

A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.64 Applicant's Comments on submissions made at Deadline 4

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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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 4 of the Examination.
- 1.1.3 The following representations submitted at Deadline 4 are addressed in this document:
- a. REP4-057 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
 - b. REP4-058 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
 - c. REP4-060 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
 - d. REP4-061 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council
 - e. REP4-063 – Central Bedfordshire Council
 - f. REP4-064 – Deloitte LLP on behalf of Church Commissioners for England
 - g. REP4-066 – East West Rail
 - h. REP4-069 – Historic England
 - i. REP4-073 – Transport Action Network
 - j. REP4-075 – Wyboston, Chawston and Colesdon Parish Council

2 Applicant's Comments on Deadline 4 Submissions from Interested Parties

REP4-057 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

Comments on the Applicant's comments on other parties' responses to the Examining Authority's First Written Questions (WQ1)

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-057a	<p>Climate Change/Decarbonising Transport Q.1.1.1 CCC/HDC/SCDC (REP1-051):</p> <p>The Councils query the assertion that no suitable locations exist to provide ultra-rapid charge point infrastructure given the location of services in close proximity to the Project and wider strategic road network (for example the services at Caxton Gibbet).</p>
Applicant's comment	<p>The Proposed Development does not include the provision of road services or rest areas, and lay-bys are for "<i>providing stopping opportunities for road users to stop for a short duration</i>" (DMRB, CD-169 Version 1.0.1).</p> <p>Furthermore, it is not the role of National Highways to set EV charging point infrastructure policy. Instead, the Department of Transport has committed to supporting charge points with the creation of a Rapid Charging Fund, detailed in the Government Guidance for Regarding the Rapid Charging Fund (28 September 2021). This Guidance is also supported by the National Infrastructure Strategy (UK Government, 2020) which asserts that it is the role of the private sector to deliver the charging points.</p> <p>However, during the detailed design of the electrical supply and diversions required for the Scheme, National Highways will seek to identify opportunities to create capacity within the electrical supply at Caxton Gibbet and the Black Cat junction areas, to enable EVC's to be installed. It may also be possible to leave any EVC's installed into the compound at Black Cat junction should this be compatible with the Council's aspirations to develop the land.</p>
REP4-057b	<p>National Planning Policy Framework Q1.1.1.3 CCC/HDC/SCDC (REP1-051)</p> <p>A minor omission seems to have been made in the response which states that 'the Applicant will consider both the requirement of the NPPF and Part 2A (whichever is stringent) in developing appropriate mitigation'. The phrase 'the most' should be inserted before the word 'stringent'.</p>

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Applicant's comment	The Applicant can confirm the response should have stated 'whichever is the most stringent'.
REP4-057c	<p>Climate change and Carbon Emissions Q1.4.1.1 CCC/HDC/SCDC (REP1-051):</p> <p>The Councils' welcome further information and the opportunity to comment on construction emissions mitigation in the second iteration of the EMP and a Technical Note providing a detailed breakdown of construction carbon emissions for Deadline 4. We do, however, wish to reserve the right to provide further comment once we have seen that further detail.</p>
Applicant's comment	<p>Please refer to the following submissions made by the Applicant at Deadline 4:</p> <ul style="list-style-type: none"> • Construction Phase Greenhouse Gas Emissions [REP4-042]. • Land Use Carbon Calculations [REP4-048].
REP4-057d	<p>Borrow pits, construction compounds, waste management Q1.6.2.1 Borrow Pits CCC/HDC/SCDC (REP1-051):</p> <p>Concerns set out in the Council's original written representation remain, particularly in respect of Policy 19.</p> <p>The following comments also relate to 9.22 Applicant's Comments on Local Impact Reports [TR010044/EXAM/9.22] page 122 in relation to the Policy Assessment of Policies 7 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021):</p> <p>Applicant's Comment on Non-compliance with Policy 19 – "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's comments in respect of Policy 19 raise two concerns:</p> <ol style="list-style-type: none"> 1. While the Applicant may be correct in stating that the biodiversity requirements for the NPSNN apply on a scheme wide basis, the same is also true of paragraph 5.33 of the NPSNN which requires the Secretary of State to consider whether the applicant has maximised opportunities for building in beneficial biodiversity or geological features as part of the design. Given that no attempt has been made to undertake an assessment of the development against Policy 19 or an assessment of what opportunities, particularly in relation to biodiversity, may be present, it is not possible for the applicant to demonstrate they have maximised these opportunities.

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	<p>2. The assertion that individual elements of a NSIP scheme should not be held to the same standard as other smaller developments, implies that the Applicant is content to promote a scheme in the knowledge that certain parts of the development, if they were to be assessed against local policy, would not be acceptable. Where this is the case, it is important that a proposal is designed so that it is as close to being in accordance with policy as possible. In the context of point 1 above, this does not appear to have been achieved, and consequently it cannot be demonstrated that the most sustainable solution has been presented.</p> <p>The Council is of the view that through assessment of policy and options for restoration, biodiversity gains may be identified. These may be large in form for set-aside habitats, or small in the form of hedgerow planting or specific agricultural treatment of the restored land. The Council also wishes to highlight that paragraph 5.33 of the National Policy Statement for National Networks (NPSNN) states that the Secretary of State may use requirements or planning obligations where appropriate in order to ensure that such beneficial features are delivered.</p> <p>In the Applicant's response to Written Representations [REP3-008 Entry REP1-048ck, page 149], the applicant raises Policy 18 (Amenity Considerations) of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021). The lack of inclusion in the LIR was an oversight and the Council welcomes its highlighting by the Applicant. As the ExA will note, Policy 18 addresses a number of topics such as noise, dust, light, air quality, disturbance and other matters covered under the general heading of amenity. It states:</p> <p><i>"Proposals must ensure that the development proposed can be integrated effectively with existing or planned (i.e. Development Plan allocations or consented schemes) neighbouring development. New development must not result in unacceptable adverse impacts on the amenity of existing occupiers of any land or property, including: (a) risk of harm to human health or safety; (b) privacy for the occupiers of any nearby property; (c) noise and/or vibration levels resulting in disturbance; (d) unacceptably overbearing; (e) loss of light to and/or overshadowing of any nearby property; (f) air quality from odour, fumes, dust, smoke or other sources; (g) light pollution from artificial light or glare; (h) increase in litter; and (i) increase in flies, vermin and birds.</i></p> <p><i>Where there is the potential for any of the above impacts to occur, an assessment appropriate to the nature of that potential impact should be carried out, and submitted as part of the proposal, in order to establish, where appropriate, the need for, and deliverability of, any mitigation."</i></p> <p>The Borrow Pits Excavation and Restoration Report [TR010044/EXAM/9.24] (BPERR) notes the proximity of occupied buildings, including residential buildings and a hotel, at the two sites near Caxton Gibbet, (see BPERR pages 36 and 45). The Council refers to the relevant specialisms to assess whether this policy has been met and directs the ExA and the Applicant to the relevant sections contained within the council's submission for acceptability of the development against Policy 18. Given the proximity to occupied buildings a robust management plan will almost certainly be required.</p>

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	<p>The submission of the Borrow Pits Excavation and Restoration Report [TR010044/EXAM/9.24] (BPERR) is welcomed. It is noted that there appears to be some differences between the July version and the October version; these mostly appear to be additional information from the First Iteration Environmental Management Plan. Changes were noted in relation to noise, landscape, air quality. As the noted in the Council's representation it was written on the basis that the BPERR was submitted as part of the original submission. Consequently, many of the Council's concerns remain.</p> <p>It is, noted that the policy assessment in the BPERR does not match the Applicant's response to the Local Impact Report (LIR) Policy Assessment, in that no reference is made to Policy 19 or 20 in the BPERR.</p>
Applicant's comment	<p>The Applicant refers to its response to the Local Impact Reports (LIR) [REP3-009]. Responses to the two points made by the Cambridgeshire Authorities are commented upon here against the relevant paragraph number.</p> <ol style="list-style-type: none"> <li data-bbox="338 719 2007 1107">1. The Applicant does not agree with the Cambridgeshire Authorities assertion that there has been no attempt made to undertake an assessment of the development against Policy 19 or an assessment of what opportunities, particularly in relation to biodiversity, may be present. In the Case for the Scheme [APP-240], Appendix C, the Local Policy Accordance Table, page C-13, the Applicant considers the emerging Cambridgeshire and Peterborough Minerals and Waste Local Plan Proposed Submission (Publication) draft November 2019. Whilst this focusses on considering the Scheme against Policy 7 of the emerging draft plan at that time, the Joint Cambridgeshire Local Impact Report [REP1-048] explained that, in its view, <i>"the opportunity has been missed to implement a restoration scheme for the borrow-pits (sites 3 & 4), site compounds and soil storage areas which benefits biodiversity, such as providing opportunities for breeding and wintering birds far from the road, and compensates for the loss of Great Crested Newt."</i> The Applicant has explained, in its response to the Joint Authorities LIR [REP3-009] on page 122, as stated in the Chapter 8, Biodiversity [APP-076], as the Scheme will not result in significant adverse effects to breeding birds and wintering birds, mitigation for these species has not been identified. In relation to the loss of Great Crested Newt (GCN) habitat, the Applicant does not propose to speculatively build ponds, but has designed mitigation to reduce the effects of the Scheme. <p>The Case for the Scheme [APP-240], in paragraphs 5.9.18-5.9.19 explains that the Scheme has been carefully designed to meet the requirements of the NPSNN (including paragraph 5.33). It delivers mitigation measures for all impacts on biodiversity where possible, and as a result would not result in any significant effects on protected species or designated habitats. In addition, the Scheme would deliver enhancements to some habitat features.</p> <ol style="list-style-type: none"> <li data-bbox="338 1267 2007 1394">2. The Applicant, in restoring the borrow pits to agricultural land, is addressing the needs of the landowners and the National Farmers Union (NFU), who do not wish to see agricultural land used for biodiversity. The Applicant is currently negotiating the possibility of obtaining the borrow pit land by lease outside of the compulsory acquisition process, where the landowners wish to do this. This process accords with the Planning Act 2008: guidance related to procedures for the compulsory acquisition of land. Furthermore, in

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	<p>order to request compulsory acquisition of land for the Scheme, under the Planning Act 2008, Section 122, there has to be a compelling case in the public interest for the land to be acquired compulsorily. Obtaining land as part of the Scheme, under compulsory acquisition powers, in order to provide opportunities for breeding and wintering birds and create habitat for GCNs when the Scheme will not result in significant adverse effects to breeding birds and wintering birds; or when GCN habitat is not required as part of the mitigation, would not meet the stringent tests necessary for the compulsory acquisition of land under the Planning Act 2008 and its associated guidance.</p> <p>The Applicant's response to the Cambridgeshire Authorities LIR [REP3-009] considers Policy 19 and explains why it is not relevant to the Scheme. In summary, 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.</p> <p>In any event, Policy 19 requires a restoration and aftercare scheme proposal, to be secured if necessary, by legal agreement. Where appropriate, it must... (d) demonstrate net biodiversity gain through the promotion, preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets. The following explains why the Applicant considers that this policy is not relevant to the restoration of the borrow-pits.</p> <p>Firstly, the restoration of the borrow pits is addressed in the First Iteration Environmental Management Plan (FIEMP) [APP-234], which is secured through Requirements 3 and 4 of the draft Development Consent Order [REP4-006]. The need to secure restoration and aftercare proposals by legal agreement would only arise in the case of minerals and waste operators who do not subscribe to a reputable trade association restoration and aftercare guarantee fund, such as the one that is managed by the Mineral Products Association (MPA) which covers member companies' restoration obligations, should they become financially insolvent. In the case of the Applicant for the Scheme, there is no likelihood of that scenario occurring. There is therefore no need for the restoration and aftercare to be secured by legal agreement. In respect of parts (d) of the policy; it is shown below that it is not appropriate to demonstrate net biodiversity gain for the borrow pits or any other individual components of the Scheme; biodiversity net gain is achieved for the Scheme as a whole.</p> <p>Secondly, the design of the Scheme has considered biodiversity matters and addressed biodiversity mitigation across the whole scheme. The Applicant refutes the Cambridgeshire Authorities statement that the most sustainable solution for the Scheme has not been presented (in relation to the restoration of the borrow-pits). Restoration of agricultural land to its former use is a sustainable outcome; required by the current landowners as well as the NFU. While the Cambridgeshire Authorities response had earlier requested restoration of the borrow-pits for breeding and wintering birds and GCN habitat, it is now stating, "that through assessment of policy and options for restoration, biodiversity gains may be identified. These may be large in form for set-aside habitats, or small in the form of hedgerow planting or specific agricultural treatment of the restored land". The Applicant maintains that such decisions regarding the restored borrow-pits would be for the landowners, once the borrow pit land has been returned to them.</p>

