However, we also wish to emphasise the critical importance of the A428 being considered as part of a coherently planned local and regional transport network, that of necessity should interact and integrate with capacity being provided elsewhere. This includes:</i></p> <ul style="list-style-type: none"> - <i>The East West Rail Central Section between the Bedford area and Cambridge,</i> - <i>The Greater Cambridge Partnership’s programme in the Cambridge area, and</i> - <i>The Cambridgeshire and Peterborough Combined Authority and Greater Cambridge Partnership’s Cambridge Autonomous Metro proposals.</i> <p><i>5. While this represents a significant opportunity, if there is not integration between these schemes and programmes, the net result of the additional highway capacity that is planned may ultimately be counterproductive, as it feeds additional traffic into areas that cannot cope with it, exacerbating congestion in those areas and negating the nominal benefits of the A428 scheme.</i></p> <p><i>19 The old A428 between Great North Road and Barford Road is shown as taking 29,000 vpd in the 2038 ‘with scheme’ scenario, which is 1,000 vpd more than 2016 traffic flows on the road, and only 6,000 vpd less than the ‘without scheme’ scenario. For the ‘with scheme’ scenario, this implies a very significant re-routing of traffic from within St Neots, or a very significant degree of induced traffic, or both.</i></p> <p><i>29 the information on traffic flows presented in the consultation booklet raise many more questions than answers, and lead to very significant concerns that the local road network may suffer major adverse impacts as a result of the A428 scheme</i></p> <p>It is quite clear that Cambridgeshire, a mostly rural county which makes a major contribution to national food supply, is currently subject to a rash of competing, independent, transport schemes, ranging from walking and cycling to busways, railways and expressways with little attempt to model either the need or the complete effects.</p>

Reference Number	Question Response /Applicant's Comments
Applicant Comment	<p>The Transport Assessment [APP-241] considers the policies relevant to the Scheme and subsequent compatibility. East West Rail was subject to a non-Statutory consultation in between March and June 2021 and the specific alignment for this section is still being defined. National Highways has continued to engage with East West Rail, and baseline information has been shared as appropriate. However, the projects are independent of each other, and this Scheme is subject to a separate consent (under the Development Consent Order process).</p> <p>Given the East West Rail Scheme is at an earlier stage of development, it is not appropriate for this Scheme to make specific provision for any new infrastructure which may be required as part of the East West Rail scheme. National Highways will continue to work with East West Rail and local stakeholders to ensure that the planning and delivery of these transformative projects is coordinated where appropriate. The other schemes mentioned are at very early stages in their development and routes have not yet been chosen for those schemes where they might interact with the new dual carriageway.</p>
REP1-056f	<p>6. Multi-Modal Integration</p> <p>The earlier A428 consultation failed to outline in detail how the A428 proposals form part of a joined up approach to a multi-modal transport solution. Despite stating that the proposed A428 scheme is part of a sustainable and integrated transport approach (P13 and P47 of consultation) the scheme shows no evidence of detailed interconnection with other transport initiatives or how it forms part of a wider modal shift to more sustainable transport modes.</p> <p>The current proposals do not address the “last mile” issue and in particular how the scheme will integrate with various local schemes being proposed such as the Greater Cambridge Partnership Programme, the Cambourne to Cambridge Better Public Transport Project.</p> <p>There appears to be no consideration of the East-West Rail proposals. There is no consideration of the effect of East-West Rail on the volume of local or long-distance traffic demand or the effect of the road on the viability of East-West Rail.</p> <p>There is no discussion of the effect of East-West Rail route selection on the A428 corridor choice.</p> <p>There is no consideration of the potential for a new parkway station at Cambourne or for re-opened stations or routes to and from Cambridge and other locations to affect road traffic demand and demand at junctions.</p> <p>There is no consideration of the effect on the route of the major new communities planned at Bourne, Northstowe or Waterbeach or the employment effects of research and industrial developments around Cambridge.</p>

Reference Number	Question Response /Applicant's Comments
	<p>The effect of the recent announcement by the Mayor of the Cambridgeshire and Peterborough Combined Authority that the CAM Metro project planned by his predecessor has been halted and is to be scrapped needs to be taken into account in the A428 modelling as do his clear plans to implement bus franchising in the county and to increase bus routes and improve bus services.</p>
Applicant Comment	<p>National Highways continues to engage with stakeholders, and recognises that Cambridgeshire County Council is actively seeking multimodal transport solutions in the area. The Greater Cambridge Partnership Programme and the Cambourne to Cambridge Better Public Transport Project are not as advanced as the Scheme. Integration with them is not possible at this stage as there are insufficient details to take into account in the design of the Scheme and the land required for it. However, the delivery of the Scheme will not preclude other local schemes coming forward and will assist in enabling some of them.</p> <p>National Highways' responsibility is the Strategic Road Network to reduce congestion, improve safety and improve journey time reliability and "last mile" issues are out of scope of the Scheme.</p> <p>The A428 consultation on route corridors was held in 2017. Details of the East West Rail route selection were not known at that time. The East-West Rail consultation on potential route options in early 2019.</p> <p>East West Rail completed their non-statutory route options consultation in June 2021. Until East West Rail has determined the route and confirmed locations of the proposed stations, it is not possible for the Applicant to consider any specific provision for any new infrastructure which may be required as part of the East West Rail scheme.</p> <p>It should also be noted that the development of the traffic forecasts used to assess the A428 Scheme have not taken account of the proposed EWR scheme.</p> <p>The traffic forecasts for Scheme assessment and appraisal were prepared following Department of Transport (DfT) Transport Analysis Guidance (TAG) Unit M4. This sets out guidelines on the various categories of future developments that should be included in the future forecasts.</p> <p>TAG Unit M4 at 3.2.4 advises that only developments, including transport schemes, classified as being either 'near certain' or 'more than likely' should be included in the 'core' scenario (both with and without the Scheme). Transport schemes categorised as either 'reasonably foreseeable' or 'hypothetical' should not be included in the core scenario but may be considered as sensitivity tests. This ensures a consistent approach to forecasting and the underpinning assumptions.</p>

Reference Number	Question Response /Applicant's Comments
	<p>The EWR scheme was not included in the core scenario as it was not classified as 'near certain' or 'more than likely'. It is noted that the EWR was subject to a non-statutory consultation between 31st March and 9th June 2021. Details of the preferred scheme are not likely to be published until 2022. TAG Unit M4 at 3.1.1 requires that the core scenario should be based on published plans. Therefore, until details are finalised relating to route alignment, location of stations and service frequencies, it is not possible to assess the impacts of EWR on the A428 Scheme.</p>
REP1-056g	<p>7. Integration of the Scheme with the A1 Proposals</p> <p>The A428 scheme continues to fail to relate to the ongoing study into the A1 and fails to demonstrate how it interconnects and forms part of a joined-up delivery of schemes. The "A1 East of England Strategic Study Stage 3 Report", Page 4 and Page 39 states: <i>"The optimal package should ensure compatibility with planned and potential schemes, and consider potential efficiencies which can be made through concurrent delivery of multiple schemes. The planned route for East West rail will intersect the study area in the vicinity of Sandy. The Oxford to Cambridge Expressway, if delivered, could intersect the A1 at a similar location. Potential and planned improvements to east west connectivity within the study area raise important strategic questions about the level and location of future growth."</i></p> <p>Option A of the A1 proposals in the above document includes a realignment of the A1 route which would not connect with the proposed new Black Cat roundabout. This issue has not been addressed from our earlier submission.</p> <p>When questioned at public exhibitions about this issue, Highways England personnel either could not answer the question or gave obfuscating responses. There is minimal explanation in the A428 scheme documentation as to what effect the new/upgraded road will have on the A1 corridor or the likely resulting increase of traffic in the A1 corridor, as outlined on Page 38 of the "A1 East of England Strategic Study Stage 3 Report" which states: <i>"Planned transport schemes, mentioned in Section 1.2, will impact on the study area and on the A1 route. Planned improvements to East West connectivity, notably East West rail, the A14 Cambridge to Huntingdon A1(M) upgrade, the A428 A1 to Caxton Gibbet scheme, and potentially the Oxford to Cambridge Expressway (if the scheme is to go ahead) will be likely to increase demand on the A1 corridor thus supporting the case for intervention."</i></p> <p>We would have expected as a minimum at this stage of the project more detailed modelling of the traffic increase on the A1 arising from the A428 proposals and detailed commentary on the effects upon the safety of the existing A1 and upon communities north and south of the Black Cat junction, in particular the impact on Buckden and Sandy roundabouts.</p>

