

# A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.46 Applicant's Comments on Deadline 3 Submissions

Planning Act 2008

Rule 8 (1)(k)

Infrastructure Planning (Examination Procedure) Rules 2010

November 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning  
(Examination Procedure) Rules 2010**

**A428 Black Cat to Caxton Gibbet  
improvements  
Development Consent Order 202[ ]**

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**9.46 Applicant's Comments on Deadline 3 Submissions**

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# 1 Introduction

- 1.1.1 The Development Consent Order (DCO) application for the A428 Black Cat to Caxton Gibbet improvements scheme (the Scheme) was submitted by National Highways (the Applicant) to the Secretary of State for Transport via the Planning Inspectorate on 26 February 2021 and accepted for Examination on 23 March 2021.
- 1.1.2 The purpose of this document is to set out the Applicant's comments on submissions made by Interested Parties at Deadline 3 of the Examination. Note that the Applicant has not commented on submissions where points are repeated and a response has been provided by the Applicant at Deadline 1 or Deadline 2.
- 1.1.3 The following representations submitted at Deadline 3 are addressed in this document:
- a. REP3-035 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
  - b. REP3-036 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
  - c. REP3-037 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
  - d. REP3-038 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
  - e. REP3-039 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
  - f. REP3-040 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
  - g. REP3-041 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
  - h. REP3-042 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
  - i. REP3-043 – Central Bedfordshire Council
  - j. REP3-048 – East West Rail
  - k. REP3-049 – Historic England

## 2 Applicant's Comments on Deadline 3 Submissions from Interested Parties

### REP3-035 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

#### *Written submission of oral case for Issue Specific Hearing 2 on 23 September 2021*

Reference Number	Interested Parties Submission/Applicant's Comments
<p>Section 4 – Anticipated operational traffic effects on the surrounding highway network</p> <p>a. Traffic Modelling Methodology</p> <p>(i) Reasoning for concern of Local Highway Authorities (LHAs) regarding robustness of traffic modelling raised in Local Impact Reports</p>	
<p>REP3-035a</p>	<p>The ExA highlighted that the ExA and the Secretary of State are under a duty to give due consideration to the impacts on local transport networks under paragraph 5.2.11 of the National Networks National Policy Statement (NN NPS) and that traffic modelling and methodology are pertinent to this matter.</p> <p>The ExA invited CCC as local highway authority (LHA) to comment at a high level on whether the Applicant had adequately responded to the concerns raised in the deadline 1 submission through the submission of the Junction Modelling Technical Note [REP1-030].</p> <p>Francis Tyrrell, Pinsent Masons LLP for CCC clarified that the reasoning for CCC's concern in relation to traffic modelling is broadly as set out in the Cambridgeshire Councils' Written Representation [REP1-048]. In summary, those concerns were threefold:</p> <ol style="list-style-type: none"> <li>(1) Some of the traffic flows in the routing in base and forecast years are unrealistic and insufficient information has been supplied to the LHA to allow it to check.</li> <li>(2) The model traffic flows highlight areas of concern in relation to the local road network.</li> <li>(3) The strategic model flows have been used directly to build local junction models but those models are not validated for that purpose.</li> </ol> <p>Mr Tyrrell confirmed that the headline concerns remain notwithstanding the submission of the Junction Modelling Technical Note [REP1-030] and invited David Allatt and Lou Mason-Walsh to explain in further detail.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Mr Allatt explained that, at a high level, CCC are not satisfied that the junction models are robust because CCC do not have validated base models for local junctions and therefore cannot draw solid conclusions about what the impacts on the local network will be.</p> <p>The ExA asked what high-level risks this poses to the LHA.</p> <p>Mr Allatt explained that CCC would not understand the impacts of the A428 on the LHA's network and therefore the risk of that network being appropriately designed and mitigated. Modelling feeds into the assessment of a whole cross section of areas concerning impacts including highway design, mitigation, traffic management and noise.</p> <p>Mr Allatt further explained that CCC have provided the Applicant with a whole range of existing data that would allow those base models to be validated. CCC is of the view that adding this extra level of robustness would be readily achievable so that CCC can be confident in the outputs. CCC has undertaken some spot-checks of the model and have found some disparities and are in discussions with the Applicant on this matter.</p> <p>Mr Tyrrell referred to section 2.3 of the Cambridgeshire Councils' Written Representations [REP1-048] which provides some examples of the specific risks and concerns which flow from the lack of validation at various locations.</p> <p>Scott Lyness QC on behalf of the Applicant explained that this issue needs to be considered in light of three categories of junction as explained in the Junction Modelling Technical Note [REP1-030]:</p> <ol style="list-style-type: none"> <li>a. Junctions which do not exist in the base year, or where there are fundamental changes in layout, referred to as 'Scheme junctions'.</li> <li>b. Junctions which do exist in the base year and are not significantly changed by the Scheme, but where no base models were developed, referred to as 'existing junctions with no calibrated/validated base models'.</li> <li>c. Junctions which do exist in the base year and are not significantly changed by the Scheme, but where observed data was available and base models were developed, referred to as 'existing junctions with calibrated/ validated base models'.</li> </ol> <p>Mr Lyness explained that the third category is not relevant to the current discussions. In relation to the first category, the changes are so fundamental that existing flows are not going to be of much assistance. In relation to the second category, the basic position is that the scheme would result in either a significant capacity improvement at a junction with an existing capacity issue or, where the scheme increases traffic flows, the junction is predicted to operate under capacity by a large margin.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>In response to this explanation on the second category of junctions, Mr Tyrrell explained that CCC has concerns as to whether one can be confident that there is a significant capacity improvement or an increase in flows which does not present an issue for the local highway network without the required validation.</p> <p>In relation to the first category of junctions, Mr Tyrrell explained that CCC has concerns relating to the notion that some of the changes to the scheme are so fundamental that validation is not worth pursuing. Mr Tyrrell invited Lou Mason-Walsh to explain further.</p> <p>Ms Mason-Walsh reiterated CCC's concerns about the way in which the modelling has been carried out because the impact on the local road network cannot be assessed. It is not sufficient to state that somewhere sees a benefit or, for example, that 4 arms of a 5 arm junction see a benefit when one arm sees a disbenefit and the impacts on the adjacent junctions have not been assessed.</p> <p>Mr Allatt commented, in response to Samaya Ghosh's submission on behalf of the Applicant that validation had been carried out where it was considered to be necessary, that it was important to factor in where the LHA considered validation to be necessary as the authority responsible for the local highway network, particularly where the data exists to validate the model.</p> <p>The ExA asked CCC whether CCC holds existing count data for some of the relevant locations and Mr Allatt confirmed that CCC does hold that data.</p> <p>The ExA asked whether CCC could assist with the provision of that count data. Mr Allatt confirmed that CCC had been in discussion with the Applicant on this matter and that links to the data had been provided. CCC have set out how CCC's concerns could be addressed.</p> <p>In response to the submission by the Applicant that validation would not assist the analysis of the category 1 'scheme junctions' as the changes were fundamental, Mr Tyrrell emphasised that CCC disagrees with this view because none of the new junctions in Cambridge are providing for any movements that are not currently possible but instead separate out the local and strategic traffic, which does not justify disregarding the local information. The Applicant is not creating something new which is non-existent and there is therefore utility and value in carrying out the validation by reference to the existing information on all of the junctions.</p> <p>Mr Tyrrell highlighted that the approach being taken is that a model conceived for strategic roads and was not conceived for local roads is being applied to local roads and, because the effects are noted as beneficial, the results are not being double-checked. It would seem that the Applicant is building assumption on assumption without an understanding of whether it reflects the reality on the ground.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	As a follow-on action from ISH2 the Applicant is currently undertaking a series of sensitivity tests on a set of selected junctions in line with the Joint Position Statement with the Local Highway Authorities on Junction Modelling [REP3-024] and the Scope of Junction Model Sensitivity Test [REP3-029], both submitted at Deadline 3. The sensitivity tests are being undertaken by amending the model input parameters in line with CCC's suggestions and the outputs from these tests will be considered in due course.
Section 4 – Anticipated operational traffic effects on the surrounding highway network b. Potential impacts at roads and junctions identified in CCC, HDC and SCDC Joint Local Impact Report [REP2-003] (ii) Coton	
REP3-035b	<p>The ExA noted that the Applicant had provided a Technical Note in relation to Traffic Routeing Impacts at Coton [REP1-028] and invited CCC to confirm whether this dealt with its concerns and if not, why not.</p> <p>Ms Mason-Walsh explained that the Technical Note confirms that the model is wrong. This is consistent with CCC's conclusion and so CCC agrees with the Applicant that the predicted flows are not necessarily as shown by the model.</p>
Applicant's Comments	<p>Although it was acknowledged by the Applicant in Traffic Routeing Impacts at Coton Technical Note [REP1-028] that coding errors had been found in the vicinity of Coton, the Applicant's Technical Note [REP01-028] demonstrates that the coding errors were confined to two short links and that the impact is relatively minor and localised. This note does not demonstrate that the strategic traffic model is wrong per se as could be implied from CCC's response above. The Applicant notes that a small localised error should not be interpreted to mean the entire strategic modelling is incorrect. The model has been subject to a stringent validation process using Department for Transport (DfT) TAG guidelines. As reported in Local Model Validation Report – Appendix B of the Combined Modelling and Appraisal Report (APP-252) the model achieved an excellent validation when comparing modelled and observed link flows and journey times. CCC has acknowledged in their responses to the Examining Authority's First Written Questions [REP1-051] that "the strategic model was found to be sound for use in the assessment of the strategic impacts of the scheme".</p>



Reference Number	Interested Parties Submission/Applicant's Comments
<p>Section 4 – Anticipated operational traffic effects on the surrounding highway network</p> <p>b. Potential impacts at roads and junctions identified in CCC, HDC and SCDC Joint Local Impact Report [REP2-003]</p> <p>(iii) Caxton Gibbet</p>	
<p>REP3-035c</p>	<p>The ExA asked CCC whether this was a similar scenario to the Wyboston Roundabout where CCC is looking for confidence in the model or whether there are more fundamental concerns in terms of what the queue scenarios might look like. Ms Mason-Walsh confirmed that CCC is looking for confidence in the model because CCC has undertaken a comparison of the turning proportions at the junctions within the model compared to the count data and whilst the proportion of traffic on each arm is correct, or within reasonable parameters, where that traffic goes is not correct. It is the turning proportions that are vital for the operational junction models and these are not necessarily accurately reflected within the strategic model. Ms Mason-Walsh confirmed that she would not expect a strategic model of the size of this one to accurately reflect individual turning movements because it would not be possible to validate the model to that level of detail. For this reason, the best practice methodology of modifying strategic model flows based on a validated base model should be carried out to give CCC the required confidence in the size of the traffic flows on the local highways that CCC is being asked to adopt.</p> <p>In response to Mr Lyness' proposal that the Applicant considers sensitivity testing for the SATURN model, Mr Tyrrell explained that this may not deal with the issue as the testing remains on the basis of the high level strategic model, which will not highlight the concerns raised by way of illustration on particular junctions which come from the observations against the existing baseline data. Mr Tyrrell emphasised that where the model had been considered further at particular locations, errors were found and so just because it is not the policy of the Applicant to carry out further modelling, does not mean it is not appropriate.</p> <p>Mr Lyness submitted that it remains relevant to look at the overall benefits of the scheme when taking a decision on it. In response, Mr Tyrrell agreed but highlighted that this is a balancing exercise between the benefits on one hand and the impacts on the other, which is more challenging if the impacts are not known.</p>
<p>Applicant's Comments</p>	<p>As an action from ISH2 [EV-032], the Applicant has agreed to undertake sensitivity tests for a selected set of junctions following the approach suggested by CCC. The reasons for selecting these junctions for undertaking sensitivity tests and the detailed approach to be adopted for those sensitivity tests is set out in Scope of Junction Model Sensitivity Test [REP3-029]. The outputs from the sensitivity tests will be reported by Deadline 5.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
<p>Section 4 – Anticipated operational traffic effects on the surrounding highway network</p> <p>c. Whether the operation of the proposed development would ensure, as far as is reasonably practicable, the expeditious movement of traffic on the local highway network and LHAs' ability to fulfil their Network Management Duty</p>	
REP3-035d	<p>Mr Tyrrell highlighted that the Applicant had submitted that the provision of infrastructure is not precluded. In this respect there are three aspects: one is the official designation at the outset of the various rights of way; secondly, is the way they are constructed at the outset; and thirdly is the detailed design. Mr Tyrrell noted that it might be of comfort to CCC to hear from the Applicant as to how the detailed design of these will be progressed to make sure that subsequent use or upgrades to bridleway is not precluded, and furthermore that those upgrades can be done in the most efficient and simplest way possible to avoid the upgrade being more expensive and complicated later.</p>
Applicant's Comments	<p>The Applicant refers to the response provided in the Written submission of oral case for Issue Specific Hearing 3 on 24 September 2021, Agenda Item 6b <b>[REP3-022]</b>.</p> <p>Reference should also be made to the Applicant's response to REP1-048bd included in the Applicant's Comments on Written Representations <b>[REP3-008]</b> where the Applicant provides comments on representations made by the Cambridgeshire Authorities on public rights of way.</p>
<p>Section 6 – Effects on Non-Motorised Users (NMUs) (Page 9-11)</p> <p>b. The appropriateness of intended NMU infrastructure provision, if applicable including any intended design changes</p> <p>iii. At and along new local highway infrastructure, including Roxton Road Bridge, Barford Road Bridge, Potton Road Bridge, and Toseland Road</p>	
REP3-035e	<p>In response to the Applicant's explanation that the existing demand would not justify the upgrading of the status of this route, Mr Tyrrell highlighted paragraph 315 on the NN NPS in relation to the commitments to sustainable transport and encouraging modal shift and noted that these presumably align with the Applicant's own net zero ambitions, including net zero for road users. Therefore it is important not to place too much emphasis on current usage if the policy goals of carbon reduction along the road network and modal shift are to be achieved.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>A number of carbon reduction policies and plans are aligned to this Scheme, including the National Policy Statement for National Networks, but also the Department for Transport's Transport Decarbonisation Plan (2021) and National Highways' Net Zero Highways Plan (2021), which will support nationwide reductions in road user emissions, and emissions associated with future road maintenance. These carbon reduction policies are nationwide and are irrespective of current road usage.</p> <p>Provision of a footway/cycleway to the LHA requirement has been included at Roxton Road bridge as this route is used instead of routing NMUs through Black Cat junction. The footway provision at Toseland Road is mitigation for the diversion of footpath 278/7. At Barford Road and Potton Road there are no existing facilities to tie-in to. The Scheme is not changing the fundamental nature of these rural roads and provision of facilities over and above that proposed cannot be justified.</p>
<p>Section 7 – Outline Construction Traffic Management Plan (Outline CTMP)</p> <p>(b) Anticipated frequency and timings of road closures affecting accessibility to the local highway network during construction</p>	
REP3-035f	<p>Mr Tyrrell noted that the Applicant's responses to First Written Questions <b>[REP1-022]</b> provide more information in relation to the timings of closures. Mr Tyrrell noted that the Outline Construction Traffic Management Plan becomes effectively fixed at the time of making of the Order as it is scheduled and certified under Schedule 10 to the Order. Therefore the illustrative timings will become fixed and there is no indication as yet as to how the timings would apply in specific locations. Mr Tyrrell queried whether the information in the revised OCTMP would contain that information so that it is available for review before the order is made.</p>
Applicant's Comments	<p>The Applicant has updated tables within the Outline Construction Traffic Management Plan <b>[APP-244]</b> submitted at Deadline 4, to make it clearer that full weekend closures will be used from time to time - this will be for beam lifting operations or highway tie-in works for example.</p> <p>The Applicant has not specified dates when the closures will be used, however the Applicant has specified the time of day for full closures, typically 9pm to 6am on any overnight closure and 9pm Friday to 6am Monday for weekend closures. It is too early to provide specific dates for the timings of closures in specific locations.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Section 7 – Outline Construction Traffic Management Plan (Outline CTMP) (d) Anticipated re-routing of existing traffic across the local road network, likely effects and mitigation (as referred to in Local Authority LIRs and written submissions [REP1- 048], [REP1-055])	
REP3-035g	<p>Mr Tyrrell noted that the specific impacts are set out in the Cambridgeshire Councils' Written Representation <b>[REP1-048]</b>.</p> <p>Mr Allatt noted that the point was less about the impacts on specific villages and more about monitoring of impacts within the study area and having a mechanism to address issues identified where there is an increase as a result of scheme construction.</p>
Applicant's Comments	<p>The Outline Construction Management Plan <b>[APP-244]</b> has been updated (sections 3.5.4, 3.5.5 amended and 3.5.10 added) to explain in greater detail the approach to monitoring, managing and addressing re-routing of traffic should it occur.</p>
Section 7 – Outline Construction Traffic Management Plan (Outline CTMP) (e) Approach to securing the proposed mitigation of adherence to construction routes in the absence of formal enforcement	
REP3-035h	<p>CCC would be looking to the Applicant to work with them on this matter and to assist CCC in the funding of any of those temporary measures that might be required in those villages, such as temporary HGV bans, temporary traffic calming measures.</p> <p>In response to comments by Julian Sea, on behalf of the Applicant, that temporary traffic measures were not likely to be enforceable and so were not proposed in these locations, Mr Tyrrell noted this was an odd point as the Applicant is taking a number of powers under Article 55 of the Order to make temporary traffic regulation orders, which if they were unenforceable, one would query the necessity of. CCC's view is that these are enforceable and would support their inclusion in the Order in principle.</p>
Applicant's Comments	<p>The Outline Construction Traffic Management Plan <b>[APP-244]</b> has been updated (Section 3.3.3 amended and 3.3.4 added) to explain in greater detail the approach to managing construction vehicles. With regard to use of temporary traffic management or other measures, the Outline Construction Traffic Management Plan <b>[APP-244]</b> has also been updated (Sections 3.5.4, 3.5.5 amended and 3.5.10 added) to explain in greater detail the approach to monitoring, managing and addressing re-routing of traffic should it occur.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
<p>Section 7 – Good Design</p> <p>(b) Views from Local Authorities and other Interested Parties if the further information could enable the assessment of the Proposed Development against policy requirements in the NPS NN, NPPF and local planning policies</p>	
<p>REP3-035i</p>	<p>Mr Tyrrell noted that Mr Rooney on behalf of the Applicant had helpfully outlined the national policies applicable to the design. Mr Tyrrell highlighted that in the Cambridgeshire Councils' response to the First Written Questions <b>[REP1-051]</b> in response to question 1.7.5.4 a list of the local design plans and policies is included and noted that the submitted documents do not contain reference to these local policies. Mr Tyrrell requested that these policies are taken into account in the updated information.</p> <p>Mr Tyrrell noted that paragraph 5.149 of NN NPS notes that the impact of the project needs to be considered in light of the local landscape and so that is most usefully set out in the local design policies and documentation.</p> <p>Mr Tyrrell also queried how the new information being produced, or local plans more broadly will be integrated in the detailed design moving forward.</p> <p>Mr Tyrrell drew the ExA's attention to Requirement 12 which sets out that the detailed design must be developed in accordance with the preliminary scheme design shown on the works plans, the general arrangement plans, the engineering section drawings and the principles set out in the environmental master plan. Mr Tyrrell requested clarification as to how regard will be had to local design considerations.</p>
<p>Applicant's Comments</p>	<p>The Scheme Design Approach and Design Principles <b>[REP3-014]</b> signposts to how the design-development process for the Scheme has responded to local policies, guidance and the receiving landscape, and where this is reported within the submitted DCO application documents.</p>