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	<p>The Applicant considers that as the Scheme delivers biodiversity net gain, and through design has avoided and/or minimised disturbance to a range of nearby important habitat including woodland; the Secretary of State can be assured that the Scheme does not require further obligations or requirements in this respect.</p> <p>The Applicant is of the opinion that it has provided the necessary assurance(s) required throughout the Examination to date that the First Iteration Environmental Management Plan (EMP) [APP-234] contains the necessary prevention, control and mitigation measures to manage the construction and operation of the proposed borrow pits for the Scheme. As such, the Applicant does not agree that a dedicated management plan for the Borrow Pits is required.</p> <p>The Applicant also refers the Cambridgeshire Authorities to:</p> <ol style="list-style-type: none"> 1. its response to Q1.16.2.6 of the Applicant Response to the Examining Authority's First Round of Written Questions [REP1-022], which includes a detailed explanation of the receptors identified (as shown on Figure 11-1 [APP-143]), and subsequently assessed as part of the noise assessment [APP-080] for the Scheme. The response also confirms that localised mitigation measures (such as bunding/hoarding associated with the borrow pits will be confirmed at detailed design and secured through the EMP for the Scheme; and 2. Appendix to Q2.6.2.1 of the Applicant Response to the Examining Authority's Second Round of Written Questions [REP4-037]. In responding to Bedford Borough Council's (BBC's) queries regarding the Borrow Pits, the Applicant has previously confirmed and explained in detail that the EMP for the Scheme will include the necessary control measures associated with the proposed borrow pits and how these will be secured. <p>The Applicant notes that the Cambridgeshire Authorities welcome the submission to the Examination of the Borrow Pit Excavation and Restoration Report [REP3-011]. The section on policy assessment within that document summarised the relevant policy extracts from the Case for the Scheme [APP-240]. It explains that the policies noted in the policy section of the report relating to borrow pits were taken from the Case for the Scheme. The introduction to Appendix C of The Case for the Scheme [APP-240] explains that it sets out a schedule of policies that are considered to have potential to be both important and relevant to the Scheme. It was not a comprehensive analysis of local policy.</p>
REP4-057e	<p>Construction and maintenance of new, altered or diverted streets and other structures Q1.7.3.4 CCC/HDC/SCDC (REP1-051)</p> <p>CCC notes the applicant's comment at REP1-048ab that the issues it has raised in CCC's Written Representation REP1-048, items 3.25 and 3.26, are being further considered. CCC feels that this issue could most appropriately be resolved by making simple amendments to the dDCO in time for deadline 4. This is not felt to be a matter for the SoCG as the relevant dDCO clauses are considered by CCC to be incorrect and should be changed.</p>

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Applicant's comment	<p>The Applicant has considered the amendment proposed by CCC in item 3.25 of its Written Representation [REP1-048] and does not agree that this amendment is necessary. By dealing separately with the footpaths, cycletracks or bridleways in Article 13(3) it is clear that they are also addressed. The drafting of Article 13(3) states that only the diverted or altered way would become the responsibility of the local highway authority and it does not go so far as to include any additional element of that track in the situation where there is a shared access track with a public right of way. The maintenance obligation of private access tracks will rest with the Applicant or the relevant landowner as the case may be.</p> <p>In relation to the maintenance of a bridge that shares a public right of way with a private access, the Applicant can confirm that the dDCO [REP4-006] will be updated at Deadline 6 to reflect the fact that maintenance will remain with National Highways.</p>
REP4-057f	<p>Limits of Deviation Q1.7.3.7 CCC/HDC/SCDC (REP1-051)</p> <p>CCC as LHA has made a number of points on the matter of Limits of Deviation within its Written Representation - REP1-048 items 3.15 to 3.24. CCC has addressed this question in its response to the 'Applicants comments on Written Representations' (TR010044/EXAM/9.21, item REP1-048aa).</p>
Applicant's comment	<p>As CCC have not made any new points here, the Applicant notes this response from CCC.</p>
REP4-057g	<p>Construction and maintenance of new, altered or diverted streets and other structures Q1.7.3.10 CCC/HDC/SCDC (REP1-051)</p> <p>CCC as LHA has made a number of points in relation to Article 13 of the dDCO, seen in Written Representation REP1-048 and responded to by the applicant in document TR010044/EXAM/9.21. CCC's principal concern with Article 13 is that the process for inspection, certification and handover of new highways is unsuitable as it does not provide sufficient protection and assurance for LHAs regarding the new assets that it stands to inherit. The applicant prefers to defer such matters to the making of a separate legal agreement which is unacceptable to CCC at the current time. Amending the dDCO to include clauses relevant to asset handover would provide clarity and certainty for all parties. CCC's has further concerns related to Article 13, which are addressed in answer to question 1.7.3.4 above.</p>
Applicant's comment	<p>The Applicant maintains its view that inserting a certification process into the dDCO, as proposed by CCC, is unnecessary and is better addressed between the parties in a legal agreement. There is no justifiable reason to have two measures that would secure the same outcome.</p>

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REP4-057h	<p>Q1.7.3.11 CCC/HDC/SCDC (REP1-051)</p> <p>CCC has made a number of points in relation to Article 14 of the dDCO in Written Representation REP1-048, responded to by the applicant in document TR010044/EXAM/9.21. It is noted that the applicant is considering amending article 14(7) to accommodate the need to certify works as being complete once each individual route is opened, rather than as currently worded. This is positive but CCC cannot comment further until the proposed revised dDCO is received at deadline 4. Noted that the applicant is updating the wording of article 14(7) to reflect the correct local authority.</p> <p>However CCC has made representations in respect of article 14(8) dDCO which have not been satisfactorily answered. The applicant wishes to resolve these concerns via a separate side agreement which is still to be finalised. CCC is not in a position to accept the current dDCO wording.</p>
Applicant's comment	<p>To clarify the Applicant has amended Article 14 paragraphs (1) to (5) of the dDCO submitted at Deadline 4 [REP4-026] to include amendments to make clear that each road or restriction can be treated individually. The Applicant does not accept the imposition of a certification requirement within the Order. The Applicant maintains its position that the amendments sought by CCC to Article 14 paragraphs (7) and (8) of the dDCO regarding additional agreement from the local highway authority are not required and that sufficient control will be included in the legal agreement to be completed between the parties.</p>
REP4-057i	<p>Flood Risk Q1.9.4.2 CCC/HDC/SCDC (REP1-051)</p> <p>Refer to comments made by the Councils in document CLA.D4.WR.AC.C submitted at Deadline 4, for REP1-048cx.</p>
Applicant's comment	<p>Please refer to REP4-060bt in this document.</p>
REP4-057j	<p>Good Design Q1.10 HDC/SCDC Landscape</p> <p>Having reviewed the Applicant's submission Scheme Design Approach and Design Principles [TR010044/EXAM/9.26] the councils do not consider that the applicant has shown any regard to local character and vernacular in designing the structures, particularly in relation to appearance. The proposed materials, concrete and weathering steel, are common in highways across the country and relate to the region no more than they do elsewhere. It is disappointing that the design of the structures shows no design aspirations above the most basic of provision – higher aspirations could include the inclusion of more inspired materials, such as timber, or be designed</p>

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	as green, or "living", bridges – which would do much more to assimilate into the landscape and provide connections for both wildlife and humans.
Applicant's comment	<p>The design of the Scheme has followed a landscape-led approach, as set out in the Scheme Design Approach and Design Principles [REP3-014] document and Annex L of the First Iteration Environmental Management Plan [APP-234]. Whilst paragraph 4.30 of the National Networks National Policy Statement (NPSNN) acknowledges that there may be a limit on the extent to which national infrastructure can contribute to the enhancement of the quality of the area, and paragraph 4.34 references the limited choice in physical appearance, these documents demonstrate that local character has informed the design of structures, in particular through their siting, scale and massing, landscape permeability, landform and vegetation. Visual appearance has therefore been a key factor in the design, balanced against functionality, fitness for purpose, sustainability and cost. Materials such as concrete and weathering steel are common in infrastructure design and applied in the Scheme because they are durable and resilient as required in Paragraph 4.32 of the NPSNN.</p>
REP4-057k	<p>Transport modelling Q1.11.1 CCC/HDC/SCDC (REP1-051):</p> <ul style="list-style-type: none"> a) Cambourne to Cambridge has not been included in the core tests due to the fact that in 2018 when the uncertainty log was compiled the scheme was not sufficiently designed to allow for its inclusion. This is reasonable but given the likely relationship between the 2 schemes has a sensitivity test been undertaken that includes Cambourne to Cambridge given that greater detail is now available for this scheme? b) The Councils would have appreciated the opportunity to influence the modelling rather than to be presented with a model and say this is what we have used. This approach is very different from the approach taken in relation to the modelling of the A14 and has led to the outstanding issues that are set out in the Councils' Representations to this Examination. c) The response to this point does not adequately address the points made in the responses submitted by the Council. The Applicant still maintains that the approach taken <i>"is reasonable and proportionate and the summary findings from the junction models in terms of impact of the scheme on local highway network are as robust as they can be for a major scheme like the A428 Black Cat to Caxton Gibbet improvements"</i> however, the point remains that the junction models indicate that the proposed junctions operate with such a high level of spare capacity that suggests that the proposed design of the scheme is significantly bigger than it needs to be and this is a major concern for the Councils for two reasons: i) the over provision of capacity could lead to additional trip making which is not consistent with the move to sustainable development and carbon zero and ii) the Councils do not want to be adopting assets that are larger than they need to be.