Reference Number	Question Response /Applicant's Comments
	<p>Page 29 of the Consultation Booklet states that the new layout of the Cambridge Road junction “will give greater access for drivers travelling to and from St Neots and will provide better connections into the town and to the train station” but the plan shows the route will utilise the existing roundabout and B1428 Cambridge Road. So how exactly does this improve access for drivers travelling to and from St Neots who, depending on their direction of travel, will have to negotiate two or three fuel-burning roundabouts instead of the existing one?</p> <p>There is absolutely no evidence that in preparing for this scheme Highways England has adequately examined all the local development proposals along the proposed route.</p> <p>There is a lack of detailed information as to how the proposed new road will impact on local roads and traffic flows along the A1, just a set of statements which at best can be described as positive spin. There is no commitment to future monitoring of induced demand or to the effects on local communities.</p> <p>Please note that our above response is also relevant to Q1.15.1 Need for the development</p> <p>Finally, please note that our submission is in respect of the proposed consultation. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions, and you should satisfy yourselves on any facts before reaching your decision.</p>
Applicant Comment	<p>The A428 and A1 project teams have been collaborating. However, the existing A1 East of England study shows that congestion and safety issues on the route are not substantial enough in their own right to justify the full costs of moving the road to a new, more appropriate location. Substantial plans for local development (as proposed by the National Infrastructure Commission) has the potential to change this, and further work on the A1 East of England Study will be considered if development becomes likely. The Scheme is delivering a free flow link through Black Cat junction but wider improvements along the A1 are outside of the scope of this Scheme.</p> <p>Both Buckden Roundabout and Sandy roundabout and the influence road network around the junction have been assessed using VISSIM models. VISSIM micro-simulation models have been calibrated and validated to the base year flows to demonstrate that the models are robustly replicating the base year flows and driving behaviour for these two junctions. These models have been used to test the impact of the scheme on these junctions for the forecast years 2025 and 2040, both “without” and “with” scheme scenarios. The models for Buckden junction have demonstrated that:</p> <ul style="list-style-type: none"> • There is small overall increase in traffic flows. • There will be slight increase in journey times/delays due to the scheme on this junction.

Reference Number	Question Response /Applicant's Comments
	<p>For the Sandy junction, the model has demonstrated:</p> <ul style="list-style-type: none"> • Negligible change overall with some increases in flow on the A1 and decreases on the A603-B1042. • A marginal increase in delay in 2025 but with a more significant reduction in delay in 2040.
REP1-056h	<p>Other Questions about which CPRE Cambridgeshire and Peterborough wishes to comment.</p> <p>Q1.15.3.1 Applicant Effect on air quality and Q1.4. Climate Change and Carbon Emissions</p> <p>There is a complete lack of effective modelling in the applicant's documents of the impact of carbon dioxide, (CO2) and exhaust pollutant emissions such as oxides of nitrogen (NOx) and small particulates (PM1, PM2.5 and PM10) on Air Pollution and Climate Change in the local area or their contribution to national and international levels of Climate Change and Ill-Health.</p> <p>Prime Minister, Theresa May, leading a session on Climate Change at the G20 Summit in Osaka on 29 June 2019 stated: <i>"For example, when building roads or developing energy infrastructure, we will consider the greenest way to do this and use the best materials and design to manage the impacts of climate change that people are already feeling."</i> and <i>"The facts, which are clear, should guide us: we are running out of time to act. We need a fivefold increase on existing 2030 commitments to remain below 1.5 degrees of warming. In addition to stronger national commitments, we need determined implementation, and a change in how we invest."</i></p> <p>The Annual Progress Report to Government of the Climate Change Committee, published on 10 July 2019, indicated that UK action to curb greenhouse gas emissions is lagging behind what is needed to meet legally binding targets. The report stated that surface transport is now the largest single source of greenhouse gas emissions in the UK (115 Million tonnes of CO2 equivalent per annum).</p> <p>Road transport is a major source of small particulate emissions which are highly dangerous to health, especially that of children and older people. These arise from vehicle exhausts and also from brake dusts and tyre residues.</p> <p>[A number of documents were listed, that have not been repeated here].</p> <p>How exactly does the A428 proposal relate to the local, national and international calls for less polluting and low carbon transport infrastructure?</p> <p>There is inadequate explanation as to where the predicted extra 30,000 vehicle movements per day, (vpd), at Caxton Gibbet, (page 56 of Consultation Booklet), are coming from or why the scheme will reduce the proportion of Heavy Goods Vehicles (HGV) from 9% to 7%. Is this resulting from and does it include induced demand? Does this</p>

Reference Number	Question Response /Applicant's Comments
	<p>reflect increased commuter traffic? With the 'improved' route, will there not be a tendency for HGV journeys from the East Coast ports to increase disproportionately?</p> <p>With what evidence can the Highways England study argue that an extra 30,000 vpd have a 'beneficial impact on air quality', (page 15 of the Consultation Booklet). In reality this will lead to an increase in emissions of oxides of nitrogen, small particulates and greenhouse gases. Page 47 of the Consultation Booklet claims the scheme will improve air quality for cyclists along the existing A428 but at the same time showing high levels of local traffic will continue to use this route. The argument put forward on Page 47 that fewer vehicles waiting in traffic queues will reduce vehicle emissions along the route is at best misleading and scientifically an untrue urban myth. When traffic moves faster, vehicle engine rotation speeds increase, fuel burn increases and this in turn increases vehicle exhaust emissions as well as the distribution of road dusts from increased wheel rotation energy. Highways England should not be perpetuating such inaccurate information when their expert knowledge and scientific studies indicate otherwise.</p>
Applicant Comment	<p>Chapter 5, Air Quality Chapter [App-074] presents the assessment of effects on air quality due to the Scheme in line with relevant air quality guidance. This includes the detailed modelling of the effects of emissions of oxides of nitrogen (NO_x) with the Scheme in operation, compared to without, for the year of opening. Particulate matter (PM₁₀ and PM_{2.5}) was modelled for the baseline year only to demonstrate compliance with objective values and as annual mean concentrations were well below this objective, this shows there is no risk of the Scheme leading to an exceedance of the objectives. Concentrations of PM₁ are not considered separately as they are currently managed within the PM_{2.5} air quality objective, of which PM₁ is a subset of. There are no separate PM₁ objective values set down by the UK Government for this pollutant.</p> <p>With regards to the Consultation Brochure and the anticipated improvements in air quality in the surrounding area (p15); this is particularly the case with improvements in air quality around the current A428. Air quality improvements are predicted in these areas, for example at Croxton, Wintringham and Eltisley. In the wider area there is a mixture of improvements and worsening in air quality, however these are not considered to be significant changes.</p> <p>The text on page 47 of the Consultation Brochure specifically refers to improvements in air quality along the existing A428, and as has been demonstrated in the air quality assessment, there are notable reductions in traffic flows along the existing A428 (approximately 26,000 veh/day) with resultant improvements in air quality.</p> <p>For emissions from queuing vehicles, the emission rates set out in the Emissions Factors Toolkit (EFT) published by Defra, on which the emission rates used in the assessment are based, demonstrate that emissions of NO_x change with speed. Emission rates decrease with speed when going from very slow queuing speeds (e.g. 5-10kph) to</p>