## REP3-036 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

### *Written submission of oral case for Issue Specific Hearing 3 on 24 September 2021*

Reference Number	Interested Parties Submission/Applicant's Comments
Section 3 – Biodiversity matters, including HRA c. Information and timescales for the provision of information necessary for an Appropriate Assessment to be made (if required)	
REP3-036a	In response to discussions on the potential need for an Appropriate Assessment to be carried out, and the mitigation that may be considered...Mr Tyrrell noted that the Cambridgeshire Councils would like to be involved in discussions about mitigation measures if the analysis were to move through the screening stage onto the following stage of the appropriate assessment to determine whether there is an adverse effect on integrity.
Applicant's Comments	The Applicant can confirm information will be shared with the Cambridgeshire Councils in the event that further mitigation is required to address impacts to the Barbestrelle bats from within the Eversden and Wimpole Special Area of Conservation (SAC). The Applicant will seek to agree specific mitigation requirements relating to the aforementioned with Natural England in its statutory role as an environmental body for the conservation, enhancement and management the natural environment.
Section 5 – Heritage matters, including the effects on listed buildings, on archaeological remains and on the setting of heritage assets e. Views on the Archaeological Mitigation Strategy (AMS) [APP-238]	
REP3-036b	Kasia Gdaniec on behalf of the Cambridgeshire Councils welcomed the move to update the AMS [APP-238] to one that better aligns with the local authorities' Joint Archaeology Design Brief. This is the primary document that sets out local standards and requirements and the Cambridgeshire Councils expect all developments to comply with those. The Joint Archaeology Design Brief contains proportionate strategies to ensure that a good level of understanding of sites is documented before the sites are lost. This is particularly important in relation to National Networks National Policy Statement (NN NPS) policies 139 and 140 which contain the requirement to record sites and ensure that they are properly understood before they are destroyed. The sites in question are expected to experience major adverse harm and the Cambridgeshire Councils would expect to have further discussions with the Applicant in order to agree excavation areas in line with the Cambridgeshire Councils local requirements. The Cambridgeshire Councils disagree with the Applicant's assessment that some sites can be lost because they are

Reference Number	Interested Parties Submission/Applicant's Comments
	not likely to provide further knowledge gain. The data gathered has been good but does not justify the total loss of these sites as there needs to be more detailed understanding of the grain of some of the pioneering Iron Age sites on the clays.
Applicant's Comments	The National Policy Statement for National Networks (NPS-NN) states in paragraph 5.140 "The extent of the requirement should be proportionate to the importance and the impact." The Mitigation Strategy has been developed in line with this. The Applicant does not agree that these sites would experience 'major adverse harm'. Harm, as defined in both NPSNN and NPPF, is only relevant for designated assets, and refers to either substantial or less than substantial harm. The term 'major adverse harm' is not used or defined. Chapter 6, Cultural heritage [APP-075] of the Environmental Statement does not identify any major adverse impacts. The evaluation work undertaken has enabled the Applicant to understand the archaeological evidence on the Scheme.
<p>Section 6 – Land-use, including loss of BMV agricultural land</p> <p>a. Details of the excavated materials to be taken from the Borrow Pits and the materials to replace them, together with their future status relative to the Proposed Development</p>	
REP3-036c	Mr Tyrrell agreed with Bedford Borough Council that there is a need to be clear as to how the borrow pits will be restored. Mr Tyrrell stated that there is a clear process set out in policy 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (MWLP), as set out in section 13 of the Cambridgeshire Councils' Written Representations [REP1-048] and reiterated in the response the Cambridgeshire Councils gave to Written Question 1.6.2 [REP1-051]. Mr Tyrrell noted that Bedford Borough Council would likely have a similar policy in terms of restoration where, if the site is to be restored to agricultural use, it should be the best agricultural use possible. Mr Tyrrell also noted that the restoration of the borrow pits should have regard to biodiversity requirements, as set out in the Cambridgeshire Councils Local Impact Report [REP2-003] and that it is possible to both restore the best agricultural use possible and do so in a way which delivers the best possible outcome from a biodiversity and landscape point of view. Mr Tyrrell emphasised that policy 19, which would apply for other applications, should apply to the application.
Applicant's Comments	<p>The Applicant welcomes the Cambridgeshire Councils aspiration to work with the landowners and the Applicant to see what the best outcome would be regarding the borrow pits.</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</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>soil to be removed from each borrow pit. This information is reported in the "Borrow Pits Excavation and Restoration Report" <b>[REP3-011]</b>.</p> <p>The Applicant would like to clarify that the Cambridgeshire and Peterborough Minerals and Waste Local Plan (MWLP) was adopted in July 2021, well after the application for the Scheme was being prepared. At the time of submission of the application for the Scheme, the MWLP was in the later stages of preparation, with the Inspector's report from the Examination of the draft plan received by the joint authorities in March 2021, a month after the application for the Scheme was submitted to the Planning Inspectorate. The Applicant's response to the Cambridgeshire Council's Local Impact Report (LIR) in respect of its local policy assessment are provided in pages 121-122 of document <b>[REP3-009]</b>.</p> <p>This explains that the biodiversity requirements of the National Policy Statement for National Networks (NPSNN) apply on a scheme-wide basis 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>The Applicant notes that its proposal to return the borrow pits to agricultural use accords with the positions adopted by the National Farmers Union and the Church Commissioners for England, who both object to agricultural land being restored in a manner to achieve biodiversity gains. This reflects the Applicant's understanding of other Affected Persons who wish to have land that is within their ownership that is to be used for the borrow pits to be returned to them in a condition that is suitable for agricultural uses.</p>
<p>Section 8 – Landscape effects, including with reference to designated character areas</p> <p>a. Screening of prominent structures and locations <b>[APP-113]</b> and <b>[APP-114]</b></p>	
REP3-036d	<p>In response to a related question on the biodiversity value of planting compositions, veteran trees and linear biodiversity, Mr Tyrrell noted that in the Cambridgeshire Councils' Written Representation <b>[REP1-048]</b>, in addition to the planting commentary at section 8 in terms of landscape, there is also commentary on suitable planting at section 7 of the Written Representation <b>[REP1-048]</b> in relation to biodiversity where the issues about elm and climate change were raised. Mr Tyrrell suggested that these issues are considered further at a later date pending the Applicant's response at Deadline 3.</p>



A428 Black Cat to Caxton Gibbet improvements  
Applicant's Comments on Deadline 3 Submissions

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Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	The Applicant refers the Councils to Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b> , which sets out the species mixes which were shared with and adjusted in response to comments received from the Councils in December 2020, prior to submission of the Application. This specifically addresses the issues of climate change and incorporation of Elm into the planting mixes.

## REP3-037 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

### Comments on Written Representations

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-037a	<p><b><u>Introduction Historic England's remit of interest is expressed.</u></b></p> <p>These comments are given in relation to Cambridgeshire's historic environment area only. Historic England's chief interest is on the designated heritage assets and their setting, specifically scheduled monuments and grade I and II* designations, and grade II listed buildings that could be affected by the proposed development. Grade II listed buildings, conservation areas and non-designated heritage assets are acknowledged as being the remit of County Council and local planning authority advice. We endorse this position as it is a standard working procedure. Furthermore, the District Councils' Conservation Officers also consider impacts on designated heritage assets (listed buildings, registered parks and gardens, conservation areas) and their settings in their areas, while Cambridgeshire County Council's Historic Environment Team advise on impacts and mitigation strategies to non-designated heritage assets on a county-wide basis. These typically, but not exclusively, relate to below ground assets, which comprise the majority of heritage assets in the local archaeological resource.</p>
Applicant's Comments	The Applicant notes the response from the Cambridgeshire authorities.
REP3-037b	<p><b>Regarding Site 17 (Field 70)</b></p> <p>We welcome Historic England's acknowledgement that the local authority [here the County Council's Historic Environment Team] should lead on the mitigation response.</p>
Applicant's Comments	The Applicant notes the response from the Cambridgeshire authorities.
REP3-037c	<p><b>Regarding Local Authority Archaeological Advisors' advisory remit for non-designated archaeological remains</b></p> <p>We welcome Historic England's acknowledgement that the Local Authority Archaeological Advisors should lead on the mitigation response. A Joint Authorities Archaeology Brief has been produced (and recently updated) that sets out the local requirements for the archaeological programme and should not be subordinate to the Archaeological Mitigation Strategy (as inferred from 1.2.5 in the AMS (TR010044/APP/6.12)).</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>The AMS <b>[REP3-010]</b> does not infer that the Joint Cambridgeshire/Bedfordshire <i>Brief for a Programme of Archaeological Investigation</i> should be subordinate to the AMS. The AMS states in paragraph 1.6.2 that "A brief has been prepared by the Curators at the councils. This is designed to facilitate the production of the SSWSIs by the Archaeological Contractor. The contents of this brief have been taken into account when detailing the overarching scope of works in Part Two of this document. The brief is included as Appendix B." Furthermore, paragraph 2.2.1 states "The purpose of the AMS is to detail the scope of the fieldwork methodologies and detail the required strategy to mitigate impacts of the Scheme, in line with the Joint Cambridgeshire/Bedfordshire <i>Brief for a Programme of Archaeological Investigation</i>."</p>
REP3-037d	<p><b><u>Organic Residue Analysis</u></b></p> <p>Useful advice is presented for the chemical study of ceramic vessels that will be recovered from the excavations. No assessment was made during the evaluation work, so this will need to be included in a revised Archaeological Mitigation Strategy (AMS) and to conform to 7.1.1 of the Joint Authorities' Archaeology Brief that will be appended in a revised AMS.</p>
Applicant's Comments	<p>The Applicant notes the response from the Cambridgeshire authorities. Section 8.8 Finds Processing of the updated AMS <b>[REP3-010]</b> submitted at Deadline 3 has been updated to allow for residue analysis to be considered. Furthermore, the requirement for further work on artefacts from the evaluation phase is included within Appendix 6.6 and 6.7 Phase 2 and Phase 3 Archaeological Evaluation Trenching reports <b>[APP-174 &amp; APP-175]</b>.</p>
REP3-037e	<p><b><u>Archaeomagnetic dating</u></b></p> <p>Advice on archaeomagnetic dating for kilns, hearths or furnaces is welcome. This is referred to in the Joint Authorities' Archaeology Brief at 6.5 and 7.1.1. We will expect to see a range of absolute dating techniques outlined for use in the Contractor's responding Written Scheme of Investigation.</p>
Applicant's Comments	<p>A sampling strategy for such features is contained within Section 8.3.7 bullet d of the AMS <b>[REP3-010]</b>. This includes a requirement for appropriate scientific dating.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-037f	<p><b><u>Conservation of excavated material</u></b></p> <p>Agreed there is no specific section on conservation, but provisions for this to be addressed is given in various paragraphs in the AMS: e.g. at 6.1.2, 8.6.3, 8.8.4. The requirements for conservation of various materials are covered at 5.5.1.3, 7.1.1 and 7.1.4 of the Joint Authorities' Archaeology Brief and we expect the Contractor's Written Scheme of Investigation to include provision for this, initially as a 'First Aid' approach with more detailed needs identified in the Post-Excavation Assessment (see 5.5.1.3).</p>
Applicant's Comments	The Applicant notes the response from the Cambridgeshire authorities.
REP3-037g	<p><b><u>Use of animal bone data for comparison with other sites' data sets.</u></b></p> <p>This is a very important point well made and useful to counter the argument of 'information redundancy' (Appendix C A428 archaeology – rationale and strategy; <b>TR010044/APP/6.12</b>) given as a reason to devise low intensity sampling (i.e. 'excavation') strategies at 10% of their plan on some sites, or omit excavating parts of them altogether. See CCC's Relevant Representation (RR-013), Written Representation example section 12.3 (CLA.D1.WR), Joint LIR paragraph 8.2.5 (REP2-003).</p>
Applicant's Comments	<p>The sampling strategies contained within the AMS <b>[REP3-010]</b> are in line with the Joint Council Brief. The lowest amount of sampling is detailed in section 9.2.9, bullet a, which states:</p> <p>"Linear features: A minimum sample in length not less than 1m long, where the depositional sequence is consistent along the length. Linear features with complex variations of fill type will be sampled sufficiently in order to understand the sequence of deposition - a minimum of 25% along the length of features associated with settlement and a minimum of 10% along the length of features associated with field systems."</p> <p>This follows the Joint Cambridgeshire/Bedfordshire <i>Brief for a Programme of Archaeological Investigation</i> which states "The excavation of linear features not directly associated with settlement must be sufficiently sampled to allow an informed interpretation of their date and function. As a guide, 10% excavation of field system ditches is normally acceptable." (paragraph 6.2).</p> <p>As has been stated on numerous occasions, and as stated in the AMS in Appendix C, "The document forming Appendix C was designed to set the framework for the development of the Archaeological Mitigation Strategy and was updated in October 2020. It does not in itself represent a scope of works or methodology."</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-037h	<p><b><u>Radiocarbon calibration curve advice and use of chronological modeller</u></b></p> <p>This is important and welcome advice for all the archaeologists working on the scheme and further supports the need to acquire evidence from a range of sites for input to the model.</p>
Applicant's Comments	<p>The Applicant notes the response from the Cambridgeshire authorities.</p>
REP3-037i	<p><b><u>Excavation Strategy</u></b></p> <p>We welcome Historic England's acknowledgement of the role of the local authorities' advisory role and preparation of a brief - referred to but not included in the AMS. We also endorse the need for an iterative and flexible approach but not one that sets the bar too low, as this introduces financial risk into the fieldwork and analysis budgets that may be agreed. For instance, it is more appropriate to provide flexibility by scaling down excavation sampling strategies in the field (and show cost saving measures) than to try to scale up to accommodate intrinsically important evidence when found. This is different to the use of contingency funding needed when exceptional discoveries are made. Moreover, if the research questions are to be addressed, adequate levels of excavation are needed in order to provide meaningful results. We remain unconvinced that the levels shown to Categories 3 and 4 sites, or as proposed for the 'Excavation' and 'Sampling' sites are proportionate and justifiable and instead think that they risk the unrecorded loss of the archaeological resource in some parishes.</p>
Applicant's Comments	<p>The Joint Cambridgeshire/Bedfordshire <i>Brief for a Programme of Archaeological Investigation</i> was appended as Appendix B to the AMS submitted at Deadline 3 [REP3-010].</p> <p>The iterative and flexible approach proposed in the AMS enables the Archaeological Contractor to assess whether the research questions are being met, and, if they are not, allows for the strategy to be amended. The Category b mitigation areas are proposed to be excavated to a similar standard to most archaeological sites excavated for commercial projects, with more intensive excavation of Category a mitigation areas. The Category c sites are targeted on areas where knowledge gain or capacity to answer research questions is more limited. Category d sites have been discussed and agreed with the Curators.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-037j	<p><b><u>Wintering and Breeding Birds</u></b></p> <p>Natural England is satisfied in principle with the mitigation measures set out in the Biodiversity Management Plan (BMP), subject to agreement of the detail.</p> <p>However, the Councils consider that the residual minor adverse impact to breeding/wintering birds could be further reduced/eliminated through the enhancement of borrow-pits / soil storage areas or compounds which will be restored to agriculture for the benefit of these species.</p>
Applicant's Comments	<p>The Applicant refers the Cambridgeshire Authorities to its response to REP3-036c (within this document) regarding the restoration of the borrow pits.</p>
REP3-037k	<p><b><u>Biodiversity Net Gain</u></b></p> <p>We support Natural England advice that consideration should be given to incorporating biodiversity and green infrastructure enhancements into the borrow pit restoration schemes.</p>
Applicant's Comments	<p>The Applicant refers the Cambridgeshire Authorities to its response to REP3-036c (within this document) regarding the restoration of the borrow pits.</p>
REP3-037l	<p><b><u>Root Protection Area in relation to T311</u></b></p> <p>Huntingdonshire District Council Officers concur with the views raised by the Woodland Trust in relation to T311 (Veteran Elm). While a Root Protection Area and Construction Exclusion Zone around this tree is shown on Sheet 35 of 73 of the Tree Protection Plans, clarification is needed as to whether or not this is based on the recommendations of BS5837:2012 or follows Natural England's Standing advice. Given the working area around this tree, the maximum area should be provided to ensure all potential negative impacts of changing the tree's environment are mitigated against.</p>

A428 Black Cat to Caxton Gibbet improvements  
Applicant's Comments on Deadline 3 Submissions

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Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>The Applicant can confirm that the Woodland Trust has withdrawn its Written Representation <b>[REP1-101]</b> from the Examination (see <b>[AS-012]</b>). Accordingly, the views of the Woodland Trust regarding tree protection measures are no longer a matter for consideration in the Examination.</p> <p>The Applicant refers Huntingdonshire District Council to the Applicant's Response to Relevant Representations <b>[REP1-021]</b> which clarified the concerns of the Woodland Trust, and confirms that root protection area of a size 15x the stem diameter of the tree would apply for T311.</p>

## REP3-038 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

### *Comments on any other information and submissions received by D1 and D2*

Reference Number	Interested Parties Submission/Applicant's Comments
<b>9.10 Junction Technical Modelling Note</b>	
REP3-038a	<p><b>Junction Locations - Figure 6.1</b></p> <p>Not all of the junctions listed in the text are shown on figure 6.1.</p>
Applicant's Comments	The Applicant acknowledges this point and a correct map is attached to this response, at Appendix A.
REP3-038b	<p><b>Scheme Junctions 6.3.8</b></p> <p>The Applicant states that “a comparison has been undertaken and which shows that the SATURN base flows (including HGV flows) are significantly aligned with the surveyed flows”</p> <p>Not all of this analysis has been provided to CCC. CCC wishes to discuss the detail of this comparison exercise with the Applicant.</p> <p>CCC understands that this only compares modelled &amp; NH's observed flows at B1046/Potton Rd and one of the 2 Eltisley jns B1040 St Ives Rd/A428 CCC analysis of these 2 counts concludes that the counts are not sufficiently aligned with the modelled flows to justify the Applicant's approach.</p> <p>Furthermore, CCC analysis of modelled vs observed counts at the remaining junctions, Black Cat, Caxton Gibbet and Cambridge Rd arrives at the same conclusion.</p> <p>The key differences are in turning movements at the junctions, although some link flows are not sufficiently aligned either. See the example provided in the LIR [REP2-003].</p>



Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>The statement in 6.3.8 states 'sufficiently aligned' and not 'significantly aligned'. The comparison exercise was documented in Technical Note 81 and spreadsheets were provided to CCC for review. A summary of the Technical Note was submitted into the Examination at Deadline 1 - Junction Modelling Technical Note [REP1-030].</p> <p>Analysis of the five key Scheme junctions is contained in Junction Modelling Technical Note [REP1-030] and spreadsheets were provided to CCC for review.</p> <p>The Applicant does not agree with CCC's assertion for the reasons given, with the limited exception of the Wyboston and Barford Road junctions, the rationale for which is presented in the Scope of Junction Model Sensitivity Test [REP3-029], submitted at Deadline 3. The Applicant has agreed to undertake sensitivity tests for Wyboston and Barford Road junctions where the flow differences are significant.</p> <p>The Applicant has proposed to undertake sensitivity tests at the key Scheme junctions (Black Cat, Caxton Gibbet and Cambridge Road) in Vissim, following the approach 2 suggested by CCC (documented in a note – 'CCC Preferred Method for Deriving Junction Model Flows'). This is explained in the Scope of Junction Model Sensitivity Test [REP3-029].</p>
REP1-038c	<p><b>Existing junctions with no calibrated/ validated base models 6.4.2</b></p> <p><i>"The junction modelling did include base year models, but the flows used were extracted from the 2015 base year SATURN model"</i></p> <p>CCC queries why observed counts were not used to validate the SATURN model.</p> <p>CCC is aware that the Applicant has existing count data at a number of locations including:</p> <ul style="list-style-type: none"> <li>- Wyboston roundabout</li> <li>- Barford Rd roundabout</li> <li>- Madingley Mulch roundabout</li> </ul> <p>CCC requests further clarification as to why these counts were not used to validate the model, given the ease with which they could be accessed.</p> <p>CCC analysis of modelled against observed flows at these junctions concludes modelled flows do not align sufficiently well with the modelled flows to justify the Applicant's approach, reducing confidence in the modelling methodology proposed.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>A response in relation to Wyboston, Barford Road and Madingley Mulch junctions is contained in the Scope of Junction Model Sensitivity Test [REP3-029], submitted at Deadline 3.</p> <p>Further details are provided in respect of each of these junctions individually in the responses to points REP1-038s to REP1-038u below.</p>
REP1-038d	<p><b>Existing junctions with no calibrated/ validated base models 6.4.5a</b></p> <p><i>"The initial modelling analysis indicated that the Scheme would result in either a significant capacity improvement at junctions with existing capacity issues"</i></p> <p>If turning movements in the base SATURN model do not match observed counts at individual junctions then the initial modelling analysis using SATURN turning flows is flawed in terms of assessing junction capacity. The modelling is important as it informs the design of the junctions and gives the Councils confidence that the design is appropriate for future traffic flows on the Councils road network.</p>
Applicant's Comments	<p>This comment applies to the Wyboston, Barford Road and A428/ Toeseland Road/ Abbotsley Road junctions. The Applicant is now proposing sensitivity tests at the Wyboston and Barford Road junctions to address the concerns expressed by the Councils, the results of which will be available at Deadline 5.</p> <p>At the A428 Toseland Road/Abbotsley Road junction, the Applicant considers that the capacity improvement is so significant that further modelling is not required, as different turning flow proportions in the base year would not change the ultimate findings.</p> <p>The Scope of Junction Model Sensitivity Test [REP3-029], submitted at Deadline 3 further summarises the rationale for adopting this position.</p>
REP1-038e	<p><b>Existing junctions with no calibrated/ validated base models 6.4.5b</b></p> <p><i>"where the Scheme increases traffic flows, the junctions were predicted to operate under capacity by a large margin"</i></p> <p>If SATURN turning flows in the base year model do not match observed counts then SATURN forecast flows may be too small. Any junction assessment using the SATURN forecast flows is unlikely to be accurate.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>This comment applies primarily to the Cambourne and Scotland Road, Hardwick junctions. In respect of these junctions, the Applicant asserts that the junctions, as assessed with the Scheme in place, have sufficient spare capacity through to 2040 to make it unnecessary to carry out further modelling, to assess the performance of these junctions in order to justify the minimal impact the Scheme has at these locations.</p> <p>It is also important to note that the SATURN model has been calibrated and validated following TAG criteria across various screen lines and hence the forecasts on the overall junction flows are not expected to be significantly under or over stated.</p>
REP1-038f	<p><b>Existing junctions with no calibrated/validated base models 6.4.6a</b></p> <p>CCC disagree that the use of the SATURN model flows is a proportionate and reasonable approach to assessing the scheme in the wider area.</p>
Applicant's Comments	<p>The Applicant does not agree with CCC's assertion for the reasons given above, with the limited exception of the Wyboston and Barford Road junctions, the rationale for which is presented in the Scope of Junction Model Sensitivity Test [REP3-029].</p>
REP1-038g	<p><b>Existing junctions with no calibrated/ validated base models 6.4.6b</b></p> <p><i>"In any case, further data collection would not have been appropriate at the time, since traffic conditions would have been affected by restrictions imposed during the Covid19 pandemic"</i></p> <p>As noted above, the Applicant had existing counts at 3 of the locations listed in this section. Those could have been used as a minimum. CCC accept that new data collection during Covid pandemic would have been inappropriate.</p>
Applicant's Comments	<p>The Applicant is proposing sensitivity testing at the Wyboston and Barford Road junctions to assess the implication of using the count data available.</p> <p>At the Madingley Mulch junction, the Applicant has extended the coverage of the M11 Junction 13 VISSIM model to cover this junction, as it is acknowledged that the problems at this location are connected with traffic queues on the A1303 between Madingley Mulch and M11 Junction 13, which prevent the Madingley Mulch junction from operating to its full potential.</p> <p>A Technical Report with the model findings will be submitted to the Examination and shared with CCC at a future date, most likely by Deadline 5.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP1-038h	<p><b>Existing junctions with calibrated/ validated base models 6.5.2</b></p> <p><i>“As there were no significant network changes in the wider area locations where Vissim models were developed, it was considered appropriate to develop and calibrate/ validate base models to assess the impact of flow changes predicted due to the Scheme”</i></p> <p>This approach is inconsistent with the explanation provided by the Applicant in relation to the use of SATURN flows, as noted at paragraph 6.4.6 of the Junction Modelling Technical Note [REP1-030]. All of the junctions should be based on validated base models to enable a robust assessment of the operation and design of the local road network.</p>
Applicant's Comments	<p>The locations covered by the VISSIM models were the larger, more complex junctions where there was perceived to be a greater risk of a significant adverse impact from traffic increases arising from the Scheme.</p> <p>In these locations, it was therefore decided that it would be proportionate to develop, calibrate and validate base models in a way that was not considered proportionate in respect of the locations where the risk of an adverse impact was assessed as being lower or non-existent.</p>
REP1-038i	<p><b>Scheme Junctions – Junction Layout Comparison 7.2.1 a)</b></p> <p>CCC agrees that none of the base year coding would be appropriate but by developing a base model, the correct levels of base year demand could be calibrated. This base year demand should then be used to generate future year demand for the Vissim model.</p> <p>Existing movements should be factored up using strategic model flows while new movements could be taken directly from the strategic model. This has not been done so CCC are unconvinced by demand used in the future year models, and thus by junction performance and hence junction design. This observation applies equally to all junctions listed.</p>
Applicant's Comments	<p>This point applies to three Scheme Vissim junctions (Black Cat, Caxton Gibbet and Cambridge Road) and two Junction models (B1046/ Potton Road Junction and Eltisley Link junction). The Local Highway Authority has accepted that base models should not be developed, but has stated that if the Applicant use the survey data to derive the future year flows, it would be acceptable.</p> <p>This is documented in a note (“CCC Preferred Method for Deriving Junction Model Flows”). The Applicant has proposed to undertake a Sensitivity Test at three Vissim junctions following the approach suggested by CCC. This</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	is set out in the Scope of Junction Model Sensitivity Test [REP3-029]. The rationale for not carrying out further work at the B1046/ Potton Road Junction and Eltisley Link junctions is also set out in the Scope of Junction Model Sensitivity Test [REP3-029]. More detail is provided in the response to point 7.3.3 below
REP1-038j	<p><b>Scheme Junctions – Junction Layout Comparison 7.2.1 c)</b></p> <p>Comparison of results between existing and proposed junctions are not of relevance. It is how the proposed junction operates (queues, delays) that is of key importance to the operation of the local road network.</p>
Applicant's Comments	The Applicant has proposed to undertake a Sensitivity Test at the key Scheme junctions following the approach 2 suggested by CCC (documented in a note prepared by CCC – “CCC Preferred Method for Deriving Junction Model Flows”). This is explained in the Scope of Junction Model Sensitivity Test [REP3-029]. This test will show how the proposed junction operates, following the methodology suggested by CCC.
REP1-038k	<p><b>Scheme Junctions – Junction Layout Comparison 7.2.2</b></p> <p>Comparison of results between existing and proposed junction are not of interest. It is how the proposed junction operates (queues, delays) that is of key importance to the operation of the local road network.</p>
Applicant's Comments	See response provided to 7.2.1 c) above
REP1-038l	<p><b>Scheme Junctions – Forecast Traffic Flows 7.3.2</b></p> <p>The base year SATURN model is calibrated/validated to link flows, not turning flows. For junction design it is turning flows that are of key consideration.</p> <p>CCC agrees with the Applicant's view that none of the base year coding would be carried forward to the future year but by developing a base model, the correct levels of base year demand could be calibrated. This base year demand should then be used to generate future year demand for the Vissim models.</p> <p>Existing movements should be factored up using strategic model flows while new movements could be taken directly from the strategic model. This approach has not been followed so CCC are unconvinced by demand used in the future year models, and thus base year junction performance and hence junction design.</p> <p>This argument applies equally to all junctions assessed, but for junction design it is the change in turning movements at individual junctions that are key. As such flows taken directly from the strategic model should be</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	used to modify observed turning movements as the most robust approach. This is important as it provides confidence that the assessment is robust and that the proposed design can adequately accommodate the proposed levels of traffic.
Applicant's Comments	See response provided to 7.2.1 a) above.
REP1-038m	<p><b>Scheme Junctions – Forecast Traffic Flows 7.3.3</b></p> <p>CCC conclude that modelled flows do not match observed flows sufficiently well to justify using unaltered modelled flow, as set out in the LIR [REP2-003].</p>
Applicant's Comments	This relates to the B1046/ Potton Road and (existing A428)/ Eltisley junctions. The Scope of Junction Model Sensitivity Test [REP3-029] provides the Applicant's rationale for not carrying out further work in respect of these junctions.
REP1-038n	<p><b>Scheme Junctions – Forecast Traffic Flows 7.3.4</b></p> <p>This is an interesting comparison but it is precisely the reason a strategic model was developed - to get flows for new movements. It does not preclude validating junction models to observed turning flows though, which is important in aiding understanding that the correct design is being implemented to accommodate future traffic on the local road network.</p>
Applicant's Comments	See response provided to 7.2.1 a) above.
REP1-038o	<p><b>Scheme Junctions – Forecast Traffic Flows 7.3.5</b></p> <p>Spread sheet A428_MCTC_Analysis_SATURN Flows_Scheme Vissim Junctions was supplied to CCC in support of TN81_BC_to_CG_Local Junctions Modelling Approach_Detailed.</p> <p>CCC's review of this information which is outside the Examination shows that the turn proportions are not comparable and therefore CCC does not agree that the SATURN flows accurately reflect the observed base year data, as set out in the LIR [REP2-003].</p>
Applicant's Comments	See response provided to 7.2.1 a) above.

Reference Number	Interested Parties Submission/Applicant's Comments
REP1-038p	<p><b>Scheme Junctions – Forecast Traffic Flows 7.3.7</b></p> <p>CCC analysis suggests otherwise. The observed flows should be used to modify key movements in the local junction models that the strategic SATURN does not model accurately. This is needed to ensure that the junction design is sufficient to cater for the level of traffic projected on the local road network.</p> <p>This then needs to be carried forward to the future year demand as well.</p>
Applicant's Comments	See response provided to 7.2.1 a) above.
REP1-038q	<p><b>Scheme Junctions – Forecast Traffic Flows 7.3.8</b></p> <p>The differences are significant at a turning flow level. Junction capacity is heavily reliant on the turning flows, if the flows are wrong, the capacity assessment is wrong. As set out in the LIR [REP2-003] whilst the link flows are reasonable the turning proportions are not representative of the observed data.</p>
Applicant's Comments	This relates to the B1046/Potton Road and (existing A428)/Eltisley junctions. The Scope of Junction Model Sensitivity Test [REP3-29] provides the Applicant's rationale for not carrying out further work in respect of these junctions. More detail is provided in response to point 7.3.3 above.
REP1-038r	<p><b>Scheme Junctions – Forecast Traffic Flows 7.3.9</b></p> <p>In view of the above concerns, CCC disagree that the assessments undertaken is based on robust data.</p>
Applicant's Comments	The Applicant does not agree with CCC's assertion for the reasons given. With the limited exception of the Wyboston and Barford Road junctions, the rationale for which is presented in the Scope of Junction Model Sensitivity Test [REP3-29].
REP1-038s	<p><b>Table 8-1 – Summary of Existing Junctions without calibrated base models</b></p> <p><b>Row 5: A428/A1303 Madingley Mulch Roundabout</b></p> <p>CCC analysis of counts at this junction shows base year SATURN flows are only 76-79% of observed counts during AM and PM peak hours. Individual turns do not correspond well to the observed count data with some examples indicating GEH values of up to 18 at this junction (GEH is the industry standard methodology for assessing the correlation between observed and modelled data and for a junction turning count should be less than 4).</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The SATURN flows are therefore not representative of observed flows at this junction. The junction capacity assessment is therefore unreliable as the traffic flows from the strategic model do not correspond to those seen in the observed traffic ).</p>
Applicant's Comments	<p>A response to this point is contained in the Scope of Junction Model Sensitivity Test <b>[REP3-29]</b>. This junction is affected by queueing back from M11 J13 which results in exit blocking on the A1303. As a modelling issue, this has been addressed by the extension of the M11 J13 VISSIM model to cover this junction; as a practical issue, it will be addressed by the M11 J13 RIS scheme and there may be other, shorter term, measures which could be taken to minimise queueing on the slip road-which could be implemented under National Highways' "monitor and manage" strategy.</p> <p>The M11 J13 VISSIM model is a better guide to the performance of this junction than a free-standing ARCADY model. Paragraph 3.8.8 of the Transport Assessment Annex <b>[APP-243]</b> acknowledges this.</p> <p>There is therefore no case to be made for further, more detailed modelling using ARCADY, to assess the performance of this junction in order to justify the impact the Scheme has at this location.</p>
REP1-038t	<p><b>Table 8-1 – Summary of Existing Junctions without calibrated base models</b></p> <p><b>Row 6: Wyboston Roundabout</b></p> <p>CCC analysis of counts at this junction show base year SATURN flows are only 80-82% of observed counts during AM and PM peak hours. Individual turns have GEH values of up to 16 at this junction. (GEH is the industry standard methodology for assessing the correlation between observed and modelled data and for a junction turning count should be less than 4).</p> <p>The SATURN flows are therefore not representative of observed flows at this junction. The junction capacity assessment is therefore unreliable as the traffic flows from the strategic model do not correspond to those seen in the observed traffic data.</p>
Applicant's Comments	<p>A response to this is contained in the Scope of Junction Model Sensitivity Test <b>[REP3-029]</b>.</p> <p>The Applicant maintains that the impact of the Scheme on this junction will still be beneficial whatever modelling approach is used.</p>



Reference Number	Interested Parties Submission/Applicant's Comments
	Nevertheless, the Applicant is undertaking sensitivity testing to address the issues raised by CCC and to re-assess the net impact of the Scheme on the Local Road Network at this junction, see the Scope of Junction Model Sensitivity Test <b>[REP3-029]</b> .
REP1-038u	<p><b>Table 8-1 – Summary of Existing Junctions without calibrated base models</b></p> <p><b>Row 7: Barford Road Roundabout</b></p> <p>CCC analysis of counts at this junction show base year SATURN flows are only 89-90% of observed counts during AM and PM peak hours. Individual turns have GEH values of up to 19 at this junction. SATURN flows are therefore not representative of observed flows at this junction. The junction capacity assessment is therefore unreliable.</p>
Applicant's Comments	<p>A response to this is contained in –the Scope of Junction Model Sensitivity Test <b>[REP3-029]</b>.</p> <p>The Applicant has agreed to undertake sensitivity testing to quantify the net impact of the Scheme on the Local Road Network at this junction using a set of traffic flow forecasts based on the observed flows – following the 'Option 2' approach recommended by CCC.</p>
REP1-038v	<p><b>Existing Junctions with no calibrated base models 8.1.4</b></p> <p>CCC has significant concerns in relation to the approach taken by the Applicant as the conclusion that the junctions would operate well within capacity or would result in an overall flow reduction (which is used as a justification not to use survey data) is flawed if turning flows in SATURN do not match observed flows accurately.</p> <p>The only way to find this out is to do a comparison of the turning movements indicated by both the observed data and the strategic model as set out in the LIR. If such a comparison is to be carried out, this ought to use observed flows instead as the most reliable source of data</p>
Applicant's Comments	<p>A response to this is contained in the Scope of Junction Model Sensitivity Test <b>[REP3-029]</b>.</p> <p>The Applicant maintains that the impact of the Scheme on this junction will still be beneficial whatever modelling approach is used.</p> <p>Nevertheless, the Applicant has agreed to undertake sensitivity testing for a selected number of junctions to address the issues raised by CCC and to re-assess the net impact of the Scheme on the Local Road Network at this junction.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
<p>REP1-038w 8.1.7</p>	<p><b>Existing Junctions with no calibrated base models 8.1.7</b></p> <p>NH state <i>"if survey data was incorporated into the analysis and/or base models were validated, this conclusion would not change"</i></p> <p>CCC questions how can this be stated without doing the work to prove it?</p>
<p>Applicant's Comments</p>	<p>A response to this is contained in the Scope of Junction Model Sensitivity Test [REP3-029].</p> <p>Each of the junctions concerned is considered in turn and the rationale is provided on a junction-by-junction basis for not carrying out further work, other than at those the Applicant has now identified for sensitivity testing.</p>
<p><b>9.8 Traffic Routeing Impacts at Coton Technical Note [REP1-028]</b></p>	
<p>REP3-038x</p>	<p><b>A428 Strategic Model Calibration 2.1.7.I</b></p> <p>This paragraph sets out the existing speed limits through Coton village. It is noted that the changes to the speed limits that were made in 2017 and are not in either the base year or future year models. CCC are of the opinion that not including this in the base year is acceptable, but the future year should include the changes as without this change the road is too attractive to traffic in the future year model which could lead to a further distortion of the traffic patterns through Coton.</p>
<p>Applicant's Comments</p>	<p>The length of Grantchester Road reduced from 60mph to 40mph in 2017 included a section of approximately 400 metres. The difference in travel times at these speeds over the affected distance is under 8 seconds. This small difference is unlikely to have any significant impact on traffic volumes routeing through Coton.</p>
<p>REP3-038y</p>	<p><b>A428 Strategic Model Calibration 2.1.7.II</b></p> <p>At the junction of Grantchester Road and the M11 J12 southbound off-slip, the turn saturation flow for traffic from the slip road is set too low.</p> <p>The Councils welcome the acceptance that the coding of this junction is wrong in the strategic model and this results in the incorrect performance off the road network being shown in this location. If the coding of the junctions in this section of the model cannot be redone to fix this issue that the Councils will require monitoring of this location to prove that the predicted model flows do not occur, and mitigation provided if they do.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>As the current model coding results in more traffic routeing through Coton than observed traffic counts indicate, it is also likely that the forecast impacts of the Scheme at Coton are overstated.</p> <p>The 2040 with Scheme forecasts also indicate a reduction in 2-way traffic in the PM peak (compared to without the Scheme) and an increase of under 90 PCU's 2-way in the AM peak.</p> <p>As the coding issue results in these volumes being higher than they should be, the actual impact is very likely to be lower than indicated by the model.</p> <p>The Traffic Routeing Impacts at Coton Technical Note <b>[REP1-028]</b> also indicated that by far the majority of this traffic was travelling to the Cambridge local area.</p> <p>Taking the above factors into consideration, the Applicant does not intend to modify the saturation flows at M11 J12.</p>
REP3-038z	<p><b>Traffic Origins and Destinations and Forecast Growth 3.1.1</b></p> <p>The fact that the southbound problem at Coton is due to insufficient capacity on the M11 J12 off-slip reduces the likelihood that the model is routeing longer distance traffic through Coton. Of the 360 PCUs [passenger car units] in the 2015 AM peak travelling southbound only 146 join the M11 at J12 and only 94 of these continue south of Junction 11 as displayed in Figure 3-1. Therefore, almost 75% of traffic in the model passing Coton in the AM peak is traffic accessing the west and south-west areas of Cambridge and local villages.</p> <p>The origin and destination of the traffic using the roads through Coton is not the issue here. The issue is that the coding in this area of the model is wrong and this results in the incorrect performance off the road network being shown in this location. The result being that the performance of the local road network in this area is not reliable.</p>
Applicant's Comments	<p>The Applicant noted that when CCC initially raised this issue at the Local Technical Review Group (LTRG) meeting on 13 May 2021, the main concern related to whether traffic through Coton was longer distance traffic travelling to/from the M11. The analysis provided in the Traffic Routeing Impacts at Coton Technical Note <b>[REP1-028]</b> was carried out to address this concern. This demonstrated that the majority of traffic passing through Coton was travelling to and from locations in the local Cambridge area.</p>
REP3-038aa	<p><b>Traffic Origins and Destinations and Forecast Growth 3.1.2</b></p> <p>The Applicant argues that as the traffic using the roads through Coton are going into Cambridge they are not long distance traffic on the strategic road network and therefore it would be logical for traffic to use this route. However, traffic was not using this route in the observed data and therefore the model is incorrectly modelling the</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>performance of this area of the local road network in the base year and future year Do Minimum Scenarios and therefore it is not possible to gauge the impact of the proposed scheme in this location.</p>
Applicant's Comments	<p>The analysis in Traffic Routeing Impacts at Coton Technical Note <b>[REP1-028]</b> demonstrated that the issue of the model routing too much traffic through Coton was primarily due to the low capacity coded at the M11 J12 southbound off-slip. If the capacity coded were higher it would allow more traffic to travel from the A1303 via M11 J13 rather than via Coton. That would apply to both the without and with Scheme scenarios. From this it can be inferred that there would be less traffic routing through Coton in both scenarios and, if this reduction was proportionally the same, would also result in the Scheme impact at Coton being lower than currently forecast.</p> <p>There are two further points for consideration, knowledge of the local highway network and M11 J13.</p> <p>The strategic traffic model assumes drivers have perfect route knowledge, whereas many drivers are unlikely to be aware that the road through Coton provides a route through to M11 J12 and southwest Cambridge as it is not signposted from the A1303. Therefore, it might reasonably be expected that the traffic model routes more traffic via Coton than happens in reality.</p> <p>The other issue is one of congestion along the A1303 which, if this increases, is likely to result in more traffic travelling via Coton. As National Highways is currently reviewing M11 J13 as part of the RIS3 programme an enhancement in capacity may reduce the likelihood of traffic routeing through Coton.</p>
REP3-038ab	<p><b>Traffic Origins and Destinations and Forecast Growth 3.1.4</b></p> <p>This is an increase based on an incorrect assumption in the base year and therefore this is the root cause of the issues being experienced and not any changes in the network and development areas. This point highlights the importance of validating turning movements based on observed traffic data.</p>
Applicant's Comments	<p>It is unclear as to the point being made. Para 3.1.4 is simply stating the change in flows across the general area that occur from the 2015 base year to 2040 without Scheme. One coding error is unlikely to result in the overall outcome being very different.</p> <p>The Traffic Routeing Impacts at Coton Technical Note <b>[REP1-028]</b> does not state that 2040 without Scheme network changes and developments lead to the issue of too much traffic routeing through Coton, but they will have an impact on what happens across the local area between 2015 and 2040. For example, there are current and approved developments in the southwest Cambridge area which will result in more traffic travelling between this area and the A1303 &amp; A428.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-038ac	<p><b>Traffic Origins and Destinations and Forecast Growth 3.1.6</b></p> <p>Due to the issues with the base model it is not possible to separate out changes in the congestion on this section of the local road network as a result of the proposed scheme as the base model significantly over estimates the level of traffic using the roads through this area due to inaccuracies in the base model.</p>
Applicant's Comments	<p>In this area the strategic model only overstates the volume of traffic on the road through Coton. On other links in the area model volumes generally match observed or in some cases are lower than observed.</p> <p>In the northbound direction in the base year there are no coding errors at this location.</p> <p>Therefore the increase in congestion on the A1303 is considered representative of what is likely to occur, including its impacts on traffic routeing in the northbound direction through Coton, as the only coding issue affecting northbound traffic is the 400m section where the speed limit has been changed to 40mph.</p> <p>It is noted that paragraph 3.1.6 in Traffic Routeing Impacts at Coton Technical Note [REP1-028] is incorrectly worded in that it states the increase in southbound traffic in the DM scenario is less than the increase northbound, but the actual outcome is the reverse of this.</p>
REP3-038ad	<p><b>Traffic Origins and Destinations and Forecast Growth 3.1.7</b></p> <p>Growth in the northbound direction would probably be greater if it were not for delay occurring to traffic on the Cambridge Road approach at the A1303 junction. This conclusion cannot be drawn as the base flows are not representative of the observed count data. Therefore it is not possible to assess the impact of the scheme on this section of the local road network.</p>
Applicant's Comments	Please refer to response to 3.1.6.
REP3-038ae	<p><b>Traffic Origins and Destinations and Forecast Growth 3.1.8</b></p> <p>The Applicant repeats the comments about the volume of traffic continuing south on the M11 but it is important to note that the origin is not the issue as the base year flows are not accurately reflecting the performance of the local road network and therefore it is not possible to draw any conclusions as to the performance of the road network in this area in the future years.</p>
Applicant's Comments	Refer to response to 3.1.1.