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	<p>In addition, the Councils do not agree that the junctions provided don't exist in the current road configuration. For both Cambridge Road and Caxton Gibbet the existing and proposed junctions cater for same turning movements as are available in the current configuration. The key difference is the separating out of local and strategic traffic and therefore the future year models need to be amended to ensure that the turning proportions modelled are reasonable. The Councils look forward to working with NH in the preparation of the traffic flows to be used in the sensitivity tests and also welcome the changes planned to some of the model inputs.</p>
Applicant's comment	<p>a) The Applicant notes that discussions were held with CCC relating to the proposed Cambourne to Cambridge Bus-way when the modelling and forecasts for the A428 Scheme was being prepared in 2019. However, the details of the proposals were not available reflecting the uncertain status of the project and the information provided by CCC at the time was not sufficient to enable a credible sensitivity test to be undertaken. In the absence of this information, the Applicant has not carried out a sensitivity test on the Cambourne to Cambridge proposals. The Applicant would be willing to discuss the purpose of the test and the data requirements with the Cambridgeshire Authorities in order to determine if the data and information currently available would be sufficient to support a meaningful sensitivity test.</p> <p>b) The Applicant has taken every reasonable step to actively engage with CCC in the process of the model development. This can be demonstrated by the record of engagement which is provided in Appendix A of the Draft Statement of Common Ground [REP4-018]. The Applicant notes that the cordon versions of the base and future models that were provided to CCC in 2020 were subject to an audit by CCC's consultants, Atkins. Atkins audit was provided in Technical Note 1, Base Model Review, dated 6 August 2020 detailing their independent review and states that:</p> <p>"..the model achieves the calibration criteria and seems to be suitable for supporting the development of the A428 scheme. Some areas of the model such as the screenline and individual link calibration and the journey time validation are much better than would typically be expected for a model of this nature".</p> <p>The audit highlighted a number of detailed issues which were discussed in a meeting on 2 September 2020 with Atkins, CCC, National Highways and AECOM. In this meeting CCC concluded that they did not have any fundamental issues with the Base Year model.</p> <p>The Applicant notes that all of the current outstanding issues that are set out in the Councils' Representations to this Examination were not raised until the Local Technical Review Group meetings were held in May and June 2021. These issues had not formed part of the earlier review and audit of the model carried out by Atkins. The Applicant has made every effort to address these issues which has involved further analytical work the results of which has been made available to CCC.</p> <p>c) The three principal Scheme junctions at Black Cat, Cambridge Road and Caxton Gibbet have been designed to offer sufficient capacity to accommodate the design traffic flows that result from the Strategic Model. These junctions were assessed using VISSIM microsimulation models and the results of this modelling indicate that the junctions operate comfortably within capacity but</p>

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	<p>without excessive levels of spare capacity. The Applicant therefore does not agree that the over provision of capacity at these locations would lead to additional trip making. Instead, the Applicant considers that these junctions give resilience.</p> <p>In the case of the subsidiary junctions which are to be provided as part of the Scheme (i.e. those at Eltisley, B1046/Potton Road and Bedford Road/Roxton Road), the design of the junctions concerned is determined by the minimum geometric requirements of the design standard for the type of junction proposed. The Applicant therefore does not agree that the Council will be required to adopt assets that are larger than they need to be.</p>
REP4-0571	<p>Methodology, inputs and outputs Q1.11.1.2 CCC/HDC/SCDC (REP1-051):</p> <p>The use of flows directly from the strategic model is not acceptable to the Councils, this point will hopefully be addressed by the sensitivity tests.</p> <p>The point relating to the impact of the scheme on St Neots and especially Great North Road and Cambridge Road as a result of introduction of the scheme has still not been adequately addressed. The information supplied by NH in support of the application indicates that both roads will see significant increases in AADT (Great North Road this amounts to a 24% increase in AADT) with the peak hour flows seeing increases of approximately 200 PCU per Hour. These increases have the potential to cause issues on the local road network and so the Councils have requested that a number of adjacent junctions be tested to ensure that they can accommodate the additional traffic predicted by the modelling.</p> <p>That Applicant states that <i>"In the circumstances it is neither necessary nor proportionate for the Applicant to carry out further, more detailed modelling to assess a potential deterioration in traffic conditions on selective approach arms of a number of specific individual junctions within the urban road network of a town, where the overall impact of the Scheme on the town is beneficial, and where the increase in traffic flows concerned is acknowledged to be the effect of local reassignment of traffic away from less suitable routes within the town centre."</i></p> <p>The Councils maintain that this information is needed in order to assess the impact of the proposed scheme on the local road network because if the junctions on Great North Road and Cambridge Road cannot accommodate the additional traffic predicted by the model then it is very likely that traffic will not reroute as indicated by the modelling and therefore the benefits shown to St Neots will not be realised. The Councils refer also to the points made in relation to this in their response to the Applicant's Comments on the Local Impact Reports.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Applicant has agreed with Council's approach to undertake the sensitivity tests at Cambridge Road and Caxton Gibbet junctions. The Applicant has provided the results of the Sensitivity Tests in Junction Model Sensitivity Test Outputs [TR010044/EXAM/9.68], submitted at Deadline 5.</p> <p>The Council's comments about Great North Road and Cambridge Road are noted. The Applicant has provided a detailed response to this point in Table 3-1 of the 'Scope of Junction Model Sensitivity test' [REP3-029]. The Applicant does not propose to undertake additional modelling at the junctions concerned, for the reasons already given in the 'Scope of Junction Model Sensitivity test' [REP3-029].</p> <p>The Applicant will give consideration to monitoring the impacts in this area post Scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction..</p>
REP4-057m	<p>Cambridgeshire traffic impacts Q1.11.1.4 CCC/HDC/SCDC (REP1-051):</p> <ol style="list-style-type: none"> a) The data used in the conversion of the Saturn flows to VISSIM inputs has still not been shared with the Councils. Yes it would be possible to recreate this information from the TNs but there is a danger that the process could be subtly different which might give different results and secondly this would represent a significant waste of public money having to recreate information that should already exist. b) The point about the benefit to St Neots as a whole as a result of the scheme is addressed in relation to Q1.11.1.2 above. c) The Applicant refers to a sensitivity test that has been undertaken at Girton Interchange to correct the coding of the junction in the Strategic Model to date (18/10/21) the modelling and any supporting information for this sensitivity test has not been shared with the Councils. d) This point deals with the rerouting through Coton and the comments on this are covered by the review of the TN submitted by NH which indicated that the coding in the area of the M11 J13 /J12 in the strategic model is incorrect. e) It is noted that the GCP Cambourne to Cambridge scheme was not included due to the uncertainty over the scheme in 2018 when the uncertainty log was derived but given the close proximity of these schemes and the greater certainty around this scheme now would it not be advisable to carry out a sensitivity test?

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>a) The Applicant has already documented the approach to convert the SATURN flows to Vissim inputs. This is documented in the TAA [APP-243]. The Applicant has explained that significant time is required to remove macros that cannot be shared and prepare the spreadsheets such that they can be shared. This is not considered proportionate since CCC has sufficient information to verify that the flows are sensible.</p> <p>b) Point noted. Please also refer to Applicants response to REP4-060f below.</p> <p>c) A technical Note was prepared by the Applicant and submitted at Deadline 4 which details the results of the sensitivity test relating based upon amending the strategic model coding of the Girton interchange [REP4-040].</p> <p>d) Point noted.</p> <p>e) Refer to the Applicants response to REP4-057k part (a). The Applicant would be willing to discuss the purpose of the test and the data requirements with the Cambridgeshire Authorities in order to determine if the data and information currently available would be sufficient and whether a sensitivity test would be appropriate.</p>
REP4-057n	<p>Road layout, junctions & bridges Q1.11.2</p> <p>Highway Design – No comments as Applicant's comments do not provide any new information regarding technical Highway Design. There has been no further meaningful discussion on the "cross-sections of the B1046/Potton Road and Toseland Road" as the Applicant insists that their non-compliant design is safer. There is no indication that they intend to amend the design in line with the adopting LHA's requirements.</p>
Applicant's comment	<p>The Council's comments are noted. The Applicant has provided further clarification on its position regarding the design of the B1046/Potton Road and Toseland Road in its response to the Council's Response to the ExA's Second Written Questions (WQ2) – Q2.11.2.1 [TR010044/EXAM/9.67].</p>
REP4-057o	<p>Street Lighting Q1.11.3.2 CCC/HDC/SCDC (REP1-051)</p> <p>Disagree with the Applicants comment. The Council reiterates their position that: Cambridgeshire County Council as Highway Authority with responsibility for adopting new assets would like to agree the design of streetlighting, so that it can be adopted and maintained by our PFI contractor. It is noted that a written scheme of proposed lighting is proposed in Requirement 17 'prior to the development being brought into use'. This would be better provided prior to commencement and as part of the design, so that it can be agreed with the LHA and standards and processes applied to ensure the easy adoption of new assets, instead of after it has been built. It would be helpful to understand the lighting impacts of the development as part of the application and secure a commitment from the applicant to</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>use Cambridgeshire's street lighting specification (CCC Street lighting Development Specification, Revision 03 - dated January 2016) on any roads to be adopted by the Council. CCC considers that it should approve the written scheme of proposed lighting pursuant to Requirement 17 rather than being consulted only.</p> <p>All street lighting installation design submissions for street lighting installations that will upon formal handover become the responsibility of Cambridgeshire County Council (CCC) must comply/be completed in line with:</p> <ol style="list-style-type: none"> 1. All relevant sections of the Street lighting Development Specification, Revision 03 - dated January 2016. 2. All requirements contained in the Street Lighting Design Brief that will be issued by CCC for each separate street lighting installation/section of works. 3. CCC's street lighting standard detail drawings
Applicant's comment	<p>The Council's comments are noted. The Applicant would like to reiterate that it is the intention that the legal agreement between the parties will set out the specification for the local roads to be handed over to CCC as local highway authority which will include and cover the design of road lighting. The details of this agreement and the terms of any specification are the subject of ongoing negotiations with CCC.</p>
REP4-057p	<p>De-Trunking 1.11.5.1 CCC/HDC/SCDC (REP1-051):</p> <p>The Councils agree with the Applicant in relation to the aspects that the Legal Agreement must cover. However, the Applicant does not acknowledge that the Councils require the DCO itself to contain a clear mechanism to underpin the provisions of the Legal Agreement to ensure that, as a matter of law, the relevant roads are not de-trunked without the Legal Agreement being complied with. The Councils have suggested at Deadline 3 amendments to the draft DCO that would provide for a clear certification process that would fulfil the necessary role. The certification process would also have added benefits in terms of clarifying, as a matter of law rather than just contract between the parties, the extent of the detrunked road by reference to the as-built drawings.</p>
Applicant's comment	<p>The Applicant maintains its view that inserting a certification process into the dDCO, as proposed by CCC, is unnecessary and is better addressed between the parties in a legal agreement. There is no justifiable reason to have two measures that would secure the same outcome. CCC's assertion that the timing of the de-trunking can only be secured through the dDCO and not adequately secured through the legal agreement is not accepted. The Applicant would be bound by the terms of the legal agreement as to the process for de-trunking as much as it is bound by the terms of the Order. Further to clarify, as currently drafted the dDCO allows for the de-trunking of all of the relevant elements of the existing A428 and what the legal agreement will do is set out what elements will be handed to the</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>local highway authority to maintain. It is not proposed by the Applicant that the legal agreement will be the legal mechanism by which the de-trunking will occur, as that is governed by the Order when made.</p> <p>It should also be considered that the drafting of the dDCO [REP4-006] has precedent in made highway Orders (as set out at paragraph 4.1.61 of the Explanatory Memorandum [REP4-008]) which do not include an express procedure to deal with the de-trunking or state that the date for de-trunking must be agreed with the local highway authority.</p>
REP4-057q	<p>Non-motorised users Q1.11.6 CCC</p> <p>The Applicant's response is inadequate: it fails to address the points made (REP1-051) a-d.</p> <p>The document [APP-084] contains no reference to the maximising of sustainable travel modes. The Applicant's response does not acknowledge the evidence given by the County Council at ISH2, and has not responded to the Councils' answers given to Q1.11.6.1 - Q1.11.6.4 [REP1-051] which covers proportionality. The Councils disagree with the Applicant's interpretation of proportionality.</p>
Applicant's comment	<p>The Council's comments are noted. The Applicant would refer to its response to written question Q2.11.6.1 which provides further details on the reasonable opportunities that have been taken to provide new, upgraded and replacement NMU facilities and also its position regarding alignment with policy requirements set out in the National Networks National Policy Statement.</p>
REP4-057r	<p>Cumulative impacts Q1.11.7.5 CCC/HDC/SCDC (REP1-051):</p> <p>The Reasons for not including the GDP's Cambourne to Cambridge scheme in the assessment are noted but given the progress made on this scheme and the close proximity to the proposed A428 scheme the Councils feel that there should be a sensitivity test undertaken that includes the latest available assumptions to enable the impacts to be tested.</p>
Applicant's comment	<p>Please refer to the Applicants response to REP4-057k part (a). The Applicant would be willing to discuss the purpose of the test and the data requirements with Cambridgeshire Authorities in order to determine if the data and information currently available would be sufficient and whether a sensitivity test would be appropriate.</p>
REP4-057s	<p>Local Highway Impacts Q1.11.7.10 CCC/HDC/SCDC (REP1-051):</p> <p>Discussions are ongoing relating to the Sensitivity testing to be undertaken by NH on the junction models, the Councils are waiting for the scope of this work to be agreed and are hopeful that the issues relating to this will be addressed by the resulting sensitivity tests.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	The scope of the sensitivity testing was set out in the Applicants 'Scope of Junction Model Sensitivity Test' [REP3-029] and the results are set out in Junction Model Sensitivity Test Outputs [TR010044/EXAM/9.68], submitted at Deadline 5.
REP4-057t	<p>Cultural Heritage Q.1.12.1.1 a) CCC/HDC/SCDC REP1-051</p> <p>With reference to Site 18 (Field 74), the Applicant has simplified the evidence of the evaluation. The councils' view is that the 3% evaluation strategy was sufficient only to provide the presence and extent of archaeological features associated with known cropmarked sites, the plan of which was amplified by the evaluation methods employed to assess the scheme area. This low level of engagement is insufficient for the interpretation of the dynamics of phases of Iron Age and Roman settlement. The statement at paragraphs 2.1.2 of the Archaeological Mitigation Strategy [APP 238] and its updated version [REP3-010], "Not all sites will be fully excavated, as the primary aim of the Strategy is to maximise knowledge gain", is a non sequitur: we cannot at this stage know what the full range of features outside enclosure boundaries represent and whether other intrinsically important aspects of ancient occupation, such as Bronze Age cremation cemeteries and unenclosed Bronze Age/Iron Age settlement with waterlogged wells with log ladders like that recently discovered in the A428's main compound site in Field 59 (within the Wintringham Park development area) are also present. The Applicant's description of this site as Site 14: "Wintringham Site 2 – trackway and Iron Age features." demonstrates the dangers of over-interpreting (and therefore simplifying) evaluation evidence. This new evidence had not been found during the evaluation of Wintringham Park and extends the occupation's date deeper into the prehistoric period.</p> <p>Site 18 in Field 74 will be subject to total destruction by the construction of the road scheme. The Applicant is seeking to limit the excavation of known archaeological evidence by the incorrect application of the term "knowledge gain". We do not support the unrecorded loss of archaeological remains and advise that various levels of investigation should be employed to the remains within Field 74 to counter any underestimation of the archaeological resource.</p>
Applicant's comment	Based on the size of the trenches in Field 74, the area has been subject to approximately 5.4% trenching. Over the whole Scheme the percentage is 3.44%. Notwithstanding this, the Applicant agrees that the presence and extent of the features has been identified. However, the evaluation has also provided detail on the date and function of the features in this part of Field. In Field 73 the mitigation area has been extended to the south to look for potential open settlement near a linear boundary and in Field 74 it has been extended in the north-west to examine the potential of open settlement and features beyond the limits of a major linear boundary Extending the excavation of to cover the northern part of the enclosure in the east of Field 74 will not affect the interpretation of this site. While impact by construction will lead to loss of features, the Applicant does not agree that this is 'unrecorded loss of archaeological remains' as the features have already been investigated.