Reference Number	Question Response /Applicant's Comments
	<p>moving vehicles (e.g. 20-30 kph) with the lowest emission rates at around 40-50kph, before emissions increase again at higher speeds (e.g. 80-120 kph). The exact shapes of these emissions curves are dependent on the vehicle type, age and fuel type. In this situation, removal of heavy congestion and queuing to freer flowing speeds is predicted to improve vehicle emissions.</p> <p>The traffic forecasts have been updated since the 2019 public consultation. Based on the latest forecasts, most of the increase in traffic due to the Scheme at Caxton Gibbet junction passes over rather than travelling through the junction. Without the Scheme there is forecast to be about 58000 vehicles per day in 2040 passing through the roundabout. With the Scheme this reduces to 31600 vehicles on a daily average passing through the two roundabouts. The additional traffic on the Scheme compared to the existing A428 is due to traffic switching from the current A428 and alternative east-west routes, including less suitable local roads.</p> <p>The Scheme will also change traffic patterns in terms of where drivers travel to and from, which is also a reason for the increase in traffic. The DfT national road traffic forecast (2018) indicates that HGV growth will be lower than that for light goods vehicles (vans) and cars, which is the reason why HGVs as a proportion of total traffic reduces over time.</p> <p>Please see the response to REP 1-056i with regard to how the A428 proposals relate to the local, national and international calls for less polluting and low carbon transport infrastructure.</p>
REP1-056i	<p>How does the A428 scheme fit in with the UK Government agenda of "Zero Carbon" and target of net zero greenhouse gas emissions by 2050? It is clear when comparing the objectives of this project with the report "Reducing UK emissions, 2019 Progress Report to Parliament" by the Climate Change Committee, published in July 2019, that little or no consideration has been given to these national objectives when planning this project, whose outcome is designed to make it easier to increase vehicle movements and add to the volume of polluting road transport.</p> <p>How is the proposed route contributing to the target of net zero greenhouse gas emissions by 2050?</p> <p>How does it support a move away from diesel and petrol to electric cars, other forms of transport or reduced transport?</p> <p>There appear to be no proposals to future-proof the design and delivery of the road to support future digital road infrastructure. Will full fibre ducts / 5G be laid alongside to allow the digital infrastructure required to support the next generation of road transport?</p>

Reference Number	Question Response /Applicant's Comments
	<p>There is no mention of electric charging and other emerging technologies and how they are being designed into the scheme.</p> <p>In short, this scheme as proposed will increase greenhouse gas emissions, making national reduction targets harder to achieve, while simultaneously increasing the risk of ill-health to current and future generations arising from increased polluting emissions.</p>
Applicant Comment	<p>The assessment within Chapter 14, Climate [APP-083] has identified that the emissions arising as a result of the Scheme represent less than 0.012% of the total emissions in any of the 3rd, 4th or 5th carbon budget periods. Accordingly, the assessment has concluded that the GHG emissions impact of the Scheme would not have a material impact on the UK Government meeting its legally binding carbon reduction targets. Although the 6th carbon budget was not legally binding when the Environmental Statement was written, an additional assessment of the 6th Carbon Budget, which became legally binding in June 2021, has been undertaken. This assessment concluded that the Scheme represents less than 0.024% of the total emissions in the 6th budget period and is also considered not have a material impact on the UK Government meeting its carbon reductions target.</p> <p>It is anticipated that road user emissions from the Scheme will decarbonise by 2050 in line with the Transport Decarbonisation Plan (published July 2021). The focus of the TDP is more 'blended' transport, utilising less carbon intense transportation when possible.</p> <p>A further aim of the TDP is to tackle road congestion, particularly in urban areas, and a number of solutions are presented including increasing the share of trips taken by public transport, cycling and walking, increasing car occupancy and shifting more freight transportation from road to rail. It should be noted however, that options for improving public transport, cycling and walking were considered and assessed as part of the option identification and option selection stages of the Scheme development. This demonstrated that an alternative mode solution would not contribute to solving the problems experienced on the A428 between the A1 and Caxton Gibbet and at the Black Cat junction. The alternatives therefore would not meet the Scheme objectives. Details of this assessment are presented in the 'Assessment of Alternative Modes' at Appendix Q1.1.1.1.</p> <p>The TDP also recognises the importance of road improvements as part of the solution to reduce congestion. Page 103 of the TDP states: 'Continued high investment in our roads is therefore, and will remain, as necessary as ever to ensure the functioning of the nation and to reduce the congestion which is a major source of carbon.' 'In the coming years, our ambitious and accelerating plans to decarbonise all road traffic, described elsewhere in this document (the TDP), will transform roads' impact on greenhouse gas emissions.'</p>

Reference Number	Question Response /Applicant's Comments
REP1-056j	<p>Portfolio of Schemes – Integrated Planning</p> <p>The present consultation process is focused on the A428 from Black Cat to Caxton Gibbet but it is part of the RIS2 Oxford-Cambridge Expressway study area and intersects with the A1 study area. We are concerned that this consultation seems to be taken in isolation of those two wider schemes. In particular the A1 scheme where one of the options (Package A - A1 EofE Strategic Study Stage 3) contains proposals for a new section of road which would pass to the west of the Black Cat roundabout and indeed bypass the proposed A428 Black Cat study solutions A, B & C altogether. There is no mention as to how the design of this scheme will integrate into any proposals emerging for the A1 scheme. This scheme should not be considered in isolation and to do so would be premature and potentially could prejudice the other RIS2 schemes highlighted. In your consultation brochure p11 in relation to the A1 East of England Study it notes:</p> <p><i>'Further analysis to examine the case to improve the A1 in the East of England is being carried out. This is needed to assess the full impact of improvements before a conclusion can be reached.'</i></p> <p>CPRE questions how a decision can be reached on the Black Cat roundabout and A428 route alignment before the A1 study has concluded and we believe the two studies should be run in parallel.</p> <p>The National Audit Office in the March 2017 initial evaluation of the Department for Transport and Highways England's investment in England's strategic road network (Progress with the Road Investment Strategy) criticised DfT and Highways England for not assessing how selected projects would work together. 2.13 states:</p> <p><i>'The Department and Highways England did not assess the interdependencies between projects to confirm they would be delivered in an efficient way that would minimise disruption to road users. Nor did they plan how the enhancements would integrate with other road renewal projects and maintenance work to produce an integrated portfolio of work'</i></p>
Applicant Comment	<p>The Oxford-Cambridge (OxCam) Expressway scheme was cancelled on 18 March 2021. Transport Secretary Grant Shapps said: <i>"Our analysis shows the expressway cannot deliver such links in a way that provides value for money for the taxpayer, so I have taken the decision to cancel the project"</i>.</p> <p>The A428 and A1 East of England Study teams were collaborating during development of the A429 preliminary design. However, the existing A1 East of England study shows that congestion and safety issues on the route are not substantial enough in their own right to justify the full costs of moving the road to a new, more appropriate location. Substantial plans for local development (as proposed by the National Infrastructure Commission) has the potential to change this, and further work on the A1 East of England Study will be considered if development</p>