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-038af	<p><b>Traffic Origins and Destinations and Forecast Growth 3.1.10</b></p> <p>The Applicant repeats the comments about the volume of traffic continuing south on the M11 however, the issue here is the model is showing an incorrect increase in traffic as the base model is significantly overestimating the volume of traffic in both directions. This is due to inaccuracies in the base year model. The scheme would not be adding traffic to this route if the model was validated better in this area.</p>
Applicant's Comments	Refer to response to 3.1.1 and 3.1.2.
REP3-038ag	<p><b>Conclusions 4.1.1</b></p> <p>The Applicant states that "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>CCC wishes to clarify that its comments on the model are intended to ensure that the projections made by the model are robust and that the outputs can be relied upon, rather than seeking perfection.</p> <p>CCC notes and agrees with the limitations on the representation of the local road network within a strategic model. CCC highlighted in the Councils' Written Representation (WR) [REP1-048] that there are issues with strategic model flows being used directly to build the local junction models as these flows have not been validated for this purpose.</p> <p>As part of the checks on the base model the importance of this routing should have been clear as this is a key linkage into the scheme and is an important area of concern for CCC.</p>
Applicant's Comments	<p>The road through Coton is a relatively minor route and its local importance was only brought to the attention of the Applicant when the issue was raised by CCC relatively recently on 13 May 2021 via the Local Technical Review Group meetings.</p> <p>There are circumstances where strategic modelling faces challenges, particularly where significant congestion occurs and there is route choice. The modelling software assumes these choices are known by all drivers whereas this is not the case in reality. This can result in unintended consequences.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>It should be noted that in the northbound direction in the base year there are no coding errors at this location and the error in the forecast models is relatively small.</p> <p>Strategic model turning volumes have not been used directly in the A1303/M11 J13 VISSIM model.</p>
REP3-038ah	<p><b>Conclusions 4.1.2</b></p> <p>[T]he 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>The discrepancies set out above between the observed data and the strategic model are significant and this discrepancy is magnified through to the future years meaning that it is not possible to accurately assess the impact of the scheme in this location.</p>
Applicant's Comments	<p>Although the base year model volumes through Coton are overstated, the forecast flow changes as a result of the Scheme are relatively small. Details are provided in Traffic Routeing Impacts Through Coton [REP1-028].</p>
REP3-038ai	<p><b>Conclusions 4.1.3</b></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.</p> <p>The origin and destination of the traffic using the roads through Coton is not the issue here. The issue is that the coding in this area of the model is wrong, and this results in the incorrect performance of the road network being shown in this location. The result being that the performance of the local road network in this area is not reliable.</p>
Applicant's Comments	<p>Refer to response to 3.1.1.</p>
REP3-038aj	<p><b>Conclusions 4.1.5</b></p> <p>A review of 2040 model forecasts does show the volumes through Coton to be greater than those in the 2015 models.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>This is due to the discrepancies in the base year. The level of growth in this area of the county is unlikely to lead to the level of increases shown. Therefore, the strategic model is not accurately reflecting the performance of the road network in this area and it is not possible to gauge the impact of the scheme on the local road network in this area.</p>
Applicant's Comments	<p>It would be expected that traffic volumes through Coton would increase over time and the traffic model does predict an increase.</p> <p>It is possible that the additional traffic in future years indicated to route through Coton may not be of the magnitude modelled, and that this traffic may use the alternative route via M11 J13, but the overall change across both routes as a result of the Scheme is considered to be generally accurate.</p>
REP3-038ak	<p><b>Conclusions 4.1.6</b></p> <p>The strategic modelling indicates the A428 Scheme will have a small impact on the route through Coton as there is some transfer from alternative east-west routes to the A428.</p> <p>Due to the issues with the base model it is not possible to assess the impact of the scheme.</p> <p>The base model shows trip making patterns are not as observed so it is not possible to verify this situation.</p>
Applicant's Comments	<p>The Applicant considers that the strategic model forecast flows at Coton are likely to be overstated but the impact of the Scheme at Coton i.e. the change in flow between the with and without Scheme, would be small.</p>
REP3-038al	<p><b>Conclusions 4.1.7</b></p> <p>In summary, while the model is over-predicting the traffic routeing through Coton, this traffic is local traffic with [sic] origins/destinations within Cambridge and is not affected by the Scheme.</p> <p>The Councils acknowledge the shortcomings with the strategic model in this location. It is clear that the model has not been validated properly on this key route for CCC which is remote from the proposed scheme. Problems in the base model are carried forward in to forecast years, with and without the scheme. CCC acknowledge this may be a purely model related issue but to mitigate any problems that may occur, CCC will need traffic through Coton to be monitored prior to, during and after construction of the scheme. If traffic is shown to be increasing, then mitigation measures to reduce traffic will have to be provided by the Applicant.</p>



Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>The strategic model has been subject to an extensive validation check and conforms to TAG standards for model validation. Details are provided in the Local Model Validation Report, Appendix B of the Combined Modelling and Appraisal Report (APP-252). It is noted that the validation of links flows would normally be confined to the major and strategic routes and typically would not extend to relatively local minor roads like Coton. The Applicant considers that the impact of the Scheme at Coton i.e. the change in flow between the with and without Scheme, is likely to be small.</p> <p>National Highways is currently considering the scope of monitoring after the Scheme has opened.</p>
<p><b>9.9 Assessing the Potential Impacts of COVID 19 – the implications for traffic forecasts for the scheme [REP1-029]</b></p>	
REP3-038am	<p><b>Short-term impacts of COVID-19 on Travel Demand – DfT Travel Statistics 2.2.4</b></p> <p>The assessments in this note are based on national figures which is reasonable in the first instance but going forward the assessment should be made based on more local data for both the strategic road network and the local road network as the national data could be masking any specific local issues. This could have impacts for both the reason for the scheme and the performance of the local road network.</p>
Applicant's Comments	<p>The following response by the Applicant should also be read in relation to comments made regarding paragraphs 2.3.1 and 2.4, as these also relate to making use of more local data on both the strategic road network and local road network.</p> <p>The analysis to date has presented both high level statistics provided by the Department for Transport and local traffic data on the local strategic road network. The latter was obtained from the National Highways' WebTRIS count database for sites on the A421, A1 and A428. The DfT data comprised 275 sites across Great Britain and is considered sufficiently large to provide a reasonable basis for analysis.</p> <p>While the Applicant agrees that it would be desirable to increase the local data for the analysis, it is noted that the analysis has utilised all the continuous local traffic count data that was available covering the period from early 2020 to the present. This was essential in order to assess the impact on traffic flows from the start of the pandemic and the changes as a result of the lifting of the restrictions.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-038an	<p><b>Short-term impacts of COVID-19 on Travel Demand – National Travel to Work 2.3.1</b></p> <p>The reliance on national figures is reasonable for a high-level analysis but the final assessment should be based on more local data from the area affected by the scheme, to enable the impact on the local road network to be assessed.</p>
Applicant's Comments	Please refer to response to paragraph 2.2.4 above.
REP3-038ao	<p><b>Short-term impacts of COVID-19 on Travel Demand –Working from Home 2.3.9</b></p> <p>Again needs to refer to local data once available, to enable the impact on the local road network to be assessed.</p>
Applicant's Comments	<p>The same argument applies in respect of trends in demand for working from home as presented above for local traffic trends. The use of national data sources is considered to provide a reliable indication of impacts. Any conclusions based upon local data (in the event that local data were to be available) might not be regarded as sufficiently robust or representative to be used in forecasting. It is possible that there may be variations at a local level with respect to the national average. Therefore, local authorities' traffic monitoring programmes and data provided by ONS at local authority level will need to be considered in respect of interpreting outcomes.</p>
REP3-038ap	<p><b>Short-term impacts of COVID-19 on Travel Demand –Local Traffic Monitoring 2.4</b></p> <p>This data only refers to the strategic road network and there is no mention of the local road network. This means that it is not possible to draw any reliable conclusions as to the impact on the local road network.</p>
Applicant's Comments	Please refer to response to paragraph 2.2.4 above.
REP3-038aq	<p><b>Short-term impacts of COVID-19 on Travel Demand – Sensitivity Testing 5.2</b></p> <p>The Councils acknowledge that the DfT Uncertainty Toolkit is not yet available. The impact of the scheme should be reassessed once the toolkit is available. The Councils would like to be consulted as part of this process to enable the impact of the scheme on the local road network to be included in the assessment so as to provide certainty on the performance of the local road network.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>It is understood that central to the Uncertainty Toolkit will be six alternative forecast scenarios. These will be referred to as 'Common Appraisal Scenarios' with each representing a possible forecast outcome based on alternative assumptions supported by NTEM data sets. It is not expected to be released until 2022 and may not be available until after completion of the DCO process.</p> <p>Assessing the alternative appraisals would involve a considerable amount of additional analysis which could not be completed within the timescales of the DCO. The Applicant considers that in the absence of definitive guidance, which the Uncertainty Toolkit will provide, a reasonable and proportionate approach has been adopted based upon a review of available data and evidence on emerging trends.</p> <p>Although travel behaviours are likely to continue to adjust for some time into the future, the analysis has shown that traffic volumes have returned to near pre-COVID-19 levels and thereby demonstrates a resilience in demand for road-based transport. For further details please see: Assessing the Potential Impacts of COVID 19 – The implications for traffic forecasts for the Scheme -Rev 1 [REP1-029], submitted at Deadline 1.</p>
<b>9.16 Applicants response to submissions made at Open Floor Hearing 1 [REP1-035]</b>	
REP3-038ar	<p><b>Construction phase impacts of the proposed scheme Page 3, Table 1-1, row 3</b></p> <p>CCC as LHA shares the general concerns of Central Bedfordshire Council (CBC) in relation to the effects of construction on local roads. Please see the Councils' detailed comments on this matter at sections 2.4.1 to 2.4.7 of the Councils' WR [REP1-048].</p> <p>It is questioned whether strategic traffic will have a detailed knowledge of the local road network as assumed by the model and noted by the Applicant.</p>
Applicant's Comments	<p>Strategic traffic models assign traffic to the road network on the basis of minimising cost, which takes into account both time and distance. This implies that drivers will have a perfect knowledge of the local road network, including available routes, and the travel time and delays likely to be encountered on each of the alternative routes.</p> <p>The assumption of perfect knowledge of the road network is implicit in all traffic assignment modelling that considers route choice. It is acknowledged that this is a simplification and therefore drivers without detailed local knowledge would be more likely to follow signposted major routes and would be less likely to use alternative local roads.</p> <p>The modelling of general traffic undertaken by the Applicant adheres to this principle. Whereas the HGV construction traffic was barred within the model from using some roads as indicated in the Outline Construction</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Traffic Management Plan [APP-244], no attempt was made to influence Strategic Road Network (SRN) traffic to not use alternative routes to the SRN. While other construction traffic could be barred from certain routes, it would be difficult in practice to bar non-construction SRN traffic from using alternative routes. Therefore, the approach to modelling the impacts of construction on traffic patterns is considered robust with the results providing an indication of the routes that are likely to experience increases in flow during the construction period but, for the reason stated above, is likely to overstate those impacts.</p>

**REP3-039 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council**

*Comments on Applicant's updated dDCO, Explanatory Memorandum and Schedule of changes to dDCO*

**Please refer to Appendix B of this document, which sets out the Applicant's comments in relation to REP3-039.**

## REP3-040 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

### *Comments on Statements of Common Ground and Statement of Commonality*

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-040a	<p>The Councils note that a number of matters remain under discussion between Natural England and the Applicant.</p> <p>The Councils agree with Natural England that a number of sections of the environmental assessment will require to be updated following the results of the further ongoing survey work.</p>
Applicant's Comments	<p>The Applicant will be submitting updated ecological survey information at Deadline 5 of the Examination, detailing the findings of surveys undertaken during 2021.</p> <p>It is not the intention of the Applicant to revise and resubmit sections of the Environmental Statement forming part of the DCO application; rather, any required amendments to assessment findings arising from the surveys will be submitted into the Examination as updated information.</p>
REP3-040b	<p>The Councils note that Natural England is satisfied that the embedded mitigation contained within the Environmental Masterplan [APP-091] and the First Iteration EMP [APP-234] seek to avoid and minimise impacts on local Landscape Character Areas and visual receptors. It is noted that Natural England have not confirmed that the proposed mitigation will achieve this aim.</p> <p>The Councils support Natural England's view that detailed measures should be agreed to ensure opportunities are maximised to benefit priority enhancement areas. In this regard, the Councils highlight the comments made in the Councils' WR [REP1-048] at section 8.10 in which a number of recommended planting mixes are detailed which would reflect the Landscape Character of the areas into which they are being placed.</p>
Applicant's Comments	<p>The Applicant refers the Cambridgeshire authorities to its comment on REP1-048bs within the Applicant's Comments on Written Representations [REP3-008], which clarifies its position and a number of related matters regarding the Councils' recommended adjustments to the proposed planting and seeding mixes.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-040c	<p>The Councils support Natural England's comments that there is currently a lack of ponds that would allow a district level licence (DLL) for disturbance to Great Crested Newt to be progressed. As noted at section 7.1.5(r) of the Councils' WR [REP1-048], two breeding ponds will be lost as part of the scheme. It is requested that the Environmental Masterplan [APP-091] is updated to provide mitigation for Great Crested Newt.</p>
Applicant's Comments	<p>The Applicant is submitting a draft application for a Scheme wide European Protected Species Licence to mitigate the impact on Great Crested Newt (GCN) habitat lost as a result of the Scheme, in addition to pursuing the District Level Licence (DLL) with NatureSpace for the GCN impacts identified within the Bedfordshire administrative area. This dual approach has been adopted to ensure that suitable mitigation and licensing can be attained by the Applicant for the Scheme's impacts on GCN.</p> <p>The Applicant can confirm that no breeding ponds for GCN population will be lost. Some ponds within Order Limits which were assumed to be lost on a precautionary basis during the environmental assessment will now be retained during construction. Only four ponds will be lost, none of which support GCN breeding. The draft EPS licence application due to be submitted to Natural England in mid-November 2021 will focus on the loss of terrestrial habitat which may be used by GCN populations, albeit most of the land affected is arable land with low suitability.</p> <p>Mitigation measures have been developed and will be included in the draft EPS licence application. These measures are to avoid mortality of GCN during clearance of terrestrial habitat in the vicinity of breeding ponds. Measures will include exclusion of GCN from construction areas using amphibian fencing and capture of GCN in the most suitable habitat using drift fencing and trapping. Captured GCN will be translocated to existing or pre-prepared receptor sites which are all within the Order limits for the Scheme.</p>
REP3-040d	<p>The Councils support Natural England's view that the scheme's borrow pits present an opportunity to incorporate multi-functional environmental and biodiversity enhancements. The options should be fully investigated. The Councils are of the view that this can be achieved whilst restoring the borrow pits to agricultural standards.</p>
Applicant's Comments	<p>The Applicant refers the Cambridgeshire authorities to its response to REP3-036c within this document.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-040e	<p>The Councils note CBC agrees with the conclusions of the biodiversity assessment and the mitigation proposed as part of the Scheme. As set out in section 7.1.3 of the Councils' Joint Written Representation <b>[REP1-048]</b>, the Councils' position is that the Environmental Masterplan fails to adequately mitigate/compensate for adverse impacts, are inappropriate or are a missed opportunity to provide a biodiversity net gain.</p>
Applicant's Comments	<p>The Applicant refers the Cambridgeshire authorities to its comment on REP1-048bg within the Applicant's Comments on Written Representations <b>[REP3-008]</b> regarding the adequacy of mitigation measures and the assertion that opportunities have been missed.</p> <p>The Applicant is not required under legislation or policy to achieve biodiversity net gain as part of Scheme delivery, and refers the Cambridgeshire authorities to its revised calculations presented in the Biodiversity Net Gain Metric 2.0 report <b>[REP3-012; REP3-013]</b> submitted at Deadline 3 of the Examination which explains this position and demonstrates how gains will be achieved in respect of habitats and rivers.</p>
REP3-040f	<p>The Councils note that the EA is generally content with the conclusions of the flood risk assessment.</p> <p>CCC as lead local flood authority (<b>LLFA</b>) has requested further evidence from the Applicant to demonstrate that there are no downstream flooding issues at Wintringham Brook. The provision of this evidence remains outstanding.</p>
Applicant's Comments	<p>The Applicant has previously commented on this point in the Applicant's Responses to Relevant Representations <b>[REP1-021]</b>. It was stated that the Applicant does not agree that further evidence is needed to demonstrate there are no downstream flooding issues at Wintringham Brook as the 1D modelling of Wintringham Brook shows that there is no out of bank flows at the Scheme crossings or increase in flows downstream.</p> <p>The Applicant has undertaken a comprehensive flood assessment as part of the environmental assessment for the Scheme. A Flood Risk Assessment <b>[APP-220]</b> has been undertaken based upon the preliminary design of the Scheme as presented in Chapter 2, The Scheme <b>[APP-071]</b> of the Environmental Statement, which is supported by the following appendices:</p> <ul style="list-style-type: none"> <li>• Appendix 13.4 - Flood Risk Assessment - Annex A - River Great Ouse Hydraulic Modelling Report <b>[APP-221]</b>.</li> <li>• Appendix 13.4 - Flood Risk Assessment - Annex B - Ordinary Watercourse Modelling Report <b>[APP222]</b>.</li> <li>• Appendix 13.4 - Flood Risk Assessment - Annex C - Ordinary Watercourse Hydrology Report <b>[APP223]</b>.</li> </ul>