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The discoveries at Wintringham Park have only just been excavated and full results are not available to the Applicant. However, the remains were all found within the mitigation area identified by CCC, which was based on the results of the evaluation. Within the area defined for excavation at Wintringham Site 2, there was a linear track, pits and a possible roundhouse and enclosure that had been recognised by the evaluation. In the course of undertaking the mitigation work other pits, waterholes and twenty cremations were found within the defined area for excavation. Although the area was extended, no further burials were recorded, thus the limits appear to be known. These remains are rare. The nearest known examples are at Papworth Everard in Cambridgeshire and others have been identified further east near Milton and Melbourne. To the north examples of Bronze Age cremations are known from the A14 at sites including TEA 10 and 12, as well as TEA 15-16. To the west earlier Bronze Age pits with pottery and lithics were recorded at Black Cat Quarry. As previously stated there are mechanisms in place should remains be located outside of the mitigation area boundaries.</p> <p>It should be noted that the interpretation of this (summarised in Table 5.1 of the AMS [REP4-031]) as 'Wintringham Site 2 – trackway and Iron Age features' was based on the results of the evaluation undertaken by Oxford Archaeology as part of the Wintringham Park development. More extensive detail is provided in Appendix D of the AMS [REP4-031].</p> <p>The Applicant does not agree with the assertion that the following statement in the strategy is a non sequitur "Not all sites will be fully excavated, as the primary aim of the Strategy is to maximise knowledge gain". Indeed, all sites are never fully excavated, but sufficient work is undertaken to answer a series of defined questions to understand the character, date and significance of each site. This approach is increasingly taking place on other major infrastructure schemes, and is the approach being undertaken for HS2 Phase 1. It is about focussing resources on those sites that will add the most information to the archaeological record.</p>
REP4-057u	<p>Cultural Heritage Q.1.12.1.1 b) CCC/HDC/SCDC REP1-051</p> <p>The list of sites is given at 8.2.6 of the CCC/HDC/SCDC Joint Local Impact Report [REP2-003].</p>
Applicant's comment	<p>The Applicant notes this response. The response to individual sites is set out in the Applicant's Comments on Local Impact Reports [REP3-009].</p>
REP4-057v	<p>Cultural Heritage Q1.12.4.1 e) CCC/HDC/SCDC (REP1-051):</p> <p>The Applicant indicates "The mitigation of the Scheme is not designed to allow recording for recording's sake, but rather to excavate those sites with intrinsic or group value, which will add to the corpus of knowledge for the region." The councils do not advocate a recording for recording's sake strategy but one that ensures that archaeological sites that will be destroyed by construction are appropriately recorded in advance. This requires different intensities of investigation and survey of suitably buffered archaeological sites and does not seek to exclude areas of evidence considered interpreted by a 3% level of trench-based evaluation supported by</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	non-intrusive surveys (e.g., geophysics and air photo transcription). Decisions are made on site, after stripping, as to what the level of intensity should be – above or below those prescribed in the archaeology brief (now included as Appendix B in the AMS) and the updated AMS [REP3-010].
Applicant's comment	The Applicant believes the levels of recording proposed in the Archaeological Mitigation Strategy [REP4-031] are appropriate and proportionate. We do not disagree that different intensities are required, and work will be in line with the brief.
REP4-057w	<p>Cultural Heritage Q12.4.2 e) CCC/HDC/SCDC (REP1-051):</p> <p>The levels of investigation should conform to the Joint Authorities Archaeology Brief (JAAB) shown at Appendix B of the Updated Archaeological Mitigation Strategy [AMS REP3-010]. We remain in disagreement about 'Sampling' levels of investigation and the extent of some of the areas for excavation in Table 5.1 of the AMS.</p>
Applicant's comment	The Applicant notes the response. However, the work should be targeted towards answering defined research questions. Please note that the terminology has been changed from 'Sampling' to 'Targeted' in the updated Archaeological Mitigation Strategy submitted at Deadline 4 [REP4-031].
REP4-057x	<p>Noise and Vibration Q1.16.1 CCC/HDC/SCDC (REP1-051):</p> <p>The Councils disagree with the Applicant's comments - The core hours proposed by the Applicant are outside of those usually secured by HDC and SCDC.</p> <p>Both SCDC and HDC have agreed the following are reasonable times:</p> <ul style="list-style-type: none"> • 8am - 6pm, Monday to Friday; • 8am - 1pm, Saturday; and • No working on Sundays and Bank Holidays. <p>However, due to the size of the scheme, localised arrangements could be made subject to detailed design information becoming available and suitable mitigation being employed.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>It should be noted in addition to these core hours the Applicant has asked for start-up and shut down periods either side of these times, thus increasing the times residents could be subjected to construction associated activities including engine noise, vehicle movements, deliveries and on-site personnel.</p> <p>Also see the Councils' reply to Applicant's Comments on Written Representations REP1-048bv (Working Hours) in CLA.D4.WR.AC.C, submitted by the Councils at Deadline 4.</p> <p>This is still under discussion to resolve.</p>
Applicant's comment	<p>The Applicant can confirm that the core construction hours are as those set out in Paragraph 2.6.244 within Chapter 2, The Scheme [APP-071] of the Environmental Statement. These are as follows:</p> <p>07:00-18:00 Monday to Friday</p> <p>07:00-13:00 on Saturdays</p> <p>The start-up and shut down periods would be either side of these times. During these periods, the Principal Contractor will be undertaking activities that cause minimal noise such as:</p> <ul style="list-style-type: none"> • Arrival of delivery vehicles to site. • Arrival of vehicles to the works compounds. • Plant and machinery checks. • Arrival and departure of the works force at site. • Site briefings. • Site inspections. • Site preparation – without the use of plant. • Site clean up. • Refuelling. <p>The First Iteration Environmental Management Plan [APP-234] will set out these activities when it is updated at Deadline 6.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-057y	<p>Noise - Proposed mitigation, management and monitoring Q1.16.2 CCC/HDC/SCDC (REP1-051)</p> <p>The Applicant has not provided any detail about the potential to provide offsite barriers. This issue was about offering residents a noise barrier on the boundary of their land to protect their garden from the increase in road noise.</p> <p>Parkers Farmhouse would benefit from a noise barrier alongside Potton Road to protect the garden that lies to the south of the house. The same applies to Rectory Farm Cottage where a noise barrier could be constructed along the south-eastern boundary of the property, which is south-east of the house. The justification for no barriers at Greyholme and Tithe Farm are acceptable. 1 and 2 Wintringham Cottages would benefit from a noise barrier on their northern property boundary and along the western boundary of 1 Wintringham Cottage. The Applicant's justification for no noise barriers at 3 and 4 Wintringham Cottages is acceptable. Please note that the homeowners may refuse the offer of a noise barrier, in which case, that is the end of the matter.</p>
Applicant's comment	<p>The Applicant welcomes the acceptance by the Cambridgeshire Authorities of the Applicant's justification for not proposing noise barriers for Greyholme, Tithe Farm and 3 and 4 Wintringham Cottages.</p> <p>At all the proposed offsite barrier locations, considerable existing vegetation would have to be cleared to install the barriers. However, the Applicant has carried out a check on the effectiveness of 3m high offsite barriers at the locations described by the Authority. At 1 and 2 Wintringham Cottages, the offsite noise barriers are slightly less effective than the 3m high noise barriers previously modelled adjacent to the Scheme. At Parkers Farmhouse, the offsite noise barrier does not benefit the facades that are predicted to experience a significant adverse effect. At Rectory Farm Cottage, the offsite noise barrier does provide some noise reduction benefit to facades where a significant adverse effect is predicted, compared to the previously discounted 1m barriers on top of the noise bunding which forms part of the Scheme, however the significant adverse effect remains. The absolute traffic noise levels with the Scheme are relatively low, at or around the LOAEL. On this basis, an offsite noise barrier which would only benefit a single property is not considered to constitute sustainable noise mitigation.</p>
REP4-057z	<p>Noise - Monitoring Q1.16.2.5 CCC/HDC/SCDC (REP1-051)</p> <p>See reply to Applicant's Comments on Written Representations [CLA.D4.WR.AC.C], Noise Pages 120-134, Noise monitoring once Scheme is operational: REP1-048bv.</p>
Applicant's comment	<p>The Applicant confirms that no noise barriers are proposed for the Scheme and hence no short-term surveys to test effectiveness of noise barriers once the Scheme is operational are required.</p>