Reference Number	Question Response /Applicant's Comments
	<p>becomes likely. The Scheme is delivering a free flow link through Black Cat Junction but wider improvements along the A1 are outside of the scope of this Scheme.</p>
REP1-056k	<p>Public Transport Options and the last mile</p> <p>Public Transport was looked at in the JACOBS A428 Traffic Data Collection report (Appx H. Initial Sift Tool) including Reinstating E-W Rail link, Park and Ride at St Neots, Tram Services, Bus Improvements and Guided Busway extension but none was carried forward. This is disappointing and the focus is purely on road infrastructure based solutions.</p> <p>CPRE believes that all infrastructure investment must include public transport solutions within the corridor otherwise we fail to see how the benefits that the consultation listed (enabling economic growth, an improved environment, a more accessible and integrated network) can be achieved without encouraging modal shift in transport.</p> <p>The scheme also fails to address the issue of the 'last mile'. There is a lack of a joined-up strategic vision. There is no portfolio of solutions, including demand management, to ensure a sustainable end transport corridor involving multi-modal options. Indeed, there is a danger the focus on a purely road based solution could prejudice investment in alternatives. In the Rees Jeffreys Road Fund Study, A Major Road Network for England Oct16 Executive Summary, it highlights that:</p> <p><i>'...clear spatial planning policies are essential to head off any adverse development pressures generated by otherwise beneficial transport improvements. Roads are crucial, but can only perform well if managed as the core infrastructure in an overall transport strategy, to support economic growth and improve the quality of life and mobility. This must recognise the wide range of transport modes which use roads, as well as the role of rail, and embrace a willingness to consider options for demand management to contain road traffic congestion over the longer term.'</i></p>
Applicant Comment	<p>The Transport Assessment [TR010044/APP/7.2] provides an overview of the provision for travel by sustainable modes of transport in the vicinity of the Scheme, including public transport options. The report identifies the current type and quality of provision and describes the accessibility afforded by and impact of the Scheme on local sustainable modes of transport.</p> <p>The Transport Assessment describes the A428 Strategic Traffic Model. This model highway is comprised of an assignment model and a variable demand model. The variable demand model has been developed to estimate the effect of changes in transport infrastructure and travel cost on demand patterns, and considers car verses public transport mode choice.</p>

Reference Number	Question Response /Applicant's Comments
	National Highways' responsibility is the Strategic Road Network to reduce congestion, improve safety and improve journey time reliability and "last mile" issues are out of scope of the Scheme.
REP1-056I	<p>Local Issues – Local Solutions</p> <p>The consultation document argues one of the reasons for the requirement to improve the A428 is to reduce congestion related delay and improve journey time reliability. In the JACOBS A428 Traffic Data Collection report p36 it highlights the key delay factors along the route are the Black Cat and Caxton Gibbet roundabouts. 7.4 Summary of Journey Time Data:</p> <p><i>'The A1 SB, A1198 SB and A14 EB routes all show significantly higher journey times in the AM peak than either the inter-peak or PM periods. For the A1 SB and A1198 SB route this can be explained by the need to queue at the Black Cat and Caxton Gibbet roundabouts... Journey time route 4 (A421/A1/A428) in the eastbound direction sees significant delay from the IP in both the AM and PM periods; while in the westbound direction there is only a significant difference from IP (Inter1Peak) journey times in the AM with a smaller difference in the PM period. This route goes through two junctions known to have significant delay, Black Cat and Caxton Gibbet roundabouts.'</i></p> <p>If road improvements are to be considered as a last resort to improve the delays highlighted, then examination of the JACOBS report A428 Black Cat to Caxton Gibbet Option Assessment report reveals Option 'C10 Local junction widening with channelisation at existing A428 junctions, grade separation at Caxton Gibbet roundabout, grade separation at Black Cat and upgrade to existing A1 junctions', as being identified as a solution costing £100 to £250 million. This would represent best value. The JACOBS report on p63 lists it as the 'Low Cost Solution':</p> <p><i>'...are the lowest cost options considered to perform well against the problems and issues on the route.' This scheme was not taken forward to public consultation despite the appraisal stating in Appendix K Summary Tables the following benefits:</i></p> <p><i>'The scheme is likely to improve journey times along the route and remove queuing for key movements at major junctions, therefore providing significant benefits... Journey time reliability has been highlighted as a key problem on the route and this scheme would likely significantly improve the consistency of journey times... The scheme is likely to improve journey times along the route and remove queuing for key movements at major junctions, therefore providing significant benefits... The scheme is likely to reduce congestion and improve journey times leading to reduced traveller stress.'</i></p> <p>If the aim of the consultation (Consultation Doc p4 We are consulting on the route options to improve the A428 between the Black Cat roundabout and Caxton Gibbet') was to find a localised road only based solution to the</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's comments on other parties' responses to first round of written questions

Reference Number	Question Response /Applicant's Comments
	current A428 congestion/journey time issues highlighted, then CPRE would support Option C10 as the preferred choice.
Applicant Comment	<p>The Applicant notes CPRE Cambridgeshire and Peterborough's representation in relation to these matters.</p> <p>The references to the Jacobs report and Option C10 is from an earlier stage of Scheme development, and pre-dates the non-statutory consultation in March 2017. The Option C10 was not one of the three options presented at the non-statutory consultation, because option C10 was assessed to have moderate adverse environmental impact and was one of two options providing the least benefits. The route option selected following the consultation performed best in economic and environmental terms, was preferred by members of the public and fits better with local and regional planning.</p>

Appendix B

REP1-059 Rupert Goodings on behalf of CTC Cambridge

Reference Number	Question Response /Applicant's Comments
REP1-059a	<p>We consider that Highways England plans do not comply with NPS NN as referenced in this question. Their plans do not reflect the Government objectives for increased investment in Active Travel.</p> <p>NPS NN paragraph 3.17 states the following:</p> <p><i>3.17 There is a direct role for the national road network to play in helping pedestrians and cyclists. The Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes. The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions.</i></p> <p>We think that Highways England has failed to comply with most aspects of this NPS-NN requirement:</p> <ol style="list-style-type: none"> 9. Highway England (HE) has not used “reasonable endeavours” to address the needs of cyclists in the scheme. We have engaged constructively with HE to recommend where new cycle infrastructure is needed. In response, HE have opted to conduct a “1-way” consultation where they present their plans and refuse to consider - sometimes even refuse to discuss – the issues raised by cyclists and other NMU groups. They have made a few minor changes to their plans but have refused to accept the need for more substantial changes. 10. HE has not properly “addressed the needs of cyclists” in their designs. They appear to have designed the NMU infrastructure on the basis of what is easy and cheap to build rather than what is needed. Most of their proposed cycle infrastructure is located along the new sections of access roads or along short sections of realigned roads. It appears that they have decided to add a cycle path to these new sections of road for simplicity and cost, rather than building the cycle paths that are actually needed. They do not propose to create any continuous or connecting cycle routes: their proposed design will simply create these isolated sections of new cycle path. Without more connections and with no continuous cycle routes we think these short sections of cycle paths seriously fail to address the needs of cyclists.