## REP3-041 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

### Comments on responses to Relevant Representations (RRs)

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-041a	<p>PAGE 4</p> <p>Exception "n" of Requirement 19 of the dDCO [REP1-003] allows earthworks to exceed normal construction hours during the summer (when it is dry and with more daylight hours) which is positive for the progression of construction work but does not take into account noise at residential receptors when people are more likely to be outside enjoying their gardens. Exception "n" is therefore unacceptable unless at a sufficient distance from dwellings.</p>
Applicant's Comments	<p>The Applicant refers to the response provided to REP1-048bv under heading 'Construction hours' [REP3-008]. This confirms that 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.</p>
REP3-041b	<p>PAGE 4</p> <p>It is important that the effectiveness of installed mitigation for operational noise is tested. This involves real world monitoring in addition to predictive modelling. The Councils note the Applicant's position is not to carry out any monitoring once the road is open.</p>
Applicant's Comments	<p>The Applicant refers to the response provided to REP1-048bv under the heading 'Noise Monitoring once Scheme is Operational' [REP3-008]. This confirms that surveys would be undertaken to ensure that noise mitigation measures, such as low noise surfacing material, were installed as required. The response also notes that, as set out in Section 4.2 of Design Manual for Roads and Bridges (DMRB) LA111, the Applicant does not consider routine operational noise monitoring is necessary because it cannot provide a reliable gauge for whether the predicted magnitude and extent of operational adverse impacts are greater or less than noise predicted in the Environmental Statement. Ambient noise levels are not constant, they vary on a day to day basis depending on factors such as traffic and weather conditions. The assessment completed in the Environmental Statement is based on annual average conditions with and without the Scheme to ensure a like for like comparison, which is not possible to replicate</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	through monitoring within a reasonable timescale. The without Scheme monitoring would need to be completed before the start of the construction works, and would therefore be a number of years before the with Scheme monitoring.
REP3-041c	<p>PAGE 4</p> <p>The Councils request the assessment is updated to include predictions of noise levels that are likely to be experienced by future receptors of Cambourne West, once the Scheme is in operation, and that mitigation is provided if required.</p>
Applicant's Comments	<p>The Applicant refers to the response provided to REP1-048bw <b>[REP3-008]</b> which confirms that the change in traffic noise environment in the Cambourne West development has been assessed, and is reported in paragraph 11.9.84 of Chapter 11, Noise and Vibration <b>[APP-080]</b> of the Environmental Statement.</p> <p>The Applicant refers to the responses provided to REP1-048bx <b>[REP3-008]</b> which confirms the meeting held on 15 July 2021 with representatives of South Cambridgeshire District (SCDC) and Huntingdonshire District Councils (HDC) included discussions on the noise mitigation measures considered by the Applicant in their areas but not proposed to be taken forward in the Scheme. A further meeting was held on 21<sup>st</sup> October 2021 with SCDC and HDC representatives, in which the Applicant provided further clarification of the operational noise assessment carried out to identify the likely noise impacts on future receptors of Cambourne West and the justification for why no further noise mitigation measures are considered necessary. The Councils have confirmed their agreement to the approach taken under Ref 4.30 of Draft Statement of Common Ground with Cambridgeshire County Council, South Cambridgeshire District Council and Huntingdonshire District Council <b>[TR010044/EXAM/8.6]</b> submitted at Deadline 4.</p>
REP3-041d	<p>PAGE 5</p> <p>Insufficient reasons have been given for the decision to discount mitigation at the eastern end of the Scheme. The future Cambourne West development could potentially experience higher noise impacts that have not been reported the ES in sufficient detail. Consequently, the Councils request further information to clarify/justify discounting the mitigation in this area. This could be part of ongoing discussions on the draft joint Statement of Common Ground.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	The Applicant refers to the responses provided to REP1-048bx <b>[REP3-008]</b> which confirms the discussions held on 15 July 2021 with SCDC and HDC representatives, which included discussions on the noise mitigation measures considered by the Applicant in their areas but not proposed to be taken forward in the Scheme. A further meeting was held on 21 October 2021 with SCDC and HDC representatives, in which the Applicant provided further clarification of the operational noise assessment carried out to identify the likely noise impacts on future receptors of Cambourne West and the justification for why no further noise mitigation measures are considered necessary. The Councils have confirmed their agreement to the approach taken under Ref 4.30 of Draft Statement of Common Ground with Cambridgeshire County Council, South Cambridgeshire District Council and Huntingdonshire District Council <b>[TR010044/EXAM/8.6]</b> submitted at Deadline 4.
REP4-041e	<p>PAGE 4</p> <p>The councils are seeking additional control over the 2<sup>nd</sup> EMP and are discussing this with the Applicant.</p>
Applicant's Comments	The council has raised the matter of additional control over the Second Iteration EMP as part of correspondence relating to the Statement of Common Ground in relation to construction air quality management only. Discussions on this matter are ongoing.
REP3-041f	<p><u>Page 6</u></p> <p>Discussions regarding the areas for archaeological excavation of some of the sites have stalled recently and need to restart in order that a revised Archaeological Mitigation Strategy can be approved.</p>
Applicant's Comments	An updated Archaeological Mitigation Strategy was submitted at Deadline 3 <b>[REP3-010]</b> . It should be noted that a further updated Archaeological Mitigation Strategy has been submitted at Deadline 4 <b>[TR010044/EXAM/9.23 Rev 2]</b> in order to address formatting points and provide clarification on a number of matters. See also the Applicant's response to Cambridgeshire County Council's comments on archaeological mitigation areas which has also been submitted at Deadline 4 <b>[TR010044/EXAM/9.55]</b> .

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-041g	<p><u>Page 6</u></p> <p>Discussions have stalled regarding agreement on areas of excavation for some sites and need to recommence. The Councils consider that the areas selected for excavation require a) suitable buffering and b) inclusion of the unenclosed archaeological evidence that has been omitted from some sites (for example at Site 18). A research focus is laudable and a requisite of all development-led archaeological excavations, but should not seek to limit focus on enclosed settlement forms and omit other types of evidence from inclusion.</p> <p>Research objectives b, d, g to will not be met or be limited at Site 18 Appendix D of APP-238 if the excavation area fails to include known Iron Age and as yet undated evidence from the evaluation. Medieval remains continue from Site 17 into this area, but there are no research objectives for these in Site 18's mitigation approach. The Councils look forward to seeing these in the revised AMS, along with other areas of change that have been sent to the Applicant following the Councils' review of the AMS.</p> <p>In terms of the over-simplification of evidence, there can be blank gaps in archaeological settlement plans which define different land uses – separation or quiet zones between domestic areas and task sites or burial grounds, on empty zones beneath the boundary banks of enclosures and other territory divisions for example. When evaluation trenches locate blank areas, these require proper interpretation in settlement terms, not to be seen as a chance to limit excavation areas that are confined to settlement cores. Where multiple blank trenches occur together, it is safe to assume that the archaeological evidence has ended. If all of the evidence has been used to define areas for excavation as the Applicant suggests, it remains unclear why the extent of cover at Site 18 omits the archaeological evidence at the east end of the field (Field 74 – see AMS [APP-238] Table 5.1 entry for Site 18, "<i>northern end of the field will not be investigated</i>" - the latter direction referring to everything at the east end of the field. See also the discussion of Site 18 in Appendix C of the same document pdf pages 105-108).</p>
Applicant's Comments	<p>An updated Archaeological Mitigation Strategy was submitted at Deadline 3 [REP3-010]. It should be noted that a further updated Archaeological Mitigation Strategy has been submitted at Deadline 4 [TR010044/EXAM/9.23 Rev 2] in order to address formatting points and provide clarification on a number of matters. See also the Applicant's response to Cambridgeshire County Council's comments on archaeological mitigation areas which has also been submitted at Deadline 4 [TR010044/EXAM/9.55]. As has been stated in previous responses, the areas selected for mitigation are based on the results of all sources available. There is no evidence for unenclosed Iron Age settlement in Field 74. Unenclosed settlement will be investigated in other areas, including Site 8 in Field 49, Site 9 in Field 49, Site 23 in Field 80 and Site 37 in Field 97. The Applicant does not agree with the statement that the mitigation strategy has limited focus on enclosed settlement forms and omitted other types of evidence.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>It is assumed that the research objectives referred to (b, d and g) are those related to the Iron Age, as there is not a research objective g specified for the Roman period. It should be noted that the objectives contained within Appendix D for each site are indicative. Paragraph 4.1.4 of the AMS states that “the SSWSIs will have an updated research section and questions. The questions presented in this document are not fixed and the questions set in the SSWSIs should be responsive to the Scheme.” The objectives listed cover dating, the agrarian economy, field systems, and the areas between, and the Iron Age/Roman transition. The Applicant disagrees that these will not be met. Although it is acknowledged that not every aspect of the research themes can be met, if the evidence is not present, there is flexibility built into the AMS and the SSWSI process to allow for changes to be made. This is why the Applicant has advocated an iterative approach. The overwhelming majority of undated evidence in Field 74 is located within the mitigation area specified in Appendix D of the AMS <b>[REP3-010]</b>. Barring one shallow undated ditch, all of the remaining undated features are outside of the extension to the mitigation area proposed by CCC. Information on the Iron Age elements can be found in the Applicant's Response to the Written Representations <b>[REP3-008]</b>. The only features of medieval date are former field boundaries in the southern part of Field 73 These do not warrant specific research questions. There was no evidence of medieval date in Field 74. It is noted that this is the first mention from CCC of a requirement for medieval research objectives for this site.</p> <p>Archaeological evaluation is defined in the Chartered Institute for Archaeologist's guidance as “a limited programme of non-intrusive and/or intrusive fieldwork which determines the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts and their research potential, within a specified area or site ... If such archaeological remains are present, field evaluation defines their character, extent, quality and preservation, reports on them and enables an assessment of their significance in a local, regional, national or international context as appropriate.” (<a href="https://www.archaeologists.net/sites/default/files/CIAS%26GFieldevaluation_3.pdf">https://www.archaeologists.net/sites/default/files/CIAS%26GFieldevaluation_3.pdf</a>). As discussed at a meeting with all councils on 10<sup>th</sup> June 2019, blank areas identified from the trenching would not require further archaeological work. The mitigation areas have been developed taking the evidence into account. For details on individual mitigation areas please see the Applicant's Response to the Local Impact Reports <b>[REP3-009]</b>. Details on Site 18 can be found in the Applicant's Response to the Written Representations <b>[REP3-008]</b>.</p>
REP3-041h	<p>The archaeological site areas that are to be fenced off are agreed. Our concern is that Site 17 should not be subjected to the treatment outlined in 11.3 of the AMS <b>[APP-238]</b>. It is presumed that this will be amended in the revised AMS as the Applicant has not further referred to this method.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	As detailed in the Applicant's Response to the Written Representations <b>[REP3-008]</b> , it is not proposed to preserve Site 17 in the area proposed for multi-construction purposes in Field 70. As stated in Section 5 and Appendix D of the AMS <b>[APP-238]</b> , this site will be subject to "Excavation of Bronze Age features. Saxon-Norman remains will be stripped and excavated solely to establish feature relationships and association with DMV. Mapping of ridge and furrow alignment. Record relationship of the ridge and furrow to medieval settlement activity". Following comments on the AMS we have removed the word 'solely' from this text and it was the Applicant's understanding that if this was done CCC would have no further objection to this mitigation area (see also response to REP4-041j below).
REP3-041i	<p><u>Page 7</u></p> <p>The Councils welcome the Applicant's commitment to the advice and requirements of the reissued Joint Authorities' Archaeology Brief (JAAB). CCC review comments on the AMS <b>[APP-238]</b> were sent to the Applicant in May and discussed with the Archaeology Team in August, since then the revised JAAB has been issued. Changes to the AMS are to be made in line with that document.</p>
Applicant's Comments	The Joint Cambridgeshire/Bedfordshire <i>Brief for a Programme of Archaeological Investigation</i> was appended as Appendix B to the AMS submitted at Deadline 3 <b>[REP3-010]</b> . Further updates were made to the AMS.
REP3-041j	<p><u>Page 7</u></p> <p>The Councils' comments were given to the Applicant in the review of the AMS in May 2021 for Site 17, Field 70 and discussed in August 2021. Site 17 was found on land adjacent to Wintringham Deserted Medieval Village remains: it is more accurate to say they are immediately adjacent (to the west) of an unscheduled area of the same village remains; the scheduled part lies 400m to the south east.</p> <p>The A428 evaluation found evidence of Saxo-Norman to Medieval remains in the scheme area for multi-purpose construction use (see Archaeological Evaluation Trenching Phase 2 ,5.1.8 <b>[APP-175]</b>. For clarity, the comments provided to the Applicant were: "<i>The proposed mitigation requirements are unworkable and are not approved for this dual period settlement area of Late Bronze Age to Early Iron Age and Saxo-Norman to Medieval dates. There is a palimpsest of archaeological evidence in this area. In the field it will probably be difficult to determine the dates of Saxo-Norman or Late Bronze Age settlement evidence until they have been subject to investigation. Saxon-Norman settlement evidence is rare outside village cores. As this is the western edge of a settlement categorised as a Deserted Medieval Village, the excavation level here should be of high intensity to allow detailed analysis of these</i></p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<i>remains to be undertaken – to fulfil the research objectives set out at 4.5. in the preceding section of the AMS. Removal of the word “solely” would make the strategy acceptable.”</i>
Applicant's Comments	The Applicant has removed the word 'solely' from the text in Table 5.1 of the AMS submitted at Deadline 3 [REP3-010]. It is assumed that this site is now acceptable and agreed.
REP3-041k	<p data-bbox="517 523 613 552"><u>Page 7</u></p> <p data-bbox="517 571 1944 699">Regarding work focused on Hen Brook and Wintringham Brook: The Joint Authorities' Archaeology Brief required a geoarchaeological approach to the investigation of archaeological areas where they are situated close to watercourses. It will eventually be shown at Appendix B of a revised AMS which we look forward to reviewing but contains the following statement:</p> <p data-bbox="517 719 1944 1007"><i>“4.3.1 A geoarchaeological approach to the fieldwork programme is required for the investigation of lived in and human/naturally modified landscapes. The combined study of archaeological and geomorphological records with appropriate environmental sampling will enable the definition and characterisation of landscape change to occur and to provide the context in which past activity represented at the site(s) or within the scheme is understood. The selection of relevant appropriate sampling techniques should, therefore, be shown in the WSI to gain evidence to from the geomorphological features in the development area (e.g. palaeochannels, creeks, ponds/oxbows; dry valleys/winterbournes) and from feature and deposit contexts for environmental mapping purposes and to examine past landscape character and transformation brought about by the settlement's inhabitants and due to natural events....”</i></p> <p data-bbox="517 1027 1944 1217">It is not a simple matter of geoarchaeological coring, but enabling the investigation of areas that were difficult to adequately investigate in the west evaluation period, which are going to be altered by the construction processes. Stripping around the Sandy-Godmanchester Roman Road crossing of the brook west of Wintringham Deserted Medieval Village of Site is an example of the need to strip and excavate remains relating to prehistoric to early Medieval evidence, and both here and at Site 19, the examination of palaeochannels that may be present is imperative.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>The Archaeological Mitigation Strategy [REP3-010] allows for the information quoted from the Joint Cambridgeshire/Bedfordshire <i>Brief for a Programme of Archaeological Investigation</i> to be followed. Section 10 of the AMS details the methodology for geoarchaeological and palaeoecological assessment. While an initial programme of geoarchaeological coring is proposed, paragraph 10.2.10 states "Where warranted, areas identified for geoarchaeological assessment may be stripped to reveal archaeological features sealed by the colluvium. The requirement will be dependent upon the results of the boreholes and further focus of stripping can be achieved by controlled broad transect samples (2m+)." This is in line with guidance from Historic England on <i>Geoarchaeology</i>.</p> <p>Sites 19 and 35 (the site to the west of Wintringham) are both proposed for sampling and geoarchaeology. As stated, this methodology is in line with the <i>Brief</i>.</p>
REP3-0411	<p><u>Page 8</u></p> <p>The General Arrangement Plans used on the A14 scheme by all parties require to be updated with information about constraint areas and protection areas where no construction work would take place. As the A428 maplets in the mitigation strategy [APP-238] are so limited in view, they are hard to geolocate for readers. The Councils require assurance that the revised AMS maps would be used by all contractors working on the A428 scheme to ensure their locations are understood and that no transgression into archaeological areas takes place before archaeological excavations had occurred. The maplets in the revised AMS would helpfully show the areas in relation to known archaeology – preferably using geophysical survey greyscale plots and cropmarked sites as a background to allow the context of the excavation areas to be understood by archaeologists working on the scheme.</p>
Applicant's Comments	<p>The Applicant assumes that the reference to the A14 is in error and should be the A428.</p> <p>The General Arrangements Plans are to show permanent works identified, not temporary works during construction. While the maps in Appendix D of the Archaeological Mitigation Strategy do not show the archaeological information, all data was used in the design of the mitigation areas, and data such as the trenching results and geophysical data was utilised when discussing the mitigation areas with the local authorities. This request has not been made previously. It should be noted that shapefiles of the mitigation areas have been provided to the Principal Contractor, Skanska, and they are providing these as part of the tendering process for the archaeological mitigation. The Archaeological Contractor will also be provided with all required archaeological data.</p>
REP3-041m	<p><u>Page 8</u></p> <p>The Councils welcome the inclusion of CCC's Museum Liaison officer into the scheme.</p>



Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	The Applicant notes the response from the Cambridgeshire authorities.
REP3-041n	<p data-bbox="517 408 613 437"><u>Page 8</u></p> <p data-bbox="517 456 1939 517">Skills development and training is not specified in the list at AMS [APP-238] 6.1.2. The Councils would welcome its inclusion in the DCO AMS to ensure it can be secured, measured and monitored in the future programme.</p>
Applicant's Comments	<p data-bbox="517 557 1948 743">As stated in the Applicant's Response to the Relevant Representations <b>[REP1-021]</b>: "Guidance from the Chartered Institute for Archaeologists (CIfA) on field evaluation states that "The WSI should specify how the project team meets CIfA standards. It should set out how individual and corporate competences will be maintained and enhanced through training and CPD built into the project where appropriate." This information should be included in the Site Specific Written Schemes of Investigation and is stated in paragraph 6.1.2 of the Archaeological Mitigation Strategy <b>[APP-238]</b>."</p>
REP3-041n	<p data-bbox="517 783 1939 908">The question of timing of planting related to lessons learnt from the A14 where a very significant proportion of the landscape failed due to a lack of maintenance primarily and in part from planting too late in the planting season for adequate root development to establish prior to the stresses of hot summers and drought, particularly when watering is less achievable.</p> <p data-bbox="517 927 1948 987">The clarity the Councils would like is to ensure that planting occurs prior to the end of January rather than extending it as late as March (standard planting seasons is October to March).</p>
Applicant's Comments	<p data-bbox="517 1027 1948 1152">The Applicant agrees with the Councils that planting earlier in the planting season (held generally to be November to March inclusive for bare root stock) can maximise the success of establishment. Annex L of the First Iteration Environmental Management Plan <b>[APP-234]</b> refers to this and as far as practicable planting would be carried out as early as practicable in the construction programme and planting season(s).</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-041n	<p>Borrow pits are proposed to be restored for the use of landscape or agricultural uses and that the structure of soils is critical to the success of both of these uses is unarguable. The Councils require the clarity of understanding as to how reinstatement of the soils, drainage and appropriate compactions will be achieved and secured to avoid overly compacted or 'engineered' reinstatements.</p>
Applicant's Comments	<p>The draft Soil Handling and Management Plan, Annex E of the first iteration Environmental Management Plan <b>[APP-234]</b>, gives the assurance that soil management will adhere to the Defra Construction Code of Practice for the sustainable use of soils on construction sites, which details approaches and techniques for:</p> <ul style="list-style-type: none"> <li>• The identification of soil resources at an early stage in the development process</li> <li>• Improved planning of soil use</li> <li>• Better level of soil management during project implementation, including sustainable use of surplus soil</li> <li>• The maintenance of soil quality and function both on and off site</li> <li>• Avoidance of soil compaction and erosion (with a consequent reduction in flooding and water pollution)</li> <li>• Improved knowledge and understanding of soil at all levels in the construction industry, including soil amelioration techniques</li> <li>• Areas of soil to be protected from earthworks and construction activities</li> <li>• The areas and types of topsoil and subsoil to be stripped, haul routes and stockpile locations</li> <li>• The methods for stripping, stockpiling, re-spreading and ameliorating landscape soils.</li> </ul> <p>The pre-construction soil surveys are currently being completed, subject to landowner agreement, and the results will describe the pre-construction condition or set a specification for restoration. Where land is used temporarily during construction, the survey results for current condition will set the specification for restoration, as outlined in the SHMP, and these will be developed for individual land parcels.</p> <p>The draft SHMP sets out considerable detail of the outline proposals for soil management, which will be developed further in the final SHMP. These proposals set out:</p> <ul style="list-style-type: none"> <li>• Details of the pre-construction surveys</li> <li>• Site preparation</li> <li>• Topsoil stripping</li> <li>• Subsoil stripping</li> <li>• Soil stripping control and checks;</li> <li>• General controls during construction;</li> </ul>

