

Our Reference: CLA.PDD.CL  
Your Reference: TR010044

Contact: Gareth Blackett

16 November 2021

The Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House  
Temple Quay, Bristol  
BS1 6PN

### Electronic submission only

Dear Sir / Madam,

### Application by Highways England for an Order Granting Development Consent for the A428 Black Cat to Caxton Gibbet Road Improvement Scheme

### Response to Procedural Deadline D (PDD) for receipt by the Examining Authority

#### 1. Introduction

1.1. I am writing on behalf of Cambridgeshire County Council (20028267), Huntingdonshire District Council (20028273) and South Cambridgeshire District Council (20028271) (the Cambridgeshire Authorities) regarding the A428 Black Cat to Caxton Gibbet Road Improvement Scheme (the Scheme) Development Consent Order (DCO) Examination.

#### 2. Issue Specific Hearings

2.1. Please take this letter as notification of the Councils' wish to participate in Issue Specific Hearings 4, 5 and 6 to be held on Tuesday 30 November, Wednesday 1 December and Thursday 2 December 2021. The Councils will be represented by Francis Tyrrell of Pinsent Masons and David Allatt of Cambridgeshire County Council. Additionally, for each topic highlighted below, the relevant officers have been identified that will be in attendance to support those listed above.

2.2. At ISH4, the Councils wish to raise the following issues:

1. **Assessment of alternatives:** N/A.
2. **Heritage matters:** To be supported by Kasia Gdaniec. The Councils wish to discuss issues previously raised relating to archaeology and the Archaeological Mitigation Strategy [REP4-031], as set out in the Councils' Deadline 5 submission **CLA.D5.OS.A.C** and in **REP4-061**. Issues relate to the significance of effects and the extent and methodology of archaeological mitigation.
3. **Biodiversity:** To be supported by Deborah Ahmad. The Councils wish to raise the issues of:
  - Bats - we support Natural England's position on Barbastelle bats, and seek more information about the bat mitigation measures set out in response to Q2.3.5.1 [REP4-059].
  - BNG Metric - National Highways response to 'net gains' of Defra Metric 2.0 [REP3-013] does not recognise / justify the loss of habitat (area) of medium / high distinctiveness identified, which result in the

overall net loss of habitat (area) because it doesn't meet the trading rules of Metric 2.0, as highlighted within the Councils' response to Q2.3.2.1 at [REP4-059] and [REP4-061].

- Habitat surveys 2021 – the Applicant did not submit the survey results at Deadline 4. No further comments until these are provided (expected Deadline 5). These survey results will need to be incorporated into the BNG calculations.
  - Borrow pits - The Councils support Natural England's recommendations to fully investigate options for environmental / biodiversity enhancement options as part of restoration of the borrow pits.
4. **Flood risk** – N/A.
  5. **Sustainability effects:** To be supported by Camilla Rhodes. Issues the Council would like to raise include missed opportunities for sustainable travel [REP2-003], that also relate to ISH5 Item 3 – Effects on Non-Motorised Users.

2.3. At ISH5, the Councils wish to raise the following issues:

1. **Traffic effects on the nearby highway network:** To be supported by Lou Mason-Walsh. The Councils would like to discuss issues relating to the proposed sensitivity testing due to be provided at Deadline 5, which only addresses the impact of the scheme at certain junctions and is therefore not considered comprehensive. Furthermore, even if it did cover all junctions, it still would not address all of the Councils' concerns relating to modelling. The Councils' position is set out in D5 submission **CLA.D5.OS.A.C**, and in D4 submissions **REP4-055**, **REP4-057**, **REP4-058**, **REP4-059**, **REP4-060** and **REP4-061**.
2. **Highway layouts and structures:** To be supported by John Border. The Councils wish to discuss the request that new highways infrastructure is provided in accordance with DMRB, following submission of detailed information for Q2.11.2.1 [REP4-056]. In addition, we would like to raise issues relating to the design of structures as part of the scheme, which also relates to Item 3: Effects on Non-Motorised Users.
3. **Effects on Non-Motorised Users:** To be supported by Camilla Rhodes. The Councils remain unsatisfied with the provision of NMU improvements as part of the scheme, in particular with the exclusion of equestrians from roadside NMUs and crossing facilities, the missed opportunities to enhance the NMU network in the scheme corridor, and the lack of connectivity delivered by some of the proposed new facilities. We object to the Applicant's position on Local Authorities having to retro-fit NMU improvements within the DCO boundary, which would be impractical to implement. The Councils' position is set out in **REP1-048** paragraph 6.56 and **REP2-003**, paragraphs 8.7.17 - 8.7.28.
4. **Outline Construction Traffic Management Plan:** To be supported by Sonia Hansen. The Councils require clarification of some matters described as "indicative" in the OCTMP, and whether these can be amended through the preparation of the traffic management plan. Further detail is set out in the Councils' D5 submission **CLA.D5.OS.A.C**.

2.4. At ISH6, the Councils wish to raise the following issues:

- **Article 9, Limits of Deviation:** In particular, the extent of the Applicant's proposed limits of deviation as shown on the Streets, Rights of Way and Access Plans [REP4-003].
- **Article 13, Certification of new, altered or diverted streets and other structures:** In particular, the need for certification to be secured through the Development Consent Order, rather than by separate agreement.

- **Article 14, Classification of roads, etc:** In particular, the need for article 14 to provide for the de-trunking date to be agreed between the Applicant and the local highway authority.
- **Requirements:** The need for a requirement relating to borrow pit restoration.
- **Requirements:** The need for requirement 12 to refer to the First Iteration EMP in order to ensure that the Scheme Design Approach and Design Principles are secured.

### 3. Compulsory Acquisition Hearing

3.1. The Councils can confirm that they do not wish to actively participate in Compulsory Acquisition Hearing 2 (CAH2) on Thursday 2 December 2021. Chris Poultney will be in attendance but there are no points the Councils wish to raise.

Yours faithfully,

**Steve Cox**

Executive Director for Place and Economy  
Cambridgeshire County Council

**Clara Kerr**

Strategic Growth Manager  
Huntingdonshire District Council

**Sharon Brown**

Assistant Director, Delivery  
Greater Cambridge Shared Planning Service on behalf of South Cambridgeshire District Council