Reference Number	Question Response /Applicant's Comments
	<p>11. HE has not identified any wider “opportunities to invest in infrastructure” where there is severance, nor have they identified any opportunities to correct historic problems despite the obvious historic severance problems caused by the old A428 and the A1.</p> <p>12. HE has not made any attempt to “retrofit the latest solutions” and indeed they have not even applied the latest design standards to the few sections of new cycle paths that they propose to build. Their designs do not comply with the current requirements specified in LTN 1/20, in particular with regard to the road crossings.</p> <p>13. HE has not done enough to ensure that it is easy and safe for cyclists to use junctions. The current designs will create several dangerous road crossings and do not do enough to make junctions easy and safe for cyclists to use. The design must comply with the requirements of LTN 1/20 to minimise these risks.</p> <p>The most glaring example of a dangerous crossing is the proposed cycle crossing over the A1198 north of the new Caxton Gibbet junction. The HE plans use an at-grade uncontrolled crossing in this location in clear breach of the requirements of LTN 1/20. We think an uncontrolled crossing is unacceptable in this location: it will be too dangerous due to multiple lanes of high speed traffic and the expected high volume of traffic. This must be changed to a grade-separated (preferred) or signal controlled crossing.</p> <p>We are well aware that the wording of NPS-NN paragraph 3.17 is open to a less critical interpretation. But when combined with the more recent Government policies and publications on Active Travel and on Carbon Reduction we consider that the text should be read in line with our interpretation of expecting “reasonable endeavours” to mean that HE should be obliged to create substantially more cycling infrastructure. HE should also be required to create higher quality cycling infrastructure that meets or exceeds the requirements of LTN 1/20 as detailed above.</p> <p>In summary, we note how the proposed design for the A428 will build a large amount of expensive new road infrastructure for motorized transport but will only build a disappointing few “crumbs” of new infrastructure for cycling and walking. HE has even tried to argue that this is a long planned scheme and hence the latest Government objectives for Active Travel and Carbon reduction do not apply. We strongly disagree: we understand that these new Government objectives must apply to all new projects and hence we think the design needs to be significantly changed to include much more investment in a network of active travel infrastructure. The scheme must be changed to assign a more equitable share of the budget to active travel.</p>

Reference Number	Question Response /Applicant's Comments
Applicant Comment	<p>The Applicant does not agree with CTC Cambridge in these matters.</p> <p>The Case for The Scheme [APP-240], Appendix A, sets out an assessment of the Scheme against The National Policy Statement for National Networks (NPS-NN) policy. Row 3.17 specifically deals with NPS-NN paragraph 3.17. It explains that the Scheme makes enhancements to pedestrian and cycling facilities in order to address historic severance issues. For example, the existing cycle route along Bedford Road terminates at the existing Black Cat roundabout, meaning that cyclists or walkers travelling between Roxton and Chawston would either have to traverse Black Cat and the A1 or travel via Roxton Road and Chawston Road. The Scheme creates a new, more direct, route between Roxton and Chawston via the Roxton Link Road, which would be suitable for both cyclists and pedestrians. The Applicant considers that it complies with policy requirement in NPS-NN paragraph 3.17.</p> <p>The Applicant's response to CTC Cambridge's Relevant Representation [RR-015], contained in the Applicants Response to Relevant Representations [REP1-021] explains that it is not considered appropriate to adopt LTN1/20 for the Scheme. The design of the walking, cycling and horse-riding provision proposed on the local highway network is in accordance with the Design Manual for Roads and Bridges (DMRB) standards. This does not preclude the local authority from complying with the advice in LTN1/20. The Applicant has proposed that there is no loss of facilities for walkers, cyclists and horse riders adjacent to the carriageway where existing routes would be severed by the proposed all purpose trunk road. The Scheme has sought to maintain connectivity and shared footways/cycleways are proposed at various locations along the route.</p> <p>The Applicant does not consider that the "at-grade" crossings of roads and junctions are hazardous. The Applicant proposes signalised crossings where the shared footway/cycleway cross all slip roads and on the A1198 on the north side of the Caxton Gibbet junction.</p> <p>Section 8.3 of the Transport Assessment Part 1 [APP-241] sets out the provision which is made within the Scheme to maintain connectivity of the existing function of Public Rights of Way where possible, and at paragraph 8.3.3 sets out the new and improved routes that are delivered through the Scheme. This includes shared footway/cycleways that are proposed along Roxton Road Link, Roxton Road, Bedford Road and Kelpie Marina access for the replacement of infrastructure on the A1. Furthermore, shared footway/cycleways are proposed at Cambridge Road junction, Eltisley Link, Caxton Gibbet junction and between the Eltisley Link and the Caxton Gibbet junction. These routes have been upgraded from a footway to shared use facilities.</p>
REP1-059b	<p>SOME EXAMPLES OF THE MISSED OPPORTUNITES TO INVEST IN CYCLE INFRASTRUCTURE</p> <p>Big changes are needed to reflect the current Government Objectives for Active Travel as detailed in RIS2 and the "Gear Change" document. These changes are needed if this scheme is going to create infrastructure that will</p>

Reference Number	Question Response /Applicant's Comments
	<p>encourage more active travel journeys. We are seeing a significant increase in people cycling and walking and the Government's own data shows that high quality infrastructure is the best way to support and expand this change in behaviour.</p> <p>Our list would include the following additions:</p> <ol style="list-style-type: none"> 1. A complete and continuous NMU route between St Neots and Cambourne. This should be a safe segregated route that links to all the communities inbetween. We have suggested that this route could follow the line of the old A428, but only if the path can be a full width high quality path. The path must also be well separated from the main carriageway because the old road will still carry a significant volume of high speed traffic. Other alignments may provide a better route. 2. Grade separated or Signal Controlled Crossings of all roads where it would be required by LTN 1/20. Most obviously this is needed for the A1198 crossing just north of the new Caxton Gibbet junction. But there are also several slip roads that need a LTN 1/20 compliant crossing. And there are legacy junctions on the old A428 that also need improved crossings. 3. A new A1 cycle bridge crossing in the area around Wyboston or Roxton. There are existing footbridges in these locations but these bridges have poor connections and restricted access on one or both sides making them unsuitable to provide the needed East-West cycle route connection. This new A1 cycle crossing needs to be combined with good access from both sides and must connect to convenient crossings of the East Coast railway and of the River Ouse to complete the connection. We think a completely new A1 cycle crossing with good quality access from both sides is needed. 4. A series of cycle improvements on the adjacent road network to mitigate the impact of the expected increase in traffic volumes. Changes are needed along the A1198 and the B1040 as detailed in our original letter.
Applicant Comment	<ol style="list-style-type: none"> 1. The existing A428 will provide a continuous local route between St Neots and Caxton Gibbet. Traffic on the existing A428 between Caxton Gibbet and east of St Neots is forecast to reduce by over 90% with the Scheme. This will therefore be more attractive to cyclists. Provision of a continuous segregated route between St Neots and Caxton Gibbet would be beyond the proper scope of the Scheme and may require acquisition of additional land. The Applicant cannot seek to acquire land beyond that which is strictly necessary for the delivery of the Scheme as defined in the Roads Investment Strategy The existing A428 will be de-trunked and will become the responsibility of the relevant local highway authority, it will be for them to determine if further measures are appropriate..