REP4-058 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

Comments on the Applicant's comments on Local Impact Reports

Reference Number	Interested Parties Submission/Applicant's Comments
<i>REP2-003 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council</i>	
REP4-058a	<p>Local Impacts REP2-003b</p> <p>National Highways (NH) repeat the argument that overall St Neots sees a reduction in traffic as a result of the proposed scheme and therefore, there is no need for them to undertake any further assessment. They also state that they plan to monitor and manage the SRN but do not intend to monitor the impacts of the scheme on the LRN as this would be the responsibility of the LHA.</p> <p>The Councils have asked for the assessment of the adjacent junction on Great North Road and Cambridge Road St Neots to ensure that they can accommodate the predicted increase in traffic as a result of the introduction of the scheme. Without this assurance that the LRN can accommodate the predicted increase in traffic it will not be possible for CCC as LHA to fulfil its duty to maintain the LRN. It is no answer to that point for the Applicant simply to say that the overall impact of the Scheme on the town of is beneficial.</p> <p>If the LRN in these specific locations cannot accommodate the level of traffic predicted as a result of the scheme, then it is very likely that traffic will not reroute away from less suitable routes and the predicted benefits to locations such as St Neots town centre will not be realised.</p> <p>The Applicant is under an obligation to mitigate the effects of the Scheme. It cannot do so if it does not monitor the impacts of the Scheme on the local road network.</p> <p>The applicant needs to monitor the impact of the proposed scheme on all the affected road regardless of who they are managed by and will need to introduce measures to mitigate unacceptable or unforeseen impacts as was agreed as part of the A14 legal agreement.</p>
Applicant's comment	<p>The Council's comments regarding Great North Road and Cambridge Road are noted. The Applicant has provided a detailed response to this point in Table 3-1 of the 'Scope of Junction Model Sensitivity test' [REP3-029]. The Applicant does not propose to undertake additional modelling at the junctions concerned, for the reasons already given in [REP-029].</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>
REP4-058b	<p>Toseland REP2-003c</p> <p>NH state that Monitoring and evaluation of the impacts of the scheme on the local road network is not considered part of the A428 scheme evaluation.</p> <p>The scheme is predicated on reducing the traffic on inappropriate roads on the LRN as well as making the SRN more efficient and therefore the Applicant will need to monitor the performance of the LRN to show that the predicted benefits are being achieved.</p>
Applicant's comment	<p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>
REP4-058c	<p>Yelling REP2-003d</p> <p>NH state that Monitoring and evaluation of the impacts of the scheme on the local road network is not considered part of the A428 scheme evaluation.</p> <p>The scheme is predicated on reducing the traffic on inappropriate roads on the LRN as well as making the SRN more efficient and therefore the Applicant will need to monitor the performance of the LRN to show that the predicted benefits are being achieved.</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>
REP4-058d	<p>Eltisley REP2-003e</p> <p>NH state that Monitoring and evaluation of the impacts of the scheme on the local road network is not considered part of the A428 scheme evaluation.</p> <p>The scheme is predicated on reducing the traffic on inappropriate roads on the LRN as well as making the SRN more efficient and therefore the Applicant will need to monitor the performance of the LRN to show that the predicted benefits are being achieved.</p>
Applicant's comment	<p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Operational Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>
REP4-058e	<p>Cambourne REP2-003f</p> <p>NH state that the issues with traffic on School Lane Cambourne will be addressed via a TN at Deadline 4. This is welcomed, the Councils would appreciate advance sight of this note to enable agreement of this issue at the earliest opportunity.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities. Details of the sensitivity test were submitted by the applicant at Deadline 4 - Sensitivity Test for School Lane Cambourne [REP4-041].</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-058f	<p>Dry Drayton REP2-003g</p> <p>NH state that the scheme adds around 7% of traffic on to the Avenue, Madingley. And that given that the increases as a result of the scheme are not felt to be significant the applicant does not intend to implement mitigation measures at these locations.</p> <p>The details of this are set out in [REP3-028], this document has been reviewed by the LHA and comments are provided separately on this, in the Councils' Deadline 4 submission CLA.D4.OS.A.C. This note [REP3-028] indicates that some of the issues in this area are likely to be due to errors in the model coding and therefore the impacts shown in the model may not occur.</p> <p>Due to the issues highlighted in [REP3-028] the Councils require monitoring of the impact of the scheme in Dry Drayton and Madingley.</p>
Applicant's comment	<p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Operational Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>
REP4-058g	<p>Madingley REP2-003h</p> <p>See the response to REP2-003g above</p>
Applicant's comment	<p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-058h	<p>Coton REP2-003i</p> <p>The Councils note that in this case where a review of the model has been carried out, it has been confirmed that the model's outputs on the local road network were not accurate. The Applicant states "It should be borne in mind that the model is a strategic traffic model and therefore cannot be expected to replicate flows on local routes particularly where route choice may be finely balanced." This lends weight to the points made by the Councils regarding the need for further modelling in relation to the local network, see for example paras 2.4 onwards in REP1-048 and REP2-003b.</p> <p>NH's response to this issue is to include extracts from the Technical Note (TN) 'Traffic Routeing Impacts at Coton' [REP1-028] that was submitted at Deadline 1. This note has been reviewed by the Councils and comments were provided at Deadline 3.</p> <p>The Applicant recognises the sensitivity of the route through Coton and will consider implementing a monitoring arrangement to determine whether the traffic flows through Coton increases due to the scheme. This commitment to monitor is welcomed.</p>
Applicant's comment	The Applicant notes the comment from the Cambridgeshire Authorities.
REP4-058i	<p>Local Junction Impacts REP2-003j and REP2-003k</p> <p>The comments on this section are covered by the review of REP3-029 contained in the Councils' Deadline 4 submission CLA.D4.OS.A.C.</p>
Applicant's comment	Please refer to REP4-061as to REP4-061bm of this document which sets out the Applicants comments on the Cambridgeshire Authorities points on local junction impacts.
REP4-058j	<p>Construction traffic REP2-003l</p> <p>The penalty applied to HGV traffic in the model to discourage use of in appropriate routes is confirmed to be 9,999 seconds. This is deemed to be appropriate and should mean that construction traffic (especially HGVs) is not using inappropriate routes through the model</p> <p>With regard to the modelling of re-routed "normal" traffic during construction of the proposed scheme, the modelling undertaken indicates that there will be widespread impacts across the county as a result of the modelling methodology used. Whilst it is acknowledged that this is potentially showing the worst-case scenario in the absence</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>of any other information the Councils require a monitoring regime to be put in place to try and minimise the impact of re-routing traffic on the LRN and communities that border these roads.</p> <p>The level of increase of traffic through the villages listed in the table remains a concern and highlights the need for a monitoring regime to be put in place.</p>
Applicant's comment	<p>Technical note 43 (Construction Modelling Assessment) issued to the Local Authorities and included with Appendix 9 of the TA report (Part 1) - PINS REF APP-241, clarifies the impact of the construction phase for journey times. Here it is shown (Figure 36) that the model forecasts modest increases in journey times on the existing A428 during construction. These vary between stages with the most severe increases being between 2.5 - 4 minutes during off peak periods and between 1.5 and 3.7 minutes during peak times. The Applicant does not anticipate that in practice these slight increases would entirely account for high levels of drivers opting to undertake a longer diverted journey through villages.</p> <p>The response to Q2.11.7.3 confirms that the Applicant will monitor and manage the performance of the strategic road network (SRN). If a relationship is established between network performance and self-diverting traffic the project team will work with the Local Highway Authority (LHA) and Police to determine where the implementation of temporary traffic management measures will provide a deterrent to traffic following alternative routes.</p>
REP4-058k	<p>Landscape and Visual Impact REP2-003n</p> <p>The Applicant states <i>"We welcome the Cambridgeshire authorities view that the extensive areas of mitigation planting will enhance the local and national landscape character. This supports our case that additional planting is not required."</i> The fact that adequate mitigation planting has been provided in places along the proposed route does not negate the fact that other areas would benefit considerably from additional planting. This is an outstanding area of disagreement for which the councils have previously stated their case.</p>
Applicant's comment	<p>The Cambridgeshire Authorities engaged actively during the development of the Scheme design and provided comments which were considered in finalising the Application. The Landscape and Visual Impact Assessment set out in Chapter 7, Landscape and Visual Effects [APP-076] of the Environmental Statement has taken account of this embedded mitigation. Although the assessment concludes that there will be significant adverse effects relating to four Local Landscape Character Areas, the Applicant does not consider that additional planting would further reduce the significance of these effects or that this is required or justified.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-058l	<p>Bare Ground REP2-003t</p> <p>Details of the locations of areas to be left as bare ground would be helpful to make this assessment as the applicant's response does not define what 'small areas' are.</p>
Applicant's comment	<p>Small areas of bare ground habitat, an important component of biodiversity, especially invertebrates, will be 10-15m² and located in those parts of the Scheme where they will not pose risks with respect to erosion and bank stability, and aesthetics and general appearance. The frequency of such patches would be of the order of four to five patches per 0.5km of adjacent habitat, (ten per 0.5km taking both sides of the Scheme into consideration).</p>
REP4-058m	<p>Missed Opportunities REP2-003x</p> <p>The response to our comments, particularly around species is disappointing. The applicant obviously has no intention of changing any plant lists in a collaborative approach to landscape design for the areas in question. We feel this is a very negative approach and will not result in a characteristic or climate resilient landscape.</p>
Applicant's comment	<p>The plant species lists presented in Annex L of the First Iteration Environmental Management Plan [APP-234] were developed in response to detailed feedback provided by the Councils received on 17 December 2020, shortly prior to compilation and submission of the Application.</p> <p>The comments provided by the Cambridgeshire Authorities in their <i>Joint Written Representations</i> [REP1-048bs] appear to repeat the same points and have been made with reference to an earlier version of the document, for example referencing plant species, paragraphs and tables which do not exist in [APP-234]. The Applicant can confirm that the Cambridgeshire Authorities comments have already been addressed in [APP-234], as submitted within the Application.</p> <p>Notwithstanding this, the Applicant will continue to engage with the Cambridgeshire Authorities in finalising the SoCG and will address any further changes agreed to species mixes in any updates made to Annex L of the First Iteration Environmental Management Plan [APP-234] at Deadline 6.</p>
REP4-058n	<p>Cultural Heritage – negative impacts REP2-003z</p> <p>8.2.5: Negative impacts during construction: There are two matters that remain in dispute here: "intentional loss of evidence" and aspects of "unenclosed settlement".</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>“Intentional loss of evidence” will occur if no, or disproportionate levels of excavation are enabled. This is what CCC disputed in relation to the original Archaeological Mitigation Strategy (AMS) and hopes to find changed in the updated version of the AMS [TR010044/EXAM/9.23] and the Written Representation [TR010044/EXAM/9.21].</p> <p>“Unenclosed settlement” denotes the form of settlement prior to enclosed form (with large embounding ditches) in the Middle-Late Iron Age. As we are looking to define the earliest date of the pioneer settlers on the clay plain west of Cambridge and knowing that there is indication of earlier prehistoric activity on some sites in the locality (notably at Wintringham Park’s compound area for the A428 scheme - Site 14 Field 59 where later Bronze Age cremation cemetery has been found in the last month, earlier forms of settlement pre-date the enclosed form in the early works A428 site at Site 7 Field 44 and Late Bronze Age occupation was found at Site 17 Field 70), and based on the 3% evaluation trench sample of the scheme area, we cannot realistically say that there are no unenclosed settlement forms present - so the Applicant’s assertion is not accepted. Iron Age features, not closely dated, lying north of the large Iron Age enclosure at the east end of Site 18 Field 74, and east of the Iron Age elements within the main settlement core of the same site, are candidates for this early form of unenclosed living. This is a published regional research question (East of England Regional Research Framework for the Historic Environment – e.g., “LBA-MIA 07: What can we infer about the relationship between open and enclosed settlements?” as well as being a key research objective of the updated AMS (see 4.3.1 and 4.4 especially but not solely 4.4.11.c) and requires testing in the new opportunity afforded by the A428 scheme traversing the clay plain.</p> <p>The updated AMS [TR010044/EXAM/9.23] indicates at 1.5.6 that the Local Authority Curators “will monitor the fieldwork to ensure that it is carried out to the required standard and specification as set out in this AMS and the SSWSIs, and ensure that it will achieve the desired aims and objectives.” It is important to note that we monitor schemes to be compliant with the levels of excavation set out in the local authority brief. We do not approve mitigation strategies or Site-Specific Written Schemes of Investigation that fall below our standards as we would consider excavation areas that do not conform to those prescribed by us, and which exclude known archaeological evidence, to subject archaeological remains to unrecorded loss, falling foul of NPSNN policies 5.139-140 and 5.142. Further to this, we continue to reject the statement made at 2.1.2 and 2.1.3.c [TR010044/EXAM/9.23] regarding the lack of excavation afforded to some archaeological remains/site areas and stress that our opinion was not sought on this matter, the Applicant preferring to consult an academic steering panel, many members of whom do not know Cambridgeshire’s and Bedfordshire’s archaeological resource in the detail required. This approach is discordant with usual professional engagement and unacceptably subjects aspects of the archaeological resource of the A428 to unrecorded loss.</p> <p>8.2.6: We disagree with the interpretation of undated features (e.g., at Site 11) and the rationale of closely defining the site excavation areas based datable material gained from the 1m wide excavation slots in 2m wide evaluation</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>trenches. We disagree with the exclusion of structural features (Site 19) on the grounds that it does not meet the research aims when these expressly deal with unenclosed aspects of sites and their hinterlands in the AMS [TR010044/EXAM/9.23, e.g., 4.4.8, 4.4.10]. Site 14 in Wintringham Park has now been excavated by Urban and Civic's archaeologists, finding an anomalous Bronze Age cremation cemetery within an Iron Age settlement simplistically described in AMS Table 5.1 as "trackway and Iron Age features". This site can be excised from the A428 scheme as it will not feature in its detailed analysis but be part of a separate development-led investigation programme.</p> <p>We welcome the use of other mechanisms that are in place to enable areas such as Site 23 to expand should further evidence be found but consider this to pose an unplanned risk upon the financial settlement for the archaeology programme. The Applicant's response denies any interpretation of why apparent isolated features occur in the prehistoric landscape.</p> <p>Site 24's constrained area of excavation along a string boundary ignores emerging understanding of how the hinterlands of these new types of sites behave – based on evidence discovered at TEA 5 on the A14 scheme.</p> <p>The Applicant appears overly confident in the interpretation of archaeological remains based on 3% evaluation sample of the scheme and stands to misinterpret 'blank areas that occur within archaeological sites, seeing these as areas where evidence ends, rather than where evidence and the use of space within ancient settlements is different. This is discordant with the rationale and the research aims that seek to address the gaps and weaknesses of our understanding and limits the strategy to dealing with obvious and features in core areas.</p> <p>8.2.7: This statement is welcome</p> <p>8.2.8: We will continue to resist any attempt to subject vulnerable, shallow archaeological remains to preservation in situ schemes that are likely to have the reverse effect.</p>
Applicant's comment	<p>8.2.5: As stated above, the average trench percentage is 3.44%, not 3%. The Applicant's response to the remainder of these points has been made previously in the Applicant's Comments on Local Impact Reports [REP3-009]. The strategy proposed to excavate specific sites is commensurate to the results of the evaluation, and offers public benefit. In terms of seeking a wider level of consultation with academics and organisations at a national scale, we consulted with contractors, curators and practitioners within the region to reach a measured, nuanced approach.</p> <p>With reference to the consultation issue, the draft Rationale and Strategy was presented to all three county archaeologists for comment in September 2020 once it was available. Where received in time, comments from county archaeologists were incorporated. This was not the case for CCC due to the date comments were received.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>8.2.6: The Applicant's position as stated in the Applicant's Comments on Local Impact Reports [REP3-009] has not changed. The excavation of Site 24, is similar in extent to TEA 5 on the A14 which was an Iron Age settlement aligned on a North-South enclosure. In a similar manner, at Site 24 the full extent of the boundary across the limits of the development will be revealed, and the structures, enclosure and possible boundaries (and fields) within the area defined in the Strategy will be examined. key features within this area will be excavated, as per the excavations at TEA 5 on the A14.</p> <p>The evaluation is the industry standard tool for understanding the archaeological potential of deposits. We have undertaken an average of 3.44% across the Scheme, not 3%. In this regard, where a strategy of no further work is included, this is justified from the evaluations. The results of all archaeological evidence has been taken into account to define the mitigation areas. This has not only taken into account those trenches nearest to the mitigation areas, but those across whole fields.</p> <p>8.2.7 and 8.2.8: The Applicant notes the response.</p>
REP4-058o	<p>Cultural Heritage – missed opportunities REP2-003aa</p> <p>8.2.10: The Applicant is reminded of the carbon cost of moving large collections of unwashed and unprocessed materials and should enable 'dirty' work to occur within the scheme footprint.</p> <p>8.2.11: The Applicant states that certain aspects of the strategy have been raised for the first time. We would remind them that the AMS would have benefitted from consultation with the local authority Curators before submitting the DCO application.</p> <p>8.2.12: For a scheme that is showcasing a significant Public Archaeology and Community Strategy with innovative approaches to this and other aspects of work, it is not an unreasonable statement for local authorities to make, seeing that we are tasked to support communities and their interests however we can.</p> <p>8.2.13: This is an acceptable comment in terms of 'normal practice', but we have all learnt the lessons of the A14 scheme the hard way and with regard to this aspect seek to improve communication with partners and stakeholders on all future infrastructure schemes.</p>
Applicant's comment	<p>8.2.10: The Applicant notes this comment.</p> <p>8.2.11: While the final version of the AMS was not shared with CCC or the other Local Authorities (primarily due to time constraints between completion of the evaluation and the submission of the DCO), elements of the strategy were shared, including the extent and broad strategy for each mitigation area. These were discussed at numerous</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>meetings with CCC and by e-mail. E-mail responses with CCC comments on the mitigation areas were received on 15 October 2020, 29 October 2020 and 4 November 2020, with meetings held on 29 October 2020, 17 December 2020, 11 February 2021 and 16 February 2021. At these meetings, individual mitigation areas were discussed, and comments were taken into account as the mitigation strategy developed.</p> <p>8.2.12: The Applicant's position is as stated in the Applicant's Comments on Local Impact Reports [REP3-009] has not changed. A programme of community outreach is currently underway in advance of the main works.</p> <p>8.2.13: The Applicant notes this comment.</p>
REP4-058p	<p>Ecology – negative impacts during construction REP2-003ac</p> <p>Our comments work set out in REP2-003 still stand until the Applicant has provided the findings of the 2021 species and habitat survey work. We welcome the Applicant's commitment to provide this evidence by Deadline 4.</p> <p>8.3.18 – 8.3.19: The Applicant has referred to Questions 1.3.3.1 of REP1-122, which identified an overall increase in hedgerow. However, the updated BNG Assessment using Defra 2.0 [REP3-012 & REP3-013] confirms the scheme will result in an overall 31% loss of hedgerow (biodiversity units).</p> <p>8.3.20 – 8.3.21: The Applicant has referred to Questions 1.3.3.1 of REP1-122 which discusses hedgerow, not address the original comments relating to other habitats. Our original comments still stand.</p> <p>8.3.22: It is accepted that the proposed Root Protection Area for the veteran tree is adequate.</p> <p>8.3.23: It is noted that the Applicant will provide further survey information for the Protected Road Verge by Deadline 4.</p> <p>A 2021 survey commissioned by Cambridgeshire County Council and undertaken by the Wildlife Trust has confirmed the southern end of the PRV (located adjacent to the proposed A428 works) contained populations of Betony, <i>Betonica officinalis</i> and Common Valerian <i>Valeriana officinalis</i>. Both species are in the 'Draft Rare Plant List of Cambridgeshire (vc29)'¹ as Endangered and Vulnerable, respectively, at a county level. And therefore, consider it important that the PRV is adequately protected during the A428 works. Currently, there is no provision within the first iteration EMP to protect the PRV during construction.</p> <p>8.3.26: We welcome the explanation of terrestrial survey work undertaken. Our concern still stands that the impact of the scheme on light-sensitive invertebrate species is still unknown. Artificial light can disrupt their behaviour and have an impact on the wider landscape and their predator species (e.g. bats).</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>If no further terrestrial survey work is to be undertaken, then the applicant must assume the worst-case scenario and that an impact is likely. The applicant must demonstrate how such impacts will be adequately mitigated through the lighting scheme design.</p>
<p>Applicant's comment</p>	<p>The Applicant has submitted the following 2021 ecological survey updates at Deadline 5:</p> <ul style="list-style-type: none"> • Barbastelle Bat Surveys and Mitigation Technical Note (Revision 2) [REP4-044]. • Updated Background Biodiversity Information 2021 Technical Note [TR010044/EXAM/9.57]. • Aquatic Habitats Surveys 2021 Technical Note [TR010044/EXAM/9.58]. • Barn Owl Survey Update Technical Note [TR010044/EXAM/9.59]. • Updated Bat Surveys 2021 Technical Note [TR010044/EXAM/9.60]. • Great Crested Newt Survey Update Technical Note [TR010044/EXAM/9.61]. • Reptile Survey Update Technical Note [TR010044/EXAM/9.62]. • Updated Terrestrial Habitat Surveys 2021 Technical Note [TR010044/EXAM/9.63]. <p>8.3.18 - 8.3.19: Please refer to the Applicants response to Q2.3.2.1 set out in the Applicant Response to the Examining Authority's Second Round of Written Questions [REP4-037].</p> <p>8.3.20: The Applicant refers the Cambridge Authorities to response to REP4-060bw, which gives an overview of how impact assessment for biodiversity has been completed.</p> <p>8.3.21: The Applicant refers the Cambridge Authorities to Paragraph 4.1.16 of Annex F – Water management plan of the First Iteration Environmental Management Plan [APP-234], which provides the requirements for the WFD Mitigation and Enhancement Strategy, states "To support the determination of appropriate interventions and where, it will be necessary to carry out further geomorphic and ecological surveys as well as consider other constraints (for example flood risk, utilities, landowner requirements). The purpose of these surveys is to determine the appropriateness of interventions which are site specific and how they will interact with the detailed design not inform the assessment, which has already been presented The Applicant refers the Cambridge Authorities to response to REP4-060bw, which gives an overview of how impact assessment for biodiversity has been completed.</p> <p>8.2.22: The Applicant notes this comment from the Cambridgeshire Authorities.</p>