Reference Number	Interested Parties Submission/Applicant's Comments
	<ul style="list-style-type: none"> <li>• Stockpile construction</li> <li>• Management of stockpiles;</li> <li>• Reuse and restoration of soils</li> <li>• Preparation of the substrate</li> <li>• Reinstatement of topsoil</li> </ul> <p>These measures represent industry best practice for stripping, handling and reinstating soils, and will apply to the restoration of all soils including those reinstated on the borrow pits, to ensure that soils are restored in the best condition possible.</p>
REP3-041n	<p>The Applicant refers to the response to RR-013f, RR-048f, RR-100f which states: “proposals for restoration of the borrow pits would be completed at the detailed design phase, and that the final choice of the long-term use for the borrow pit sites post restoration would also be defined and specified at that phase.”</p> <p>In addition, the Applicant states: “the environmental assessment has considered, fully, the impacts of the proposed borrow pits as part of the Scheme and therefore these sites and operations do not need to be considered within a cumulative assessment.”</p> <p>The Councils wish to highlight that the borrow pit design and restoration is yet to be finalised. Consequently, assertions made by the Applicant in response to this question should not be accepted without an understanding of the uncertainties involved and how that may impact compliance with both national and local policy.</p> <p>Furthermore, the assertion that the environmental assessment “considered, fully,” the impacts of the proposed borrowpits would appear to conflict with the statement that the proposals are yet to be completed, particularly if the final use of the land has not yet been settled. It is also noted that whilst Chapter 15 Assessment of Cumulative Effects, section 15.4 makes references to the uncertainties identified in Chapters 5-14, no such uncertainties are identified in Chapter 10 Material Assets and Waste.</p> <p>In the context of the proposals being incomplete, the uncertainty in relation to the proposals should be considered, at the very least, if not a significant consideration. Without that information, it is difficult to see how a cumulative assessment could have been accurately undertaken. This, when combined with a lack of proper consideration of local policy, would appear, with regards to the borrow pits, to be currently resulting in a scheme that is unlikely to meet local policy, nor be the most sustainable outcome of the available options.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>The Applicant wishes to reaffirm that the borrow pits have been considered an integral component of the Scheme's construction phase within the Environmental Impact Assessment, and that the process has been undertaken based on the intention of the Applicant to return the borrow pits to agricultural standards, as described in Paragraphs 2.6.289 – 2.6.290 of Chapter 2, The Scheme <b>[APP-071]</b> of the Environmental Statement. This intention has been confirmed for each of the four borrow pit sites presented in the Borrow Pits Excavation and Restoration Report <b>[REP3-011]</b>.</p> <p>The Applicant refers the Councils to its response to RR-013ag, RR-048ag and RR-100ag within the Applicant's Response to Relevant Representations <b>[REP1-021]</b> which confirms that the environmental assessment of the borrow pit sites and operations do not need to be considered within a cumulative effects assessment.</p> <p>The Applicant does not agree with the Councils' statements regarding uncertainty and wishes to clarify that any uncertainties presented within the individual assessment chapters <b>[APP-074 to APP-084]</b> of the Environmental Statement are specific to the nature of the topic(s) under consideration. As the intention to restore the borrow pits to agricultural standards is not considered by the Applicant to be uncertain, no statements to that effect have been reported within Chapter 10, Material Assets and Waste <b>[APP-079]</b> of the Environmental Statement.</p>
REP3-041n	<p>With regards to the impact of the scheme on national carbon budgets, we have noted in our Written Representation and Local Impact Report that while the emissions appear small when set against a national budget, they still represent an increase in emissions. As raised in our submissions to the examination, we would welcome further clarification as to the precise mitigation measures that will be put in place to reduce emissions as well as detail on how remaining emissions will be dealt with, for example via carbon offsetting. The response from the Applicant does not change this.</p>
Applicant's Comments	<p>Section 14.8 of Chapter 14 of the Environmental Statement (Climate) details a number of Scheme-level design, mitigation and enhancement measures. These measures have been used during the design process to carbon-optimize the final design of the Scheme, and the design and these measures will continue to be refined and optimized during detailed design and the construction phase to reduce residual emissions.</p> <p>These Scheme-level measures will be supported by nationwide carbon reduction policies including the Department for Transport's Transport Decarbonisation Plan (2021) and National Highways' Net Zero Highways Plan (2021), which will support nationwide reductions in road user emissions, and emissions associated with future road maintenance.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The GHG emission estimates that were calculated, contextualized against the UK carbon budgets and determined to be of low significance in effecting the UK Governments ability to meet its national carbon reduction targets, are likely to be an over-estimate. Future GHG emissions (and therefore the contribution to carbon budgets) are likely to be less as the current Emissions Factor Toolkit from Defra does not include the projected uptake of electric vehicles, nor the measures contained in the Transport Decarbonisation Plan or the Net Zero Highways Plan. Any resulting residual emissions would therefore not be significant</p> <p>At this stage it is not possible to determine how any residual emissions from the operations of the Scheme would be managed as there is still some uncertainty as to how exactly offsetting schemes would be operated at the time. However, the Transport Decarbonisation Plan on page 127 notes that <i>"to meet net zero across the economy, any residual greenhouse gas emissions in 2050 must be offset. This includes any remaining emissions from transport."</i>. It is anticipated that approved methods for offsetting carbon emissions will be determined for approved use in the future.</p>
REP3-041n	<p>It should be noted that across the whole scheme including neighbouring authorities, the total additional length of NMUs is 4km; 2km of this is actually a replacement roadside footway for an existing country footpath; only 1.15km of the 2km new PROW is bridleway status. In the Council's opinion this is insufficient when considered against national and local policies requiring a sea-change in modal shift and the carbon budget agenda, as well as enabling greater leisure activities for mental and physical health and well- being. The relevant paragraphs within the joint CCC, HDC and SCDC Written Representations (document reference CLA.D1.WR) are paras 6.1- 6.3.3 [REP1-048].</p>
Applicant's Comments	<p>The Applicant disagrees with the Councils understanding of the total additional length of NMU provision and would refer them to the Appendices to Written Question Q1.11.6.4 and Q1.11.6.5 of REP1-022 submitted at Deadline 1. These appendices show that the net gain of Public Rights of Way (PROW) and roadside NMU facilities is 4.13km and 2.33km respectively. The Applicant notes that the 1.15km of the new and diverted bridleway provision stated by the Council is the total length within Cambridgeshire. The total length of new and diverted bridleway being delivered by the scheme is 2.06km.</p> <p>The Applicant acknowledges that 2km of the PROW net gain is associated to the diversion of Footpath 278/7, however, as the Council notes this will increase opportunity for leisure activities contributing to mental and physical health and well-being.</p>

A428 Black Cat to Caxton Gibbet improvements  
 Applicant's Comments on Deadline 3 Submissions

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-041n	The Applicant is understood to already be in Partnership with Cambridgeshire & Peterborough Vision Zero. This commitment is for both the strategic road network and County roads. On this basis, the Applicant's response appears inconsistent with the Applicant's prior commitments.
Applicant's Comments	The Applicant will continue to attend the quarterly board meetings to support Vision Zero within the area. The strategic highways network, is operated and maintained by National Highways. Their corporate aim is that no one should be killed or seriously injured while travelling on or working on the network by 2040. This aligns with the principles set out in the Vision Zero that no human being should be killed or seriously injured as a result of a road collision.

## REP3-042 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council Deadline 3 Submission

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

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-042a	The exceptions to normal construction hours "k" and "m" are acceptable, however, exception "n" allows earthworks to exceed normal construction hours during the summer (when it is dry and with more daylight hours). It is acknowledged that these conditions are positive for progressing construction work but does not take into account noise at residential receptors when people are more likely to be outside enjoying their gardens. Exception "n" is therefore unacceptable unless at a sufficient distance from noise sensitive dwellings.
Applicant's Comments	The Applicant refers to the response provided to REP1-048bv under heading 'Construction hours' [REP3-008]. This confirms that 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.
REP3-042b	Q1.12.1.1a and b The Councils wish to add that 'Full excavation' and 'Excavation' are referred to in the AMS and propose higher or lower percentages of a site's investigation. 'Full excavation in the Local Authorities' brief means that 100% of something will be excavated, whether the structural remains of a building, an inhumation or an important feature. 'Full excavation' in the AMS is misleading as it refers to a scale of investigation of ditches for the categorised sites ([APP-238] paragraphs 8.1.2, 8.3.7 and 9.1.1, 9.2.9).
Applicant's Comments	Q1.12.1.1 a and b are related to policy requirements and the adequacy of the mitigation strategy. These additional comments are not relevant to this.  Notwithstanding this, the Category b mitigation areas are proposed to be excavated to a similar standard to most archaeological sites excavated for commercial projects, with more intensive excavation of Category a mitigation areas. Investigation of features is in line with the Joint Cambridgeshire/Bedfordshire <i>Brief for a Programme of Archaeological Investigation</i> for Category b sites, with more intensive investigation for Category a sites. To provide

Reference Number	Interested Parties Submission/Applicant's Comments
	further clarity, we have updated the use of the term 'Full Excavation' in Table 5.1 and in Appendix D for the AMS [TR010044/EXAM/9.23v2] submitted at Deadline 4 to 'Intensive Excavation'.
REP3-042c	<p>Q1.2.1.1</p> <p>The Councils wish to add the following comment by way of clarification. Whilst small increases are predicted at a limited number of locations representative of sensitive receptors within the districts, from the information within the assessment and available to us through our own monitoring, it is considered the proposal will not lead to a breach in national objectives or an unacceptable risk from air pollution for the residents of Cambridgeshire.</p> <p>There is a potential for significant impacts on air quality during the construction phase, however with appropriate mitigation this can be controlled to an acceptable level. The First Iteration Environmental Management Plan includes a range of measures to reduce potential environmental impacts and there is some provision within the dDCO to control this further with the requirement for a Second Iteration EMP which will need agreement prior to construction activities taking place. The Councils are discussing the role of the 2nd EP with the applicant and seeking additional control through the DCO or legal agreement.</p>
Applicant's Comments	<p>The Applicant notes the Council's agreement on the effect of air quality due to the Scheme.</p> <p>The Applicant also notes the Council's acceptance that mitigation can control the effect of the construction of the Scheme on Air Quality and the ongoing discussions regarding the Second Iteration Environmental Management Plan.</p>
REP3-042d	<p>Q1.2.1.4</p> <p>The Council's agree that the level of detail provided in relation to dust control is appropriate for this stage of the scheme.</p>
Applicant's Comments	<p>The Applicant notes the Councils agreement on the dust control proposed in the First Iteration Environmental Management Plan.</p>
REP3-042e	<p>Q1.4.1.1</p> <p>A) No comment at this stage.</p> <p>B) No comment at this stage.</p>



Reference Number	Interested Parties Submission/Applicant's Comments
	<p>C) No comment at this stage.</p> <p>D) While these emissions appear small when presented against a national budget, they still represent an increase in emissions. The Committee on Climate Change, in their recent June 2021 progress report to parliament have noted that “decisions on investment in roads should be contingent on analysis justifying how they contribute to the UK’s pathway to Net Zero.” This analysis should demonstrate that the proposals would not lead to increases in overall emissions. The Councils would therefore welcome clarification as to how these residual emissions will be dealt with, for example via carbon offset.</p> <p>E) No further comment beyond the requests the Councils have already made for greater clarity on precise mitigation measures through the next iteration of the EMP as well as commitments related to the roll out of ultra rapid charge point infrastructure in line with Decarbonising Transport [REP1-051].</p>
Applicant's Comments	<p>D) Section 14.8 of Chapter 14 of the Environmental Statement (Climate) details a number of Scheme-level design, mitigation and enhancement measures. These measures have been used during the design process to carbon-optimize the final design of the Scheme, and the design and these measures will continue to be refined and optimized during detailed design and the construction phase to reduce residual emissions.</p> <p>These Scheme-level measures will be supported by nationwide carbon reduction policies including the Department for Transport's Transport Decarbonisation Plan (2021) and National Highways' Net Zero Highways Plan (2021), which will support nationwide reductions in road user emissions, and emissions associated with future road maintenance.</p> <p>The GHG emission estimates that were calculated, contextualized against the UK carbon budgets and determined to be of low significance in effecting the UK Government's ability to meet its national carbon reduction targets, are likely to be an over-estimate. Future GHG emissions (and therefore the contribution to carbon budgets) are likely to be less as the current Emissions Factor Toolkit from Defra does not include the projected uptake of electric vehicles, nor the measures contained in the Transport Decarbonisation Plan or the Net Zero Highways Plan. Any resulting residual emissions would therefore not be significant</p> <p>At this stage it is not possible to determine how any residual emissions from the operations of the Scheme would be managed as there is still some uncertainty as to how exactly offsetting schemes would be operated at the time. However, the Transport Decarbonisation Plan on page 127 notes that “to meet net zero across the economy, any residual greenhouse gas emissions in 2050 must be offset. This includes any remaining emissions from transport.”. It is anticipated that approved methods for offsetting carbon emissions will be determined for approved use in the future.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	E) Section 14.8 of Chapter 14 of the Environmental Statement (Climate) details a number of Scheme-level design, mitigation and enhancement measures. These measures have been used during the design process to carbon-optimize the final design of the Scheme, and will be implemented during the construction and operational processes.

### **REP3-043 – Central Bedfordshire Council**

*Post-Hearing submission, including Actions arising from the Issue Specific Hearing 2 and other matters REP3-044*

The Applicant does not have any comments on this document.

## REP3-048 – East West Railway Company

### *Comments on responses to Relevant Representations, Written Representations and the Examining Authority's First Written Questions*

Reference Number	Interested Parties Submission/Applicant's Comments
REP-048a	2.3 The potential engineering interfaces between the EWR Project and the Scheme for each of the five shortlisted route alignments contained within the EWR Project second nonstatutory consultation are set out in EWR Co response to Q1.17.4.1 (b) [REP1-074] and EWR Co submission regarding the draft itinerary for the Accompanied Site Inspection [AS011]. As such, it is not accepted that it is too early to understand the potential interactions.
Applicant's Comments	The Applicant notes the conceptual drawings submitted into the Examination showing potential interfaces between the EWR and A428 schemes. However the Applicant does not consider that the information received to date from EWR Co is sufficient to fully understand the implications for the A428 Scheme. The Preferred Route Announcement for the EWR Scheme is still to be made and for the emerging preferences horizontal and vertical alignments remain uncertain.
REP3-048b	5.4 and 7.1 It is for the Applicant to assess cumulative impacts in respect of the Scheme.
Applicant's Comments	As noted within 4.4 of <b>REP3-043</b> , the EWR Project has not announced a Preferred Route Alignment nor applied for a Scoping Opinion from the Planning Inspectorate. The Applicant concurs with the statement made by EWR Co that <i>"at this stage, it is not considered that the EWR Project is a development that at this stage is of sufficient certainty to be relevant to the cumulative assessment for the Scheme."</i>  The Applicant therefore assumes that the statement made within 5.4 as detailed above, relates to 'other' committed development with the potential for cumulative impacts with the Scheme, but that does not include the EWR Project. Noting this, the Applicant has undertaken a comprehensive cumulative and in-combination effects assessment as presented within Chapter 15, Assessment of Cumulative Effects <b>[APP-084]</b> .
REP3-048c	It is for the Applicant to provide traffic modelling and assess cumulative impacts in respect of the Scheme, including in relation to air quality.

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's Comments	<p>As noted within 4.4 of <b>REP3-043</b>, the EWR Project has not announced a Preferred Route Alignment nor applied for a Scoping Opinion from the Planning Inspectorate. The Applicant concurs with the statement made by EWR Co that <i>"at this stage, it is not considered that the EWR Project is a development that at this stage is of sufficient certainty to be relevant to the cumulative assessment for the Scheme."</i></p> <p>The Applicant therefore assumes that the statement made within 5.4 as detailed above, relates to 'other' committed development with the potential for cumulative impacts with the Scheme, but that does not include the EWR Project. Noting this, the Applicant has undertaken a comprehensive cumulative and in-combination effects assessment as presented within Chapter 15, Assessment of Cumulative Effects [<b>APP-084</b>].</p>
REP3-048d	6.6 and 9.2 It is for the Applicant to assess cumulative impacts in respect of the Scheme, including in relation to noise.
Applicant's Comments	The Applicant refers East West Rail Company to the response given above to REP3-048b.

## REP3-049 – Historic England

### *Comments on Statements of Common Ground with the Applicant*

Reference Number	Interested Parties Submission/Applicant's Comments
REP3-049a	I am writing to provide an update on the Statement of Common Ground prepared by the applicant for agreement of issues with Historic England. We had a meeting with the applicant just before the Heritage issue specific hearing on 24th September. At this we agreed changes to the wording of the draft SOCG which the applicant would return to us to check the final text and sign so we would be able to submit to the examining authority for deadline 3. The applicant have informed us that they are reviewing the SOCG and have not yet returned the amended version. We are therefore unable to submit the SOCG and are awaiting an update on its progress from the applicant.
Applicant's Comments	The Applicant shared a draft Statement of Common Ground document with Historic England on 13 October 2021 and has submitted an updated version at Deadline 4 [TR010044/EXAM/8.2].