Reference Number	Question Response /Applicant's Comments
	<p>2. Signalised at -grade crossings will be provided where the shared footway/cycleways cross the slip roads at Caxton Gibbet junction and also the A1198 on the north side of the Caxton Gibbet junction, in accordance with the requirements of the Design Manual for Road and Bridges (DMRB). The Applicant is not required to adopt the principles of Local Transport Notes. These are advisory documents produced by the DfT and recommended to local highway authorities for use on their roads. Compliance with LTN1/20 is not compulsory for the local highway authority and therefore the requirements of the Design Manual for Roads and Bridges is the appropriate standard to be complied with. The requirements of the DMRB are conducive with the guidance outlined in LTN 1/20. Wider measures on the adjacent road network are the responsibility of the relevant local highway authority</p> <p>3. A new bridge crossing the A1 at Wyboston would be beyond the proper scope of the Scheme. The Applicant has not identified the need for an additional crossing of the A1 for walkers, cyclists and horse-riders in the vicinity Black Cat junction. The Applicant proposes a new shared footway/cycleway along the Roxton Road Link, Roxton Road, Bedford Road and Kelpie Marina access as a replacement for the existing footway adjacent to the A1 northbound carriageway</p> <p>4. Mitigation measures on the adjacent road network are the responsibility of the relevant local highway authority. The current traffic model outputs predict that the impacts on the local network around the Scheme are largely positive. The Applicant will consider with local highways authorities a mechanism to enable the management of any potential adverse impacts, in particular post-implementation monitoring.</p>
REP1-059c	<p>DESIGNATED FUNDS IS NOT AN ACCEPTABLE WAY TO FUND THE MISSING CYCLE INFRASTRUCTURE.</p> <p>HE has stated that further cycling infrastructure can be provided separately from the main scheme using Designated Funds. We think this is not an acceptable or reasonable statement because the funding that is available via Designated Funds is too small and cannot realistically provide the scale of work that is needed.</p> <p><i>Imagine if the situation was reversed and that cycling infrastructure was fully funded but the road design and construction was excluded on the basis that it could be funded using "Disingenuous Funds" – a national fund for road building that was split three ways – shared with railways and with airports - and also spread thinly over the whole country. And it required matched funding from the local authorities. An expensive new road would never be built on that basis. For the same reason, large scale NMU "roads" will never be built unless they are fully funded as part of the core scheme.</i></p> <p>The road scheme as currently proposed has a budget of approximately £500m. We argue that cycling infrastructure should receive at least 5% of this budget – i.e. a minimum of £25m.</p>

Reference Number	Question Response /Applicant's Comments
	<p>We estimate that all of the cycling infrastructure as detailed above could be provided within that nominal budget. But it cannot realistically be postponed and/or delegated to the designated fund scheme for several reasons.</p> <ul style="list-style-type: none"> • Most obviously the scale of cycling infrastructure that is needed is too large to be funded using designated funds: the designated fund scheme is a national scheme that can only deliver relatively small improvements to the active travel networks. The scheme funding is spread too thinly and has insufficient funds to deliver major pieces of active travel infrastructure as explained in Annex A. • Moreover the designated funds scheme requires matched funding from local authorities and a requirement for them to provide a significant portion of the funding for a scheme of this magnitude is not affordable by the cashstrapped local authorities. • On top of all this, it is also much more expensive to add this scale of active travel infrastructure later as part of a separate project due to the difficulties of the land acquisition that will be required without having the benefit of the land purchase powers that are available for the core scheme. • And it is surely more cost effective to build the active travel elements at the same time (perhaps using the same contractor for some of the work). <p>For all these reasons we argue that most –if not all – of the active travel infrastructure work must be included within the core scheme.</p> <p>We accept that Designated Funds could have a limited “top-up” role – they could be used to fund a range of smaller schemes; for example to fund improvements along other roads to mitigate the impact of increased traffic volumes as detailed in our original letter to HE.</p> <p>In summary, we think that the HE proposals to delegate cycling infrastructure to “Designated Funds” is effectively killing any chance of creating a lasting legacy of high quality cycling infrastructure. We hope that the Planning Inspectorate will ask HE to revise their plans to add most of the missing cycling infrastructure for the reasons stated in this letter.</p> <p>As a country, we do not have the time for more delay in making these changes. We need to inject much more urgency into our transition to more sustainable transport. HE, as an agency of the Government, must change their designs and start to deliver on the Governments stated ambition for a significant “Gear Shift” in support for Active Travel and for Greenhouse Gas reduction.</p>
Applicant Comment	The Applicant has included provision of cycling infrastructure throughout the Scheme (in the form of shared unsegregated footway/cycleways). In particular the new route from the existing footway/cycleway on the A1

Reference Number	Question Response /Applicant's Comments
	<p>northbound from School Lane at Roxton to The Lane at Wyboston, via the Kelpie Marina access, Bedford Road, Roxton Road and the Roxton Road Link. Provision is also made at the Cambridge Road junction, providing an off-carriageway route through the junction itself, at Eltisley around the two new roundabouts and the new bridge over the new dual carriageway and at Caxton Gibbet junction providing an off-carriageway route through the junction itself. Those routes also include signalised crossings of the slip roads at the junctions and also a signalised crossing of the A1198 on the north side of the Caxton Gibbet junction.</p> <p>The Applicant has previously advised, where it is not possible to incorporate all suggested cycling infrastructure into the scheme design and delivery due to budget and or scope constraints, there may be opportunity to seek further funding through National Highway's Designated Funds.</p> <p>For the second road period (2020-2025), National Highways will be investing £936 million across four themes:</p> <ul style="list-style-type: none"> • Safety and congestion • Environment and wellbeing • Users and communities • Innovation and modernisation <p>Designated Funds are separate to the A428 scheme budget and are allocated to support initiatives that can deliver lasting benefits for road users, the environment and communities across England that are impacted by the Strategic Road Network.</p> <p>Applications made to Designated Funds need to demonstrate and deliver value for money, and show what additional support or funding partners and stakeholders will provide to help meet the commitments of the initiative. Designated Funds encourages collaborative delivery and partnership working as National Highways' primary responsibility is maintain major road infrastructure and seeks to work with others to add value to the local community.</p> <p>As part of Legacy development, the project team held a Connected Communities workshop in March 2021, and subsequent discussions with CTC on 16 April and 30 April 2021 to changes already made to the scheme as a result of previous engagement.</p> <p>Potential proposals or suggestions raised are likely to be on local authority's network and/or land, it is crucial to involve local authorities from the outset of development. The project team have therefore also been engaging with Local Authority (CCC) and has received a list of potential connections and upgrades for Active Travel to be progressed under Legacy.</p>