Reference Number	Interested Parties Submission/Applicant's Comments																
	<p>8.3.23: The Terrestrial Habitats Survey Update Technical Note [TR010044/EXAM/9.63] contains further information regarding the Protected Road Verge S8 Elsworth (PRV S8) and has identified the part of PRV S8 within the Order Limits has been damaged and that the site was in unfavourable condition. As this is the part of PRV S8 which is under the Applicants control, no specific mitigation is proposed as the quality of PRV S8 has already been depleted. In relation to the part of PRV S8 outside of the Order Limits, no PRV S8 specific mitigation is proposed because the mitigation already identified in the First Iteration Environmental Management Plan [APP-234] will protect the verge from emissions to water and dust suppression techniques are proposed, which will be refined within the Second Iteration Environmental Management Plan to reduce the effects of dust in the areas surrounding the Scheme.</p> <p>8.3.26: The majority of the Scheme will not be lit (Table 1) and there will be no impact on light-sensitive insects and other invertebrates. Additionally, the Scheme will introduce very little lighting over and above that already provided for the existing A428 and associated roundabouts and other junctions (Table 1). The A1 Services Link road passes through improved/poor semi-improved grassland and approaches to junctions on the Roxton Road and Roxton Road Link (south) are arable, all poor quality/modified habitats with limited invertebrate species diversity.</p> <p>The production of a lighting strategy has been secured in requirement 17 of the draft DCO [REP4-006] and will include the measures which have been referenced in the Biodiversity [APP-077] of the Environmental Statement. The lighting strategy will include measures to reduce light spill and to ensure that the quality of light minimises any impact on biodiversity including bats and insects and other invertebrates. On this basis that, it is concluded that there will be no impact on invertebrates.</p> <p>Table 1. Summary of lighting provision for proposed Scheme in comparison to lighting provided for existing A428</p> <table border="1" data-bbox="483 1042 1771 1351"> <thead> <tr> <th data-bbox="483 1042 835 1126">Section of route</th> <th data-bbox="835 1042 1025 1126">Current lighting</th> <th data-bbox="1025 1042 1202 1126">Planned lighting</th> <th data-bbox="1202 1042 1771 1126">Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="483 1126 835 1193">A421</td> <td data-bbox="835 1126 1025 1193">No</td> <td data-bbox="1025 1126 1202 1193">No</td> <td data-bbox="1202 1126 1771 1193">The new dual carriageway will not be lit</td> </tr> <tr> <td data-bbox="483 1193 835 1289">Black Cat roundabout</td> <td data-bbox="835 1193 1025 1289">Yes</td> <td data-bbox="1025 1193 1202 1289">Yes</td> <td data-bbox="1202 1193 1771 1289">Planned lighting to include slip road roads and Bedford Road approach to circulatory</td> </tr> <tr> <td data-bbox="483 1289 835 1351">Roxton Road</td> <td data-bbox="835 1289 1025 1351">None</td> <td data-bbox="1025 1289 1202 1351">Yes</td> <td data-bbox="1202 1289 1771 1351">On approach to Roxton Road roundabout</td> </tr> </tbody> </table>	Section of route	Current lighting	Planned lighting	Comments	A421	No	No	The new dual carriageway will not be lit	Black Cat roundabout	Yes	Yes	Planned lighting to include slip road roads and Bedford Road approach to circulatory	Roxton Road	None	Yes	On approach to Roxton Road roundabout
Section of route	Current lighting	Planned lighting	Comments														
A421	No	No	The new dual carriageway will not be lit														
Black Cat roundabout	Yes	Yes	Planned lighting to include slip road roads and Bedford Road approach to circulatory														
Roxton Road	None	Yes	On approach to Roxton Road roundabout														