## Appendix A – Amended Figure 6-1

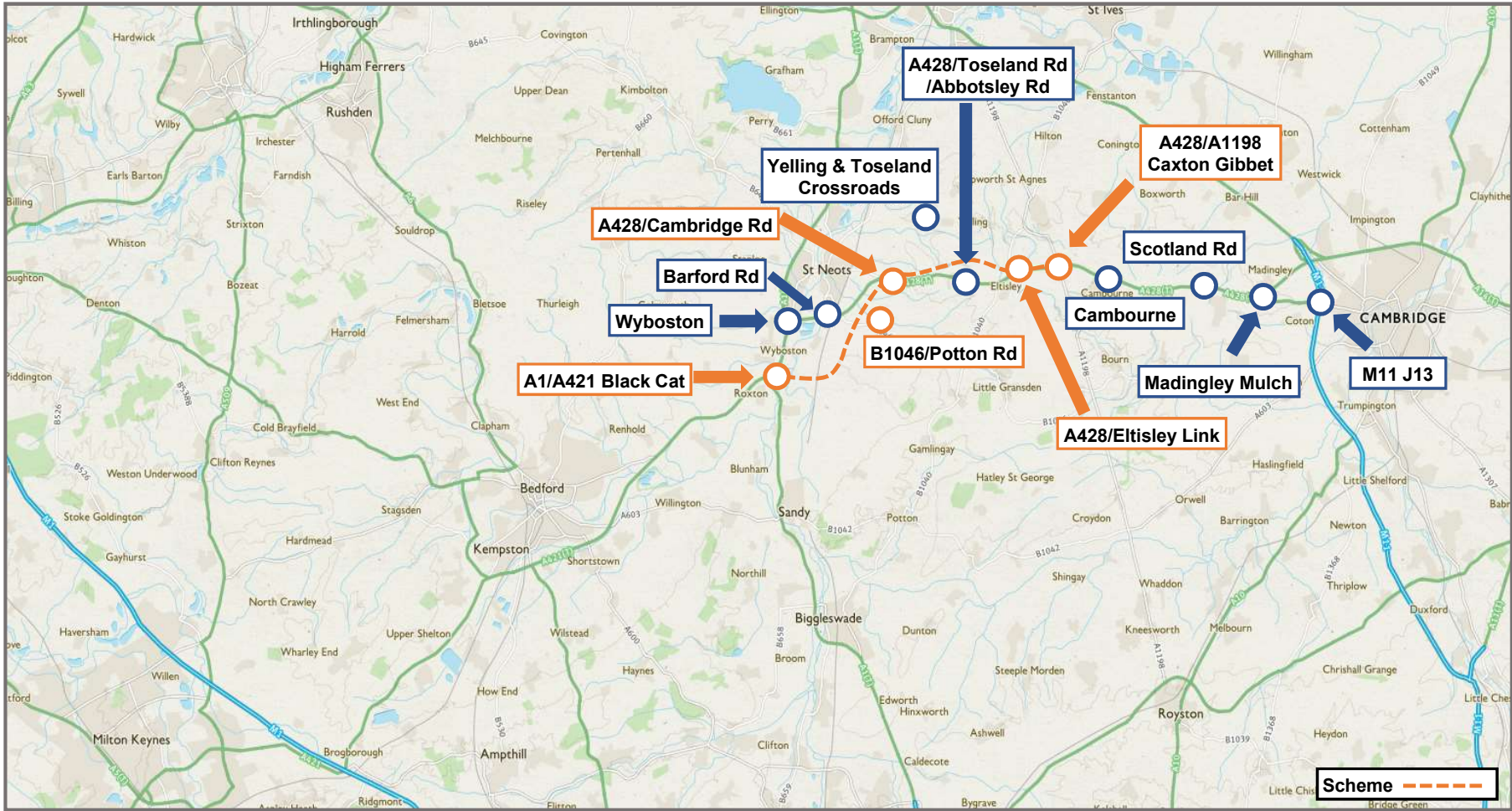


Figure 6-1 –Junction Models - Cambridgeshire



## Appendix B - REP3-039 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

This table has been prepared by the Applicant to respond to the 'Comments on Applicant's updated dDCO, Explanatory Memorandum and Schedule of changes to dDCO' [REP3-039].

CCC Order Amendments	Applicant's Comment
<p><b>PART 1 PRELIMINARY</b> <b>Interpretation</b> <b>2.--(1)</b> "Commence" <b>CCC Comment: As discussed before the Panel and as per REP1-103, further controls and protections are required for pre-commencement operations.</b></p>	<p>The Applicant has prepared a Pre-commencement Plan which has been submitted at Deadline 4 [TR010044/EXAM/9.48].</p>
<p><b>PART 1 PRELIMINARY</b> <b>Disapplication of legislative provisions</b> <b>3.</b> ...(2) The following provisions do not apply in relation to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction of the authorised development– (a) regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016(a) in relation to the carrying on of a flood risk activity or a water discharge activity; <b>CCC Comment: The Council's query why this exclusion is necessary.</b></p>	<p>Reference to a water discharge activity has been removed from the dDCO at Deadline 4 [TR01004/EXAM/3.1v3].</p>

CCC Order Amendments	Applicant's Comment
<p><b>PART 2 PRINCIPAL POWERS</b></p> <p><b>Limits of deviation</b></p> <p>9 (1) In carrying out the authorised development the undertaker may, so far as the undertaker considers it necessary or convenient—</p> <p>(a) deviate laterally from the lines or situations of the authorised development shown on the works plans to the extent of the limits of deviation shown on those plans; and</p> <p>(b) deviate vertically from the levels of the authorised development shown on the engineering section drawings, to a maximum of 1 metre upwards or 1 metre downwards.</p> <p>(2) The maximum limits of deviation set out in paragraph (1) do not apply where it is demonstrated by the undertaker to the <b>Secretary of State's satisfaction of the Secretary of State and, in respect of the authorised development comprising highways other than a special road or a trunk road, the relevant local highway authority</b> and the Secretary of State <b>and, where appropriate, the relevant local highway authority</b>, following consultation by the undertaker with the relevant planning authority, certifies accordingly that a deviation in excess of these limits would not give rise to any materially new or materially different environmental effects from those reported in the environmental statement.</p>	<p>The dDCO submitted at Deadline 4 [TR01004/EXAM/3.1v3] contains specific reference to the streets, rights of way and access plans. The streets rights of way and access plans have been updated to include the limits of deviation that are relevant to the public rights of way and have been submitted at Deadline 4 [TR01004/EXAM/2.6v2].</p> <p>The Applicant does not accept the changes sought by CCC in relation to paragraph (2) of Article 9 of the dDCO. It is the Applicant's view that approval by the local highway authority in relation to that part of the authorised development comprising highways other than a special road or a trunk road is unnecessary and that the approval requirement should remain solely with the Secretary of State as originally drafted. However, the Applicant recognises that the local highway authority has an interest in those aspects of the authorised development referred to. As a result the Applicant has updated the dDCO [TR01004/EXAM/3.1v3] to include the relevant local highway authority as a consultee in relation to those aspects of the authorised development comprising highways other than a special road or a trunk road.</p>

CCC Order Amendments	Applicant's Comment
<p><b>CCC Comment: As per para 3.23 of Written Representations [REP1-048] amendments are required to this provision and to the streets, rights of way and access plans to provide for specific limits of deviation for public rights of way constructed or deviated pursuant to this Order.</b></p>	
<p><b>PART 3 STREETS</b></p> <p><b>Construction and maintenance of new, altered or diverted streets and other structures</b></p> <p><b>13. (1)</b> Subject to paragraphs (5) to (9) any highway (other than a special road or a trunk road) to be constructed under this Order must be completed to the satisfaction of the relevant local highway authority in whose area the highway lies. <b>Once the undertaker is reasonably of the view that such a highway is complete, the undertaker will notify the relevant local highway authority and request certification from the relevant local highway authority that it is satisfied with the completion of the highway and provide as-built drawings (specifying amongst other things the boundary of the highway) and such other information in relation to the highway as the relevant local highway authority may require. Upon receiving such a request, the relevant local highway authority must grant or refuse such certification within [56] days of receipt of the request and any information requested. Where the relevant local highway authority does not respond within [56] days, the request for certification will be deemed to be refused. Where certification is refused, the relevant local highway authority will give</b></p>	<p>Deletion of the word 'reasonable' in Article 13(1) is an unnecessary change. Reference to 'reasonable' reflects how the local highway authority must behave in any event.</p> <p>The Applicant maintains its position that the legal agreement is the appropriate place for an approval role of the local highway authority and does not accept the changes made to Article 13 to include a certification process.</p>

CCC Order Amendments	Applicant's Comment
<p>reasons for its refusal. The undertaker may submit further requests for certification from the relevant local highway authority in respect of the same highway.</p> <p><b>CCC Comment: A local highway authority must always act reasonably, but has ultimate responsibility for local roads.</b></p> <p><b>CCC Comment: All proposed timings in this article TBC</b></p>	
<p><b>PART 3 STREETS</b></p> <p><b>Construction and maintenance of new, altered or diverted streets and other structures</b></p> <p><b>13</b></p> <p>...(2) <del>and, unless</del> unless otherwise agreed in writing with the relevant local highway authority, the highway within the boundary specified in the request by the undertaker that is certified by the relevant local highway authority (including any culverts or other structures laid under it) must be maintained by and at the expense of the relevant local highway authority from <del>its completion</del> the date of the issue of a certificate in relation to that highway pursuant to paragraph (1).</p>	<p>As above regarding the certification process within the dDCO.</p>

**PART 3 STREETS****Construction and maintenance of new, altered or diverted streets and other structures****13**

...(32) Subject to paragraphs (95) to (139) where a highway (other than a special road or a trunk road) is altered or diverted under this Order, the altered or diverted part of the highway must be completed to the ~~reasonable~~ satisfaction of the relevant local highway authority ~~in whose area the altered or diverted highway lies. Once the undertaker is reasonably of the view that such a highway is complete, the undertaker will notify the relevant local highway authority and request certification from the relevant local highway authority that it is satisfied with the completion of the altered or diverted highway and provide as-built drawings (specifying amongst other things the boundary of the highway) and such information in relation to the highway as the relevant local highway authority may require. Upon receiving such a request, the relevant local highway authority must grant or refuse such certification within 56 days of receipt of the request and any information requested. Where the relevant local highway authority does not respond within 56 days, the request for certification will be deemed to be refused. Where certification is refused, the relevant local highway authority will give reasons for its refusal. The undertaker may submit further requests for certification from the relevant local highway authority in respect of the same alteration or diversion.~~

As above regarding the certification process within the dDCO.

CCC Order Amendments	Applicant's Comment
<p>(4) <del>and unless</del> unless otherwise agreed in writing with the relevant local highway authority, that <b>altered or diverted</b> part of the highway <b>within the boundary specified in the request by the undertaker that is certified by the relevant local highway authority</b> (including any culverts or other structures laid under it) must be maintained by and at the expense of the relevant local highway authority from <del>its completion</del> <b>the date of the issue of a certificate in relation to that part of the highway pursuant to paragraph (3).</b></p>	
<p><b>PART 3 STREETS</b></p> <p><b>Construction and maintenance of new, altered or diverted streets and other structures</b></p> <p><b>13</b></p> <p>...<del>(35)</del> Subject to paragraphs <del>(59)</del> to <del>(913)</del> where a footpath, cycle track or bridleway is altered or diverted under this Order <b>along a vehicular private means of access</b>, the altered or diverted part of the highway must be completed to the reasonable satisfaction of the relevant local highway authority <b>in whose area the altered or diverted part of the highway lies. Once the undertaker is reasonably of the view that such a footpath, cycle track or bridleway is complete, the undertaker will notify the relevant local highway authority and request certification from the relevant local highway authority that it is satisfied with the completion of the altered or diverted highway and provide as-built drawings (specifying amongst other things the boundary of the highway) and such</b></p>	<p>In relation to the point made regarding the duplication of paragraphs within this Article the Applicant is of the view that while strictly speaking there may be an overlap by keeping these provisions separate there can be no confusion as to the intention of the Applicant in this regard that highways which provide a right of way for vehicular traffic and highways for other types of traffic are both captured by this Article.</p> <p>The Applicant is considering further the reference to a vehicular private means of access in the context of the Scheme.</p> <p>As above regarding the certification process within the dDCO.</p>

CCC Order Amendments	Applicant's Comment
<p>information in relation to the highway as the relevant local highway authority may require. Upon receiving such a request, the relevant local highway authority must grant or refuse such certification within 56 days of receipt of the request and any information requested. Where the relevant local highway authority does not respond within 56 days, the request for certification will be deemed to be refused. Where certification is refused, the relevant local highway authority will give reasons for its refusal. The undertaker may submit further requests for certification from the relevant local highway authority in respect of the same footpath, cycle track or bridleway.</p> <p><b>CCC Comment: Without this amendment [along a vehicular private means of access], this paragraph is unnecessary as it repeats para (1). This amendment accords with approach with other similar Orders, e.g. A14.</b></p>	
<p><b>PART 3 STREETS</b></p> <p><b>Construction and maintenance of new, altered or diverted streets and other structures</b></p> <p><b>13</b></p> <p>...<del>(6) and, u</del>Unless otherwise agreed in writing with the relevant local highway authority, that part of the highway <b>within the boundary specified in the request by the undertaker that is certified by the relevant local highway authority</b> (including any culverts or other structures laid under it) must be maintained by and at</p>	<p>As above regarding the certification process within the dDCO.</p>



CCC Order Amendments	Applicant's Comment
<p>the expense of the <del>person or persons with the benefit of the vehicular private means of access relevant local highway authority</del> from <del>its completion</del> the date of the issue of a certificate in relation to that highway pursuant to paragraph (5)</p>	
<p><b>PART 3 STREETS</b>  <b>Construction and maintenance of new, altered or diverted streets and other structures</b>  <b>13</b>  <del>...</del>(74) Unless otherwise agreed in writing with the relevant local highway authority, subject to paragraph (8) <del>Where</del> a highway is de-trunked under this Order—            (a) section 265(a) (transfer of property and liabilities upon a highway becoming or ceasing to be a trunk road) of the 1980 Act applies in respect of that highway <del>within the boundary of the highway as specified by the undertaker pursuant to paragraph (8); and</del>            (b) any alterations to that highway undertaken under powers conferred by this Order prior to or in connection with that de-trunking must, unless otherwise agreed in writing with the relevant local highway authority, be maintained by and at the expense of the relevant local highway authority <del>from the date of de-trunking.</del></p>	<p>As above regarding the certification process within the dDCO.</p>

<p><b>PART 3 STREETS</b></p> <p><b>Construction and maintenance of new, altered or diverted streets and other structures</b></p> <p><b>13</b></p> <p>...(8) Paragraphs (7)(a) and (b) will not apply until the relevant local highway authority in whose area the de-trunked highway lies certifies that the highway to be de-trunked is of a satisfactory standard to be accepted into the relevant local highway authority's local road network. Once the undertaker is reasonably of the view that a highway to be de-trunked is of such a standard, the undertaker will notify the relevant local highway authority and request certification from the relevant local highway authority that the highway to be de-trunked is of such a standard and provide such information in relation to the highway (including a specification of the boundary of the highway and such documents relating to the functions, properties and liabilities of the undertaker in respect of the highway) as the relevant local highway authority may require. Upon receiving such a request, the relevant local highway authority must grant or refuse such certification within 4 months of receipt of the request and any information requested. Where the relevant local highway authority does not respond within 4 months, the request for certification will be deemed to be refused. Where certification is refused, the relevant local highway authority will give reasons for its refusal. The undertaker may submit further requests for certification from the relevant</p>	<p>As above regarding the certification process within the dDCO.</p>
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CCC Order Amendments	Applicant's Comment
<p>local highway authority in respect of the same highway to be de-trunked.</p>	
<p><b>PART 3 STREETS</b>  <b>Construction and maintenance of new, altered or diverted streets and other structures</b>  <b>13</b>          ...<del>(9)</del> In the case of a bridge constructed under this Order to carry a highway (other than a special road or a trunk road) over a special road or trunk road, the highway surface (being those elements over the waterproofing membrane) must be maintained by and at the expense of the relevant local highway authority and the remainder of the bridge, including the waterproofing membrane <b>and any culverts or other structures laid under it and structure below</b>, must be maintained by and at the expense of the undertaker.</p>	<p>It is not clear to the Applicant why this change is necessary and is therefore not accepted at this time.</p>
<p><b>PART 3 STREETS</b>  <b>Construction and maintenance of new, altered or diverted streets and other structures</b>  <b>13</b>          ...<del>(1340)</del> In the case of a bridge constructed under this Order to carry a shared public right of way and private access track over a special road or trunk road, the surface of the bridge (being those elements over the waterproofing membrane) must be maintained by and at the expense of the <b>local highway authority person or persons benefitting from the private right of</b></p>	<p>The maintenance obligation for a bridge carrying a shared public right of way and private access track over a special road or trunk road is being considered further by the Applicant.</p>

CCC Order Amendments	Applicant's Comment
<p><b>way</b> and the structure of the bridge must be maintained by and at the expense of the undertaker.</p>	
<p><b>PART 3 STREETS</b> <b>Construction and maintenance of new, altered or diverted streets and other structures</b> <b>13</b> ...(1444) Where a street which is not and is not intended to be a public highway is constructed, altered or diverted under this Order, the street (or part of the street as the case may be) must, when completed to the reasonable satisfaction of the street authority and unless otherwise agreed in writing with the street authority, be maintained by and at the expense of the undertaker for a period of <b>24 42</b> months from its completion and at the expiry of that period by and at the expense of the street authority.</p>	<p>The change to the maintenance period from 12 months to 24 months as sought in Article 13(11) is unnecessary and is longer than would otherwise be provided for under a highway agreement with a local highway authority.</p>
<p><b>PART 3 STREETS</b> <b>Classification of roads, etc.</b> <b>14.</b> (1) On the date on which the roads described in Part 1 (trunk roads) of Schedule 3 (classification of roads etc.) are completed and open for traffic, they are to become trunk roads as if they had become so by virtue of an order under section 10(2)(a) (general provision as to trunk roads) of the 1980 Act specifying that date as the date on which they were to become trunk roads.</p>	<p>The Applicant has accepted these changes to the dDCO [TR01004/EXAM/3.1v3].</p>

CCC Order Amendments	Applicant's Comment
<p>(2) On the date on which <b>each of</b> the roads described in Part 2 (classified roads) of Schedule 3 <del>are</del><b>is</b> completed and open for traffic, <del>they are</del><b>it is</b> to become a classified road for the purpose of any enactment or instrument which refers to highways classified as classified roads as if such classification had been made under section 12(3) (general provision as to principal and classified roads) of the 1980 Act.</p> <p>(3) On the date on which <b>each of</b> the roads described in Part 3 (unclassified roads) of Schedule 3 <del>are</del><b>is</b> completed and open for traffic, <del>they it is</del><b>are</b> to become <del>an</del><b>an</b> unclassified roads for the purpose of any enactment or instrument which refers to unclassified roads.</p> <p>(4) <del>On</del><b>From</b> the date on which <b>each of</b> the roads specified in Part 4 (speed limits) of Schedule 3 <del>are</del><b>is</b> open for traffic, no person is to drive any motor vehicle at a speed exceeding the limit in miles per hour specified in column (3) of that Part along the <del>any</del><b>any</b> lengths of <del>that</del><b>that</b> road identified in the corresponding row of column (2) of that Part.</p> <p>(5) <del>On</del><b>From</b> a date determined by the undertaker, the restrictions specified in column (3) of Part 5 (traffic regulation measures (clearways and prohibitions)) of Schedule 3 are to apply to the lengths of road identified in the corresponding row of column (2) of that Part.</p> <p>(6) On such day as the undertaker may determine, the orders specified in column (3) of Part 6 (revocations and variations of existing traffic</p>	

A428 Black Cat to Caxton Gibbet improvements  
Applicant's Comments on Deadline 3 Submissions

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CCC Order Amendments	Applicant's Comment
regulation orders) of Schedule 3 are to be varied or revoked as specified in the corresponding row of column (4) of that Part in respect of the lengths of roads specified in the corresponding row of column (2) of that Part.	