Reference Number	Question Response /Applicant's Comments
	<p>The Applicant provided an in-depth briefing on the Designated Funds process and criteria (21 July) to CCC, HDC and SCDC. Partnership proposals are encouraged, and the criteria states we expect our partners, the local authorities, to contribute to the proposal. This could include providing one or more of the following:</p> <ul style="list-style-type: none"> • Co-financing the project (not just local authority funding but maximising wider government funding such as Active Travel Fund) • Labour • Expertise • Land required to complete the project • Future maintenance of the improvement • Equitable treatment of intellectual property. <p>The Applicant has responded (30 July) and is awaiting further details from the local authority to agree a programme of WCH Active Travel enhancements to be taken forward.</p>

Appendix C

REP1-053 Camcycle

Reference Number	Question Response /Applicant's Comments
REP1-053a	<p>Our interest in the A428 scheme is to ensure that the five core design principles of Local Transport Note 1/20 are achieved for people cycling, alongside other active travel users. Those design principles are: safety, coherency, comfort, directness and attractiveness. Inclusivity must be integral to all of those principles. Furthermore, the A428 scheme as proposed will significantly increase motor traffic levels in the region, and correspondingly, it will significantly increase air pollution and carbon emissions. In light of the climate emergency, it is absolutely vital that every step be taken to prevent or reduce the increase of carbon emissions, and those steps must include major enhancements enabling and encouraging more people to switch to active travel.</p> <p>In our representation, we respond to Question 1.11.6.1 from the Examining Authority's written questions, however we use the more descriptive and up-to-date term 'active travel' instead of 'non-motorised'. In our view, active travel users include all non-motorised users, such as pedestrians, cyclists, equestrians, mobility scooter riders and wheelchair users. Our references to active travel routes and users apply equally to non-motorised routes and users.</p>
Applicant Comment	<p>The Applicant notes Camcycle's representation in relation to these matters.</p> <p>The Applicant's response to CTC Cambridge's Relevant Representation [RR-015], contained in [REP1-021], explains that it is not considered appropriate to adopt LTN1/20 for the Scheme. The design of the walking, cycling and horse-riding provision proposed on the local highway network is in accordance with the Design Manual for Roads and Bridges (DMRB) standards. This does not preclude the local authority using the advice in LTN1/20 in the future.</p> <p>Chapter 14, Climate, in the Environmental Statement [APP-083] presents an assessment of the climate impacts of the Scheme. The assessment has been undertaken in line with the Design Manual for Roads and Bridges (DMRB) LA114 Climate and considers the impact of greenhouse gas emissions on the climate as a result of the Scheme and the vulnerability of the Scheme to the impacts of future climate change. The assessment considers impacts across the life of the Scheme including construction, operation, maintenance and in use over a 60-year period. The assessment concluded that there would be no significant climate impacts as a result of the Scheme.</p>

Reference Number	Question Response /Applicant's Comments
REP1-053b	<p>Connectivity for active travel between St Neots and Cambourne</p> <p>The A428 project must provide active travel connectivity for the existing and future settlements between St Neots and Cambourne. As currently planned, the A428 project mainly caters for motor vehicle users in that region, with only crumbs for active travel. The proposal includes only a few disconnected segments of active travel pathway at a limited number of places within the scheme. This is unsuitable and does not comply with the government's Gear Change policy (2020), which requires all highway projects to provide active travel infrastructure in compliance with the five principles outlined above.</p> <p>Furthermore, the proposed development does not comply with the National Policy Statement on National Networks (NPS-NN) paragraphs 3.3, 3.17 and 5.205. These policies require applications for the national road network to play a direct role in helping pedestrians and cyclists, provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users, and show that they have considered reasonable opportunities to deliver environmental and social benefits as part of schemes.</p> <p>National Policy Planning Framework (NPPF) policy 11 requires plans to promote a sustainable pattern of development as well as mitigate climate change. NPPF policies 153 and 154 require plans to mitigate climate change and reduce greenhouse gas emissions.</p> <p>This application for a new dual carriageway expansion of the A428 does not comply with NPPF policies 11, 153 and 154 because it promotes unsustainable development in the form of sprawling car-centric suburbs, and exacerbates climate change by attracting more car journeys onto the network through induced demand created by the expansion of roadway.</p> <p>Therefore, to answer question 1.11.6.1(a): the proposed development does not comply with the NPSNN paragraphs, nor with the Gear Change policy.</p> <p>At the very least, high-quality active travel connectivity between St Neots, Cambourne and all the settlements between is necessary in order to mitigate against the unsustainable development patterns that will be exacerbated by the new dual carriageway.</p> <p>The applicants have proposed that active travel connectivity between St Neots and Cambourne could be provided as part of a Designated Funds (DF) project. This is an unacceptable delegation because (a) there is a very limited funding made available for DF projects in general and (b) there is not enough funding for all of the projects that qualify for DF, on the order of merely £2 million for all of Cambridgeshire. Projects under DF are generally viewed</p>

Reference Number	Question Response /Applicant's Comments
	<p>as optional add-ons, which is fundamentally at odds with the necessity of providing core active travel connectivity between St Neots, Cambourne and the villages and future developments along the way.</p> <p>The transition to electric cars will not suffice to make this application sustainable. The current target is for all new cars to be fully zero emissions at the tailpipe by 2035. We have 14 years before we reach that point, plus we can expect that petrol and diesel vehicles will continue to be used well into the 2040s and perhaps past 2050. That leaves at least 25 years of carbon-emitting and polluting vehicles travelling along this new road; a crucial 25 years that will determine just how badly global temperatures will increase. Furthermore, electric cars are heavier (causing more road damage), still get stuck in traffic, require rare earth materials and for now simply shift carbon emissions to a power plant in most cases. The only way to meet governmental climate change targets is to reduce the amount of driving overall, during the next 25 years, and shift to more sustainable modes of transport. That need for reduction of motor vehicle usage is fundamentally incompatible with the creation of a new dual carriageway, especially one that lacks comprehensive, coherent, safe, convenient and fully-accessible active travel connectivity to give people reasonable alternatives to driving.</p> <p>The distance between St Neots and Cambourne is less than 10 miles: about 45 minutes by electrically assisted pedal cycle (EAPC). That is less than the distance between St Ives (Cambs) and Cambridge, which are connected by an active travel route alongside the Guided Busway. That route has been an enormous success, attracting far more users than ever expected. This level of popularity occurred even before the rise of EAPCs, which have made it possible for just about anyone to cycle longer distances with ease. The only thing currently preventing people from cycling in the region west of Cambourne is the lack of safe, high-quality and fully-accessible cycling infrastructure.</p> <p>We accept that active travel connectivity is best provided on a separate alignment from the dual carriageway, because useful active travel routes for general purpose transport should, in compliance with LTN 1/20, follow more direct routes between settled areas. However, even though the active travel route may not follow the same alignment as the dual carriageway, it is the principle that such active travel connectivity will be designed and built that must be established as part of this process. As part of the design of active travel routes: all cycling infrastructure, whether shared or not with other users, must be designed in accordance with Local Transport Note (LTN) 1/20 as specified by Gear Change.</p>
Applicant Comment	<p>The Applicant notes Camcycle's representation in relation to these matters.</p> <p>The National Policy Statement for National Networks (NPS-NN) requires applicants to mitigate impacts upon accessibility for walkers, cyclists and horse-riders (WCH). The Scheme complies with NPS-NN paragraphs 3.3, 3.17 and 5.205. Paragraph 5.205, in particular, requires applicants to consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, applicants should provide evidence that as part of the</p>