A428 Black Cat to Caxton Gibbet improvements
 Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments			
	Roxton Road Link (south)	None	Yes	On approach to Roxton Road roundabout
	A1	Yes	Yes	Entire length of the realignment to connect with the existing infrastructure
	A1 services Link	No (road not present)	Yes	Entire length of service road up to Black Cat junction circulatory
	New dual carriageway: Black Cat to B1428 roundabout	No (road not present)	No	New dual carriageway will not be lit
	Cambridge Road junction	Yes	Yes	Junction will be lit, including the slip road and B1428 approaches to the dumbbell roundabouts as well as the link between the existing Cambridge Road roundabout and the proposed Cambridge Road junction northern roundabout to be lit in its entirety to tie in with the existing infrastructure.
	New dual carriageway: Cambridge Road junction to Eltisley junction	No (road not present)	No	New dual carriageway will not be lit
	Toseland Bridge	No	No	Toseland Bridge will not be lit
	New dual carriageway: Eltisley Link to Caxton Gibbet roundabout	No	No	New dual carriageway will not be lit
Eltisley Link	Yes	Yes	The roundabout and the approaches will be lit	

Reference Number	Interested Parties Submission/Applicant's Comments			
	Caxton Gibbet roundabout	Yes	Yes	The roundabouts and approaches will be lit
REP4-058p(i)	<p>Ecology – missed opportunities REP2-003ad 8.3.31:</p> <p>The Councils seek confirmation that elm species will be included within the planting mix.</p> <p>8.3.33: It is noted that net gain is not presently a requirement for NSIPs, but the Councils also note that the Government recently amended the Environment Bill currently before Parliament to apply biodiversity net gain requirements to nationally significant infrastructure projects, by reference to the applicable national policy statement. The National Policy Statement for National Networks requires the Secretary of State to consider whether the applicant has maximised opportunities for biodiversity (5.33).</p> <p>It is important that local policies are also considered:</p> <ul style="list-style-type: none"> • South Cambridgeshire Local Plan Policy NH/4 and Huntingdonshire Local Plan Policy LP 30 seek biodiversity net gain/enhancement, wherever possible; and • Policy 20 (borrow pit restoration) of the Cambridgeshire & Peterborough Minerals and Waste Plan requires delivery of biodiversity net gain. <p>While the BNG Assessment using Defra 2.0 [REP3-012 & REP3-013] identifies a net gain in biodiversity for habitat areas (16%) and river (10%), the BNG metric highlights the scheme does not adequately compensate for the loss of hedgerow (31%) or loss of habitats high and medium distinctiveness, resulting in a net loss of biodiversity.</p> <p>Furthermore, it is unclear how the scheme meets the requirement of NPS for National Networks to address (paragraph 5.25) “<i>where significant harm cannot be avoided or mitigated, as a last resort, appropriate compensation measures should be sought</i>”; South Cambridgeshire Local Plan policy NH.4 “(2) <i>New development must aim to maintain, enhance, restore or add to biodiversity</i>”; and Huntingdonshire Local Plan policy LP 30 “A proposal will ensure no net loss in biodiversity”.</p> <p>8.3.37: The Councils disagree with the applicant's position. The Applicant should have designed a scheme that adequately protected and mitigated loss of priority habitat, including arable field margins, as part of their design. The Biodiversity Net Gain assessment shows the scheme will result in the loss of arable field margin habitat [REP3-013].</p>			

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Had the Councils been made aware of the presence of important arable field margins within site compounds prior to submission, we would have raised concerns at the supplementary consultation stage.</p> <p>8.3.43: Our previous comments still stand. We recognise that the scheme will deliver some biodiversity net gain benefits. However, the scheme does not adequately compensate for the loss of hedgerows or loss of habitats of high/medium distinctiveness, as highlighted in the Biodiversity Net Gain Metric 2.0 calculations [REP3-013].</p>
Applicant's comment	<p>In relation to the incorporation of Elm species into the planting mix, the Applicant refers the Councils to Annex L of the First Iteration Environmental Management Plan [APP-234], which sets out the species mixes which were shared with and adjusted in response to comments received from the Cambridgeshire Authorities in December 2020, prior to submission of the Application.</p> <p>The Applicant welcomes the Cambridgeshire Authorities acceptance that there is no requirement for the Scheme to deliver biodiversity net gain, but notes that their statement that the Scheme results in a net loss of biodiversity is incorrect. The Applicant refers the Councils to paragraph 2.1.7 of <i>Biodiversity Net Gain: Metric 2.0</i> [REP3-012] which explains that, in accordance with the metric guidance, individual losses and gains for the different unit types (i.e. habitats, river-based and hedgerow) are to be assessed and reported separately, and are therefore not aggregated or summed to arrive at an overall Scheme-wide score.</p> <p>The Applicant refers the Cambridgeshire Authorities to its response to Q.2.3.2.1 [REP4-037] which clarifies that the Scheme will deliver increases in woodland, grassland habitat and hedgerow length when compared to baseline values and explains why, in the case of hedgerows, a negative score (-31%) has been calculated for this unit type despite some 3.4km of new hedgerow being created.</p> <p>The Applicant contends that the requirements of paragraph 5.25 of the NPSNN have been met as Chapter 8 Biodiversity [APP-077] of the Environmental Statement has not concluded any significant adverse effects on, or significant harm to, habitats post-mitigation.</p> <p>The Applicant notes that arable margins are a habitat that is widely distributed throughout Cambridgeshire as compared to, for example, woodland and grassland; hence the design of the Scheme including habitat creation of these priority habitats. The surveys of arable margins for notable arable weeds undertaken in 2018 identified that the majority of arable margins within the area surveyed did not support any such species. Surveys undertaken in 2021, focusing on those margins with notable weed species, have identified that none of them occur within the Scheme's Order Limits. Further information regarding the 2021 arable margin surveys is presented in Terrestrial Habitats Survey Update Technical Note [TR010044/EXAM/9.63], submitted at Deadline 5. The Applicant concludes</p>

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	that the Scheme has been adequately designed to mitigate loss of priority habitat and to have gone to achieve significant habitat enhancement.
REP4-058q	<p>Noise and vibration REP2-003af</p> <p>In relation to the Applicant's response to 8.4.13, regarding the two main areas that will be affected by construction noise within the Huntingdonshire area during the night, namely the Potton Road junction and the Cambridge Road junction, the applicant indicated that, whilst the night-time noise levels would be above the SOAEL at these properties, the duration of such events would be short and not cause any significant adverse effects. The following noise sensitive properties were identified as not being subjected to a significant adverse effect during the night:</p> <p>R20 Parkers Farmhouse (including Bungalow at Parkers Farm), R21 – Rectory Farm Cottage, R23 A and B – 1-2 Rectory Farm Cottages, R25 – Greyholme, R27 – Wintringham Cottages and R28 – Wintringham Hall.</p> <p>Reference is made to paragraphs 11.9.8 to 11.9.11 of Chapter 11, Noise and Vibration [APP-080]. However, three or four of these dwellings have been predicted to experience a “major impact”, for example: R20 6dB above the SOAEL for one month. R23B 4dB above the SOAEL for two months (moderate impact – perhaps major?). R25 4dB above SOAEL for one month and 5dB and 9dB above the SOAEL for two months. R28 8dB above the SOAEL for one month. Furthermore, it is quite often the case that these dwellings have to undergo a “moderate impact” for an additional month. The four dwellings R20, R23B, R25 and R28 should be considered for mitigation works under the Noise Insulation Regulations.</p>
Applicant's comment	<p>The Applicant confirms that the predicted moderate construction noise impacts of the Scheme are defined as 'Above or equal to the SOAEL and below +5dB' and major construction noise impacts are defined as 'Above or equal to the SOAEL +5dB', as set out in Table 11-5 of Chapter 11, Noise and Vibration [APP-080]. The Applicant confirms that the Authority is correct that the properties listed are not predicted to experience significant adverse effects during the night due to the works resulting in either moderate or major impacts are anticipated to be of short duration and well below the duration criteria set out in paragraph 11.3.43 of Chapter 11, Noise and Vibration [APP-080].</p> <p>With regard to considering properties for noise insulation and temporary rehousing mitigation, the Applicant confirms that this will be considered for all properties in the vicinity of the works at detailed design stage. This is secured in the First Iteration Environmental Management Plan [APP-234].</p>
REP4-058r	Noise and vibration – operational impacts REP2-003ah

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	The Applicant's response to 8.4.15 is correct in that paragraph 11.9.76 of Chapter 11, Noise and Vibration [APP-080] states moderate and major decreases are predicted.
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-058s	<p>Climate – positive impacts REP2-003aI</p> <p>The Councils welcome National Highways commitment to including further detail on greenhouse gas mitigation measures in the next iteration of the EMP. We do, however, wish to reserve the right to provide further comment once we have seen that further detail.</p>
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-058t	<p>Climate – negative impacts REP2-003am</p> <p>The Applicant's response does not address the following statement from the LIR (para 8.6.4) "accompanied by proportionate investment in EV charging infrastructure and in active travel and public transport". The Councils consider this to be a missed opportunity. It also does not address the point made by the Committee on Climate Change regarding demonstrating the proposals would not lead to increases in overall emissions. While we recognise that the emissions from the project are small in the context of the sixth carbon budget, and that further opportunities to mitigate greenhouse gas emissions will be identified, there are still emissions associated with the project. We would welcome further information as to whether remaining emissions will be subject to carbon offset.</p>
Applicant's comment	<p>See response to REP4-057a above for the Applicants position on electric vehicle charging infrastructure.</p> <p>As detailed in the response proved at Deadline 4 (9.47 DL4 Applicants Response to ExA second WQ [REP4-037]), as described within a number of Plans, residual emissions remaining after mitigation measures will be subject to carbon offsetting. National Highways 2030/2040/2050 net zero highways plan states that residual emissions from maintenance and construction activities will be offset from 2039. Additionally, the DfT's Transport Decarbonisation Plan states that any residual emissions arising from 2050 onwards will need to be removed from the atmosphere using greenhouse gas removal processes or using other accepted offset methods if the UK is to meet its net zero target by 2050. Strategies and technologies are still being developed as to how the UK will remove and off set residual emissions so it is not possible to say with any certainty exactly how GHG emissions will be mitigated from 2050. Page 46 of the TDP notes however that "Where positive emissions remain in transport sectors these will need</p>