CCC Order Amendments	Applicant's Comment
<p><b>PART 3 STREETS</b></p> <p><b>Classification of roads, etc.</b></p> <p><b>14.</b></p> <p>...(7) Unless otherwise agreed in writing with the relevant planning authority, the footpaths, cycle tracks, footways and bridleways set out in Part 7 (footpaths, cycle tracks, footways and bridleways) of Schedule 3 and identified on the streets, rights of way and access plans are to be constructed by the undertaker in the specified locations and open for use from the date on which the authorised development is open for traffic.</p> <p><b>CCC comment: This provision would be better moved to art.13 – it is misplaced in art. 14. In any event the Applicant is requested to clarify and explain the interaction between this provision and arts. 14(7) and 18(2) – see para 3.23 of the WR [REP1-048]</b></p>	<p>Article 14(7) deals with the bringing to life of the PROW as set out in Part 7 of Schedule 4. Article 18(2) determines when the stopping up of the previous PROW can occur because these PROW are subject to substitutions being provided. Each article serves a different purpose and therefore no change is being made in this regard.</p>

CCC Order Amendments	Applicant's Comment
<p><b>Classification of roads, etc.</b></p> <p><b>14.</b></p> <p>... (8) On a date <b>or dates</b> to be <b>determined by the undertaker agreed between the undertaker and the relevant local highways authority</b>, the roads described in Part 8 (roads to be de-trunked) of Schedule 3 are to cease to be trunk roads as if they had ceased to be trunk roads by virtue of an order made under section 10(2) of the 1980 Act specifying a date <b>or dates</b> on which they were to cease to be trunk roads.</p>	<p>The changes proposed are not agreed as these aspects are covered by the legal agreement between the parties</p>
<p><b>PART 3 STREETS</b></p> <p><b>Power to alter layout etc. of streets</b></p> <p><b>15.</b></p> <p>... (2) The undertaker must restore any street that has been temporarily altered under this article to the reasonable satisfaction of the street authority <b>(to be confirmed in writing by the street authority) and thereafter the street must be maintained by and at the expense of the undertaker for a period of 24 months from its restoration.</b> <b>CCC Comment: To deal with any snagging that may occur.</b></p>	<p>The change to the maintenance period from 12 months to 24 months as sought in Article 15(2) is unnecessary and is longer than would otherwise be provided for under a highway agreement with a local highway authority.</p>
<p><b>PART 3 STREETS</b></p> <p><b>Power to alter layout etc. of streets</b></p> <p><b>15.</b></p> <p>... (3) The powers conferred by paragraph (1)—</p>	<p>The removal of a timeframe within which the street authority must provide a decision is not appropriate for a Scheme of this size and complexity and has the potential to indefinitely delay progress on the Scheme.</p>



CCC Order Amendments	Applicant's Comment
<p>(a) are exercisable on the <del>undertaker obtaining the written consent of giving of not less than 42 days' notice to</del> the street authority; and</p> <p>(b) are not to be exercised without the consent of the street authority where that authority is a public authority.</p> <p><del>(4) If a street authority which receives an application for consent under paragraph (3) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, it is deemed to have granted consent.</del></p> <p><del>(5)</del>(4) Paragraphs (2) <del>and</del>(3) <del>and</del>(4) do not apply where the undertaker is the street authority for a street in which the works are being carried out.</p>	
<p><b>PART 3 STREETS</b></p> <p><b>Temporary alteration, diversion, prohibition and restriction of the use of streets</b></p> <p><b>17.</b></p> <p>...(4) The undertaker must not temporarily alter, divert, prohibit or restrict the use of any street for which it is not the street authority without the consent of the street authority, which <del>street authority may request specific information from the undertaker in order to determine whether or not the consent should be given and which</del> may attach reasonable conditions</p>	<p>The inclusion of an ability to request further information requires further discussion between CCC and the Applicant as there must be some control on timeframes for a decision to ultimately be reached.</p>

CCC Order Amendments	Applicant's Comment
<p>to any consent but such consent must not be unreasonably withheld or delayed.</p>	
<p><b>PART 3 STREETS</b>  <b>Temporary alteration, diversion, prohibition and restriction of the use of streets</b>  <b>17.</b>          ... (6) If a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 28 days beginning with the date on which the application was made, <b>or any information requested by the street authority was provided by the undertaker</b>, it is deemed to have <b>granted</b> refused consent, <b>unless the undertaker and street authority agree otherwise.</b></p>	<p>As above regarding timeframes for a decision.</p>

CCC Order Amendments	Applicant's Comment
<p><b>PART 3 STREETS</b></p> <p><b>Permanent stopping up and restriction of use of streets and private means of access</b></p> <p><b>18.</b></p> <p>...(2) No street or private means of access specified in columns (1) and (2) of Parts 2 and 3 of Schedule 4 (being a highway or private means of access to be stopped up for which a substitute is to be provided) is to be wholly or partly stopped up under this article unless—</p> <p><b>CCC comments: See comment above regarding interaction of this article and art. 13(7). The same new sections of PROW are listed in Sched 3, Part 7 as in Sched 4, Part 2.</b></p>	<p>The Applicant believes that CCC's comments on Article 18 have been addressed through amendments made to Article 29.</p>
<p><b>PART 4 SUPPLEMENTAL POWERS</b></p> <p><b>Discharge of water</b></p> <p><b>21.</b></p> <p>...(8) Nothing in this article overrides the requirement for an environmental permit under regulation 12(1)(b) (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2010.</p>	<p>The addition of a new paragraph (8) within Article 21 is unnecessary as the Applicant is no longer seeking to disapply the need for a water discharge permit.</p>

CCC Order Amendments	Applicant's Comment
<p><b>PART 5 POWERS OF ACQUISITION</b></p> <p><b>Public rights of way</b></p> <p><b>29.</b></p> <p>...(2) The undertaker must erect a site notice at each end of <del>each of</del> the rights of way to be extinguished <del>specifying a date for its extinguishment, which date must be no sooner than the later of:</del></p> <p><del>(a) no less than 28 days prior to the extinguishment of each of the public rights of way after the date on which the site notices are erected; and</del></p> <p><del>(b) in relation to the public rights of way identified in Part 2 of Schedule 4, the date on which the relevant alternative section of public right of way identified in column (41) to (3) of Parts 1 and 2 of Schedule 4 and shown on the streets, rights of way and access plans is open for use by the public</del></p> <p><b>CCC Comment: To avoid gaps in the provision of the PROW network.</b></p>	<p>The amendments sought by CCC in order to tie Article 29 to Article 18 have been incorporated into the dDCO submitted at Deadline 4 [TR01004/EXAM/3.1v3].</p>
<p><b>PART 5 POWERS OF ACQUISITION</b></p> <p><b>Rights under or over streets</b></p> <p><b>39.—(1) Provided it has given the street authority at least 28 days advance notice,</b> <del>the</del> undertaker may enter on and appropriate so much of the subsoil of, or airspace over, any street within the Order limits as may be required for the purposes of the authorised development and may use the subsoil or airspace for</p>	<p>The amendment sought by CCC to insert the requirement for at least 28 days advance notice is being considered by the Applicant.</p>

CCC Order Amendments	Applicant's Comment
<p>those purposes or any other purpose ancillary to the authorised development.</p>	
<p><b>PART 6 OPERATIONS</b> <b>Felling or lopping of trees and removal of hedgerows</b></p> <p>45.—(1) The undertaker may fell or lop any tree <b>other than a tree subject to a tree preservation order</b> or shrub, or cut back its roots, within or overhanging land within the Order limits if it reasonably believes it to be necessary to do so to prevent the tree or shrub.</p> <p><b>CCC Comment: As these are dealt with in art. 46</b></p>	<p>The amendment sought by CCC to Article 45(1) to clarify the distinction between Articles 45 and 46 is accepted and is reflected in the dDCO submitted at Deadline 4 [TR01004/EXAM/3.1v3].</p>
<p><b>PART 6 OPERATIONS</b> <b>Felling or lopping of trees and removal of hedgerows</b></p> <p><b>45.</b></p> <p>...(2) In carrying out any activity authorised by paragraph (1), the undertaker must—</p> <ul style="list-style-type: none"> <li>(a) do no unnecessary damage to any tree or shrub;</li> <li>(b) pay compensation to any person for any loss or damage arising from such activity; <b>and</b></li> <li>(c) take steps to avoid a breach of the provisions of the Wildlife and Countryside Act 1981(a) and the Conservation of</li> </ul>	<p>The amendment sought by CCC to Article 45(2)(d) to refer to specific British Standards has been moved to the EMP and the Pre-Commencement Plan and is not included in the DCO drafting.</p>

CCC Order Amendments	Applicant's Comment
<p>Habitats and Species Regulations 2010<b>(b)</b> or any successor acts and regulations; <b>and</b></p> <p>(d) <b>have regard to:</b></p> <p>(i) <b>the recommendations of British Standard 3998:2010 Tree Works – Recommendations or any equivalent British Standard replacing it; and</b></p> <p>(ii) <b>any advice from the local planning authority.</b></p>	
<p><b>PART 6 OPERATIONS</b></p> <p><b>Felling or lopping of trees and removal of hedgerows</b></p> <p><b>45.</b></p> <p>...(4) The undertaker may, for the purposes of carrying out the authorised development but subject to paragraph (2)—</p> <p>(a) remove any hedgerow described in Part 1 of Schedule 8 (hedgerows and trees); and</p> <p>(b) <b>with the prior approval of the local planning authority</b>, remove any hedgerow within the Order limits that may be identified and that is not otherwise set out within Part 1 of Schedule 8.</p>	<p>The amendment sought by CCC to Article 45(4) to provide an approval role to the local planning authority has been amended to provide a consultation role. This is reflected in the dDCO submitted at Deadline 4 [TR01004/EXAM/3.1v3].</p>

CCC Order Amendments	Applicant's Comment
<p><b>PART 6 OPERATIONS</b></p> <p><b>Trees subject to tree preservation orders</b></p> <p><b>46.</b></p> <p>...(2) In carrying out any activity authorised by paragraph (1)—</p> <p>(a) the undertaker must do no unnecessary damage to any tree or shrub and must pay compensation to any person for any loss or damage arising from such activity;</p> <p>(b) the duty contained in section 206(1) (replacement of trees) of the 1990 Act is not to apply although where possible the undertaker is to seek to replace any trees which are removed; and</p> <p>(c) the undertaker must consult the relevant planning authority prior to that activity taking place;  <b>and</b></p> <p>(d) <b>have regard to:</b></p> <p><b>i) the recommendations of British Standard 3998:2010 Tree Works – Recommendations or any equivalent British Standard replacing it; and</b></p> <p><b>(ii) any advice from the local planning authority.</b></p>	<p>The amendment sought by CCC to Article 46(1)(d) to include reference to British Standards and the requirement to have regard to advice from the LPA has been moved to the First Iteration EMP which will be updated and submitted at Deadline 6 and the Pre-Commencement Plan [TR010044/EXAM/9.48] and is not included in the DCO drafting.</p>
<p><b>SCHEDULE 1</b></p> <p><b>PART 2 Ancillary Works</b></p> <p>1.Works within the Order limits which have been subject to an environmental impact assessment</p>	<p>The amendment sought by CCC is unnecessary, the works by their very nature are limited in application.</p>

CCC Order Amendments	Applicant's Comment
<p>recorded in the environmental statement comprising —</p> <p><b>CCC comment: The Councils understand that these works relate to the River Great Ouse only – perhaps that should be specified?</b></p>	
<p><b>SCHEDULE 2 REQUIREMENTS</b></p> <p><b>PART 1 REQUIREMENTS</b></p> <p><b>CCC Comment: As per Q.1.6.2 FWQ [REP1-051] and WR [REP1-048], a requirement relating to borrow pit restoration is sought by the Councils in line with Policy 10 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan.</b></p>	<p>The separate requirement requested by CCC is unnecessary given the detail already contained in the Application as set out in the Borrow Pit Excavation and Restoration Report submitted at Deadline 3 [REP3-011].</p>
<p><b>SCHEDULE 2 REQUIREMENTS</b></p> <p><b>PART 1 REQUIREMENTS</b></p> <p><b>Interpretation</b></p> <p>""Ecological Clerk of Works"" means the individual appointed as such by the undertaker " <b>CCC Comment: What are the responsibilities of this person? Where are they specified?</b></p> <p>“Second Iteration EMP” means the second iteration of the environmental management plan produced in accordance with the DMRB <b>and available in electronic form suitable for inspection by members of the public</b> containing detailed plans relating to the construction phase of the authorised development</p>	<p>The Ecological Clerk of Works is specified within Table 2-1 of the First Iteration EMP [APP-234] which includes a description of the role and responsibilities.</p> <p>Reference to ensuring the Second and Third Iteration EMPs are available in electronic form suitable for inspection by members of the public is unnecessary given Requirement 24 (Register of Requirements) which states that the Applicant must maintain a register of requirements and that register must include an electronic link to any document containing any approved details. As the Second and Third Iteration EMPs are approved documents they will be included in the register.</p>



CCC Order Amendments	Applicant's Comment
<p>substantially in accordance with the First Iteration EMP;</p> <p>“Third Iteration EMP” means the third iteration of the environmental management plan produced in accordance with the DMRB <b>and available in electronic form suitable for inspection by members of the public</b> containing detailed plans relating to the operational and maintenance phase of the authorised development substantially in accordance with the First Iteration EMP.</p>	
<p><b>SCHEDULE 2 REQUIREMENTS</b></p> <p><b>PART 1 REQUIREMENT</b></p> <p><b>Landscaping</b></p> <p>6.—(1) No part of the authorised development can come into use until a landscaping scheme for that part which sets out details of all proposed hard and soft landscaping works is submitted to the Secretary of State for approval in writing following consultation with the relevant planning authority <b>and the relevant local highways authority</b>.</p> <p><b>CCC comment: See section 3.17 of the Councils' WR [REP1-048]</b></p>	<p>CCC have included a requirement that the local highway authority should be consulted on landscaping and this has been incorporated into the dDCO submitted at Deadline 4 [TR01004/EXAM/3.1v3].</p>

CCC Order Amendments	Applicant's Comment
<p><b>SCHEDULE 2 REQUIREMENTS</b></p> <p><b>PART 1 REQUIREMENTS</b></p> <p><b>Landscaping</b></p> <p><b>6.</b></p> <p>...(5) All landscaping works must be carried out to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised codes of good practice, <b>including without limitation the Code of Practice for the Sustainable Use of Soils on Construction Sites published by the Department for Environment, Food and Rural Affairs.</b></p>	<p>The Applicant is considering this further in relation to measures that may already exist in the First Iteration EMP [APP-247] and the Pre-Commencement Plan [TR010044/EXAM/9.48].</p>
<p><b>SCHEDULE 2 REQUIREMENTS</b></p> <p><b>PART 1 REQUIREMENTS</b></p> <p><b>Landscaping</b></p> <p><b>6.</b></p> <p>...(7) <b>Adequate protection measures must be applied to all trees and vegetation that are to be retained which must provide a robust defence against any activities to be carried out pursuant to this Order in accordance with the relevant recommendations of the appropriate British Standards or other recognised codes of good practice.</b></p>	<p>The Applicant is considering this further in relation to measures that may already exist in the First Iteration EMP [APP-247] and the Pre-Commencement Plan [TR010044/EXAM/9.48].</p>

CCC Order Amendments	Applicant's Comment
<p><b>SCHEDULE 2 REQUIREMENTS</b></p> <p><b>PART 1 REQUIREMENTS</b></p> <p><b>Protected Species</b></p> <p>10.—(1) In the event that any protected species which were not previously identified in the environmental statement or nesting birds are found at any time when carrying out the authorised development the undertaker must—</p> <p>(a) cease the relevant parts of the relevant works and report it immediately to the <b>Ecological Clerk of Works (ECoW )</b>;</p> <p><b>CCC comment: What does that person then do?</b></p>	<p>The Applicant can confirm that, should an instance occur whereby a report is made to the Ecological Clerk of Works in respect of encountering protected species, the Ecological Clerk of Works would then provide advice on how best to proceed with the works.</p> <p>The response of the Ecological Clerk of Works would be determined by the location and type of species encountered during the works, an example of which might be the establishment of a protective exclusion zone around an active bird nesting site.</p> <p>This provision of advice forms a scheme-wide ecological control measure, as explained in paragraph 1.5.3 of Annex D: Biodiversity Management Plan within the First Iteration Environmental Management Plan <b>[APP-234]</b>.</p>
<p><b>SCHEDULE 2 REQUIREMENTS</b></p> <p><b>PART 1 REQUIREMENTS</b></p> <p><b>Traffic Management</b></p> <p>11.—(1) No part of the authorised development is to <b>commence until a traffic management plan for the construction of that part of the authorised development, substantially in accordance with the outline construction traffic management plan</b>, has been submitted to and approved in writing by the Secretary of State following consultation with the relevant local highway authority.</p> <p><b>CCC Comments: As per the discussion at ISH2, claification sought as to how the 'illustrative' aspects of the timings of road closures set out in the outline</b></p>	<p>As detailed in the Applicant's comments on other parties' responses to the First Round of Written Questions <b>[REP3-007]</b>, the Applicant has confirmed that engagement with the local highway authorities has already commenced on the Outline Construction Traffic Management Plan (OCTMP). The Applicant is committed to continuing engagement with the affected LHAs on the OCTMP through the examination and will update the document in line with any agreed changes. As outlined in the OCTMP, the Applicant also wishes to confirm that the local highway authorities will be consulted as the detailed traffic management plans and provisions are developed in subsequent stages including both prior to and during construction of the Scheme.</p> <p>Additionally, in accordance with Requirement 11, CCC will be consulted on the Traffic Management Plan that will be approved by the Secretary of State. The wording in green text is sufficient to illustrate that the traffic management plan will be based on the OCTMP, and as the OCTMP will be based on discussions with the local highway authority it is clear that the LHA will be directly involved in the process. The Applicant has confirmed that local residents, landowners,</p>

CCC Order Amendments	Applicant's Comment
<p>construction traffic management plan will translate through to the specifics of the traffic management plan and how the LHA will be involved in that process. The traffic management plan must provide for sufficient advance notice to be given to the LHA.</p>	<p>occupiers and other stakeholders will be consulted prior to the start of any construction which includes consultation on road and lane closures.</p>
<p><b>SCHEDULE 2 REQUIREMENTS</b> <b>PART 1 REQUIREMENTS</b> <b>Detailed design</b></p> <p>CCC Comment: Amendments sought to reflect the role of local design documents in the process. See response to Q1.10.1.2 of REP1-051 and the discussion at ISH2.</p>	<p>The Applicant confirmed in the Applicant's response to actions arising from Issue Specific Hearing 2 [REP3-019] that it is the intention to secure the Good Design document by including it within the First Iteration Environmental Management Plan [APP-234].</p> <p>The Applicant confirmed [REP3-007], policies and guidelines outlined by the Councils have been considered in developing the landscape vision strategy and design principles. The Applicant's responses in the Applicant's comments on other parties' responses to the First Round of Written Questions [Q1.7.5.4, Q1.10.1.3, REP3-007], gave examples of all of the local design policies that have been used to develop the design.</p>
<p><b>SCHEDULE 2 REQUIREMENTS</b> <b>PART 1 REQUIREMENTS</b> <b>Construction hours</b></p> <p>19.—(1) Construction work for the authorised development must only take place between 0700 hours and 1800 hours Monday to Friday, and 0700 hours to 1300 hours on Saturdays, with no activity on Sundays or bank holidays, except as specified in paragraph (2).</p> <p>CCC Comment: Different timings have been proposed by the Councils in REP1-048.</p>	<p>Please see the Applicant's comments on this aspect in the Applicant's comments on Written Representations [REP3-008].</p>

CCC Order Amendments	Applicant's Comment
<p><b>SCHEDULE 2 REQUIREMENTS</b></p> <p><b>PART 1 REQUIREMENTS</b></p> <p><b>Biodiversity</b></p> <p>20. Any pre-commencement operations must be carried out in accordance with the biodiversity pre-commencement plan.</p> <p>CCC Comment: As discussed before the Panel and as per REP1-103, further controls and protections are required for pre-commencement operations.</p>	<p>A Pre-Commencement Plan [TR010044/EXAM/9.48] has been submitted at Deadline 4 and this Requirement has been updated in the dDCO submitted at Deadline 4 [TR01004/EXAM/3.1v3] to reflect the Pre-Commencement Plan.</p>
<p><b>SCHEDULE 3 CLASSIFICATIONS OF ROADS, ETC.</b></p> <p><b>Part 7 FOOTPATHS, CYCLE TRACKS, FOOTWAYS AND BRIDLEWAYS</b></p> <p>CCC Comment: (1) In respect of each footpath, etc. the width should be specified and such width should be as per para 6.4.8 of REP1-048.</p> <p>(2) As per sections 6.5 and 6.6 of REP1-048, amendments are required to the description of certain PROW listed to change their status from footway to bridleway or cycleway and to specify certain dimensions.</p>	<p>(1) This level of detail is not necessary nor appropriate for a DCO. The Applicant does not agree that the widths should be applied as suggested across the Scheme. Please refer to the response in the Applicant's comments on Written Representations [REP3-008].</p> <p>(2) Some amendments have been accepted and these are reflected in the updated dDCO submitted at Deadline 4 [TR01004/EXAM/3.1v3] but please refer to the Applicant's response in the Applicant's comment on Written Representations [REP3-008] for the full detail.</p>
<p><b>SCHEDULE 9 PART 3 FOR THE PROTECTION OF THE ENVIRONMENT AGENCY AND DRAINAGE AUTHORITIES</b></p>	<p>The discussions on protective provisions are ongoing and will be addressed separately between the parties</p>