Reference Number	Question Response /Applicant's Comments
	<p>project they have used reasonable endeavours to address any existing severance issues. The Scheme will provide new and diverted footpaths, cycleways and bridleways which will provide many benefits to the local population such as increased access to community facilities, improved safety while travelling, encouragement to take part in recreational activity and the increased opportunity to travel using sustainable transport modes. . Further information on 'Public rights of way and other routes' can be found in Chapter 2, The Scheme [APP-071] of the Environmental Statement. The Scheme also reconnects some severed public rights of way and communities via underpass and bridge grade separated crossings, including an underpass for footpath 1/9, footbridge for footpath 1/17, Cambridge Road Junction, bridge for bridleway 1/18, Toseland Road, underpass for bridleway 74/6, Eltisley Link and Caxton Gibbet Junction. New WCH routes east of the Caxton Gibbet junction to Cambourne are outside the scope of the Scheme.</p> <p>The requirements of the NPPF have been accounted for in the Scheme assessment, with particular regard given to establishing the effects of the Scheme on land uses, and identifying opportunities to improve facilities for WCH and accessibility to community facilities through the design-development process, where practicable.</p> <p>NPPF policies 153 and 154 have been accounted for in the design of the Scheme, for example, through the incorporation of drainage measures that have been designed and sized to accommodate future changes in road runoff resulting from climate change, as described in Chapter 2, The Scheme of the Environmental Statement [TR010044/APP/6.1].</p> <p>As stated in National Highways Net Zero Plan², cars are an integral part of our transport system with almost nine out of ten passenger miles travelled by road. Road travel provides a convenient, low cost and practical way to travel to see family, to travel to work and to deliver goods around the UK. It is acknowledged that the largest source of transport emissions currently comes from the vehicles driving on the road network. In line with the Climate Change Act Government has set its trajectory for road transport to contribute to the objective of net zero by 2050. This is a rapid transition with up to a 55% reduction in emissions by 2030 and up to a 90% reduction in emissions by 2040. National Highways plan will enable this transition by providing the infrastructure needed for zero carbon motoring on the Strategic Road Network. National Highways will also continue to work on integrating the SRN with other transport modes, whilst working to improve the efficiency of the network. National Highways is committed to supporting actions on modal shift recommended by the Climate Change Committee to reduce the growth in traffic on the SRN including the development and implementation of a programme to improve public transport operations</p>

² <https://highwaysengland.co.uk/media/eispcjem/net-zero-highways-our-2030-2040-2050-plan.pdf>

Reference Number	Question Response /Applicant's Comments
	on the SRN, promotion of walking and cycling and measures to reduce the need to travel.
REP1-053c	<p>Safe, convenient and fully accessible crossings of busy roads</p> <p>The A428 project must provide suitably safe and convenient active travel crossings of busy roads and junctions, usable by people of all ages and abilities. As currently planned, the A428 project proposes several hazardous uncontrolled at-grade crossings of roads and junctions forcing people to brave very wide expanses of carriageway and high-volume, high-speed motor traffic. This is unacceptable: these crossings must be redesigned to make them much safer to use, so that they are accessible to everyone, as required by Gear Change and the Equality Act (2010).</p> <p>NPS-NN paragraph 3.17 requires applicants to invest in infrastructure to reduce barriers to active travel between communities and to ensure that it is easy and safe for cyclists to use junctions. The current application does not provide safe crossings in all cases. In particular, the worst example is the proposed new northern roundabout at the A1198/A428 junction. This roundabout has a crossing of the northern arm that would require active travel users somehow to cross five uncontrolled lanes of fast and busy motor traffic (2 lanes northbound, 3 lanes southbound). It is unacceptable for this to be an uncontrolled crossing; it would be so dangerous, with a high risk of serious injury, that only the bravest or most foolhardy individuals would dare try to use it. In practice, an uncontrolled crossing here would render unusable this key access point for the rest of the proposed active travel infrastructure (what little there is).</p> <p>It is perfectly possible to design safe crossings for all situations, whether they be at-grade or grade separated, signalised or uncontrolled, depending upon context. However the project team has made it clear that they will not create high-quality, fully accessible and safe crossings unless they are directed to do so by higher authorities. LTN 1/20 provides the guidance and tools to plan and design safe crossings for cyclists, and the applicants must be required to follow it.</p>
Applicant Comment	<p>Please refer to the RR-015d of the Applicant's Responses to Relevant Representations [REP1-021].</p> <p>The Scheme also reconnects some severed public rights of way and communities via underpass and bridge grade separated crossings, including an underpass for footpath 1/9, footbridge for footpath 1/17, Cambridge Road Junction, bridge for bridleway 1/18, Toseland Road, underpass for bridleway 74/6, Eltisle Link and Caxton Gibbet Junction.</p>

Reference Number	Question Response /Applicant's Comments
	<p>The design of all WCH crossings will be determined at detailed design stage. However, it is proposed signalised crossings will be provided where the shared footway/cycleways cross the slip roads at the junction of the A1198 and A428 and also at the A1198 on the north side of the Caxton Gibbet junction.</p>
REP1-053d	<p>Fair provision of bridges or tunnels crossing existing barriers</p> <p>The A428 project (a) must not sever existing active travel routes and (b) where structures are planned to be built for the benefit of motorists who need to cross existing barriers, they should also accommodate active travel users who need to cross those same barriers. Question 1.11.6.1(b) asks "To what extent have pre-existing severance issues, within the extent of the proposed scheme, been addressed as part of the Proposed Development?" The answer is: not at all NPS-NN paragraphs 3.17 and 5.205 require the applicants to address existing severance problems, such as those caused by the A1, the River Great Ouse and the East Coast Main Line. They have not provided any facilities for active travel users to overcome those barriers.</p> <p>The applicant is already planning to overcome these barriers to motor traffic by designing structures that will carry the dual carriageway over them. The designs for those structures should be modified to incorporate provision that allows active travel users also to cross those barriers, such as with suitably designed active travel side-paths on bridges. Alternatively, separate and better-located structures may be provided for active travel users to overcome those barriers, if that provides more reasonable connectivity to the wider active travel network. It would be wise to coordinate this effort with the East West Rail project, which is also designing infrastructure in the same region, and which will require high-quality walking and cycling routes in order to provide access for stations in the vicinity of St Neots and Cambourne.</p>
Applicant Comment	<p>Please refer to the RR-015e of the Applicant's Responses to Relevant Representations [REP1-021].</p> <p>At Black Cat Junction the existing combined footway/cycleway will move to a safer location and reconnect communities away from the new junction. This will link School Lane to Bedford Road and Roxton Road, also connecting to National Cycle Network Route 12. From Roxton Road, a new WCH route along the link road will connect to Chawston Lane and The Lane and the existing footway/cycleway along the A1 north of the Black Cat Junction. There are no existing public rights of way in the vicinity of the River Great Ouse and the East Coast Main Line bridges.</p> <p>The Scheme also reconnects some severed public rights of way and removes barriers via underpasses and bridges at other locations, including an underpass for footpath 1/9, footbridge for footpath 1/17, Cambridge Road Junction, bridge for bridleway 1/18, Toseland Road, underpass for bridleway 74/6, Eltisbury Link and Caxton Gibbet Junction.</p>

A428 Black Cat to Caxton Gibbet improvements
Applicant's comments on other parties' responses to first round of written questions