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	<p>to be offset by negative emissions elsewhere across the economy". It is further stated on page 127 of the TDP "Carbon offsetting enables individuals and organisations to compensate for any emissions they cannot avoid or reduce by ensuring an equivalent amount of emissions is reduced or removed elsewhere. These emissions savings are generated through the implementation of a wide variety of projects, which range from planting trees and installing solar panels, to technologies which can capture and store atmospheric carbon, such as Bio-Energy with Carbon Capture and Storage (BECCS) and Direct Air Carbon Capture and Storage (DACCS). To meet net zero across the economy, any residual greenhouse gas emissions in 2050 must be offset. This includes any remaining emissions from transport."</p> <p>As detailed in the response to REP3-041n provided at DL3 - 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>
REP4-058u	<p>Climate – missed opportunities REP2-003an</p> <p>The Councils welcome National Highways commitment to including further detail on greenhouse gas mitigation measures in the next iteration of the EMP. We do, however, wish to reserve the right to provide further comment once we have seen that further detail. With regards to the final comment "The Applicant does not intend to include ultra-rapid charge point infrastructure as part of the Scheme" the Councils consider this to be disappointing and no reason is given as to why ultra-rapid charging points will not be considered. This approach is contrary to the commitment to supporting the roll out of 6,000 ultra-rapid charge points on the strategic road network made in Decarbonising Transport.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities with regard the second iteration of the EMP.</p> <p>With regard the comment on electric vehicle charging infrastructure please see response to REP4-057a above for the Applicant's position.</p>
REP4-058v	Pedestrians, Cyclists and Equestrian travellers – negative impacts REP2-003ap

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	<p>8.7.6: The difference is accounted for in most of the paths affected crossing parish boundaries resulting in the difference of counties. It should be noted that addition to the routes listed in the applicant's response, bridleway 74/6 will also be impacted on a temporary basis.</p> <p>8.7.7: This is an inadequate response and unsatisfactory. There must be a commitment to make sure that NMU users are not disadvantaged for longer periods than road users. Breaking people's habits can result in them discontinuing travel on foot and bicycle when a route is reopened, detrimentally affecting mental and physical well-being. Therefore, closure must be minimised.</p> <p>8.7.8 - 8.7.9: Noted.</p> <p>8.7.10: The response given by the Applicant does not provide any reassurance that flooding issues on PROW created by the construction will be resolved adequately</p> <p>8.7.11: We object to the Applicant's assertion that the mitigation provided is proportionate and reasonable. The net additional length of PROW provided in Cambridgeshire (4.13 Km) is minimal and is primarily the result of a 2km-long diversion of FP 278/7, which is a negative impact on the users of that route. The requirement in the NPS (3.3) is to 'avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF.' The NPPF states that 'opportunities to promote walking, cycling and public transport use are identified and pursued;' (104 c) The NPS (3.17) also states that 'The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions' and that (5.205) 'Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users.' The Councils consider that the lack of a safe NMU route between St Neots and Cambourne, connecting settlements along this corridor, and lack of safe crossing provision of the current A428 are existing severance issues that should be addressed as part of the DCO. Given recent government policies and publications on active travel and carbon reduction NH should be implementing high quality NMU infrastructure that at least meets the requirements of LTN 1/20 rather than CD143 quoted which has not been updated to accord with recent guidance such as CD 195.</p> <p>8.7.12: We disagree with the statement on improvements being limited to the sections where NMU routes are severed or disrupted. The 'Connecting Our Customers 2020-21' Highways England publication also states that they will: "work with our partners and stakeholders to improve how our roads connect with other transport modes and</p>

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	<p>networks by providing more sustainable options for our customers.” The Councils expect to see National Highways committing to this in practice as well as in guidance.</p> <p>8.7.13: The answer is inadequate and does not address how the A428 scheme aligns with CCC policies [REP1-048 – 6.3].</p> <p>8.7.14: The answer is inadequate and does not address how the A428 scheme aligns with CCC policies [REP1-048 – 6.2.2b-d, and 6.3].</p> <p>8.7.15: The answer is inadequate and does not address how the A428 scheme aligns with CCC policies [REP1-048 – 6.2.2 b-d].</p> <p>8.7.16 a): We request that both the location and type of signalised crossings is provided, noting that our expectation is that the roadside NMUs will be open to pedestrians, cyclists and equestrians.</p> <p>b): We welcome the removal of the localised high point in the terrain which will make the passage for footpath users easier.</p> <p>c): The applicant has not responded to the comments made regarding the request to provide adequate screening for the diverted route.</p> <p>d): We request that both the location and type of signalised crossings is provided, noting that our expectation is that the roadside NMUs will be open to pedestrians, cyclists and equestrians.</p> <p>e): We request that both the location and type of signalised crossings is provided, noting that our expectation is that the roadside NMUs will be open to pedestrians, cyclists and equestrians.</p> <p>g): The answer is inadequate and does not address the concerns over the impacts of the A428 scheme on the current rural nature of the area [REP1-048 – 6.2.6 d (iii)].</p>
Applicant's comment	<p>8.7.6: Noted, but in terms of the number of routes available the Applicants response was correct, even though these routes may have different numbers allocated along parts of them depending on the parish. Bridleway 74/6 was included in the total count of eight affected rights of way, although not specifically mentioned.</p> <p>8.7.7: The Applicant can foresee no reason why rights of way should not be opened as soon as possible.</p> <p>8.7.10: No detail of the problems that are being alluded to in the LIR were given and therefore the Applicant was unable to provide any reassurance. The Applicant will of course be mindful of the impact of construction activities on flood risk and will seek to avoid issues arising on the PROW network. Annex F Outline Water Management Plan of</p>

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	<p>the First Iteration Environmental Management Plan [APP-234] aims for the management of activities within floodplains in the area of River Great Ouse, Stone Brook, Hen Brook, and South Brook (i.e. kept to a minimum) with temporary land take required for construction to be located out of the floodplain as far as reasonably practicable or allowances made for floodplain control measures and contingency actions.</p> <p>8.7.11: The Applicant has commented previously on the extent of NMU provision in REP1-048az of [REP3-008] and in the draft SoCG [REP4-018].</p> <p>8.7.12: Again, the Applicant has commented previously on the extent of NMU provision in REP1-048az of [REP3-008] and in the draft SoCG [REP4-018].</p> <p>8.7.13-8.7.15: The Applicant has commented on application of CCC policies in REP1-048az of [REP3-008].</p> <p>8.7.16a, d, e: The Applicant has confirmed in [REP3-008] and Applicant's Comments on Local Impact Reports [REP3-009] that signalled crossings will be provided. The details of the crossing have not been developed and will form part of the detailed design.</p> <p>8.7.16b: Noted.</p> <p>8.7.16c: There will be landscape planting along this section of the new dual carriageway and planting to provide screening can be considered. As no users were recorded on this footpath the scale of impact is anticipated to be minimal.</p>
REP4-058w	<p>Pedestrians, Cyclists and Equestrian travellers – missed opportunities REP2-003aq.</p> <p>8.1.17: The current A428 is currently unsuitable for equestrian users due to the high volume and speed of traffic. Once through traffic is diverted onto the proposed new A428, then the usage by equestrians (and cyclists and pedestrians) will increase and so the evidence of horse riders not using the current route is not a reasonable basis upon which to make assertions on future usage.</p> <p>8.7.18: The response does not address the point that it would be quicker and more cost effective to implement as part of the scheme. Since the area is within the DCO boundary the Applicant will have the ability to use the land required, whereas the County Council would have to go through an additional time-consuming and expensive approach to achieve the same result.</p>

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	<p>8.7.19: We reject the Applicant's response referring to RR-013bn in the Applicant's Response to Relevant Representations [REP1- 021]. It is a general statement and does not address the issue of the 600 metre Eltisley–Caxton Gibbet Junction link NMU gap.</p> <p>8.7.20: Whilst the bridleway would initially be isolated, it would future proof the aspirations to create an east-west bridleway link that will serve as a key access route from St Neots and the new Wintringham Park development to the countryside and villages to the east.</p> <p>8.7.24: We reject that that is out of the scope of the scheme. It is within the dDCO boundary and should be able to be accommodated. Furthermore, the footway should be upgraded to an NMU open to walkers, cyclists and pedestrians.</p> <p>8.7.25: Noted.</p> <p>8.7.26: We reject the applicant's response since it does not address the issue raised.</p> <p>8.7.27: The Streets, Rights of Way and Access sheet 14 (APP-013) with part 7 schedule 3 shows points 14/8- 14/9 as being footway which is before the filling station entrance not at the entrance as stated in the applicant's comment. This section should be a shared footway/cycleway so that it can be reached by residents from Cambourne who either work at or wish to use the facilities at the services.</p> <p>8.7.28: CCC asserts that the NMU link was not provided as part of the earlier Cambridge to Caxton Gibbet scheme, and by not including the Caxton Gibbet to Black Cat scheme the result will be a significant gap in the NMU provision connecting Cambridge to destinations west of Cambourne. The County Council does not agree with the suggestion that the proposed link between St Neots and Cambourne is too far to be a commuter route. Indeed, the absence of an off-carriageway provision alongside the A428 at the current time is an inhibitor to cycling in the St Neots-Cambourne corridor. Within Cambridgeshire, distances of around 10 miles do not represent uncommon commutes. The 2017 Cambridgeshire Travel Survey reported that 16% of commuter journeys into Cambridge from surrounding communities were made by bicycle, i.e. over longer distances than typical intra-urban journeys.</p> <p>Furthermore, the WCHAR [APP-241 Appendix 8.1] acknowledges at section 2.1.4 that commuter cycle journeys of over 5 miles are not uncommon. The Cambridgeshire Travel Survey, along with the County Council's cycle count data, also provide strong evidence that the provision of good off-carriageway facilities promotes commuter and leisure cycle trips over longer distances. For example, the Travel Survey demonstrates a strong trend of cycle movements into Cambridge via the Guided Busway Bridleway³, a long distance offroad route that links the city to surrounding communities. This is backed up by the high cycle count levels recorded along the Busway Bridleway at varied counter locations⁴. Indeed, further studies have reviewed the use of the Guided Busway and provide</p>

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	<p>empirical evidence to support the argument that providing high quality new infrastructure will increase the propensity of nearby residents to walk or cycle³. Alongside this, there is the clear benefit of enhancing the off-carriageway connectivity to the villages alongside the current A428. Most notably the villages of Eltisley and Croxton would benefit from active travel links to local facilities, particularly employment and education, at Cambourne, and also to the market town of St Neots and its train station.</p>
Applicant's comment	<p>8.7.17: (assumed reference as submitted reference noted as 8.1.17): As stated in Applicant's Comments on Local Impact Reports [REP3-009] it would be unreasonable to expect the Applicant to make provision for facilities where there is no identified need for them.</p> <p>8.7.18: As above, and irrespective of perceived cost effectiveness or efficiency it would be unreasonable to expect the Applicant to make provision for facilities where there is no identified need for them.</p> <p>8.7.19: This was an error in the reference, which should have referred to RR-013bn [REP1- 021].</p> <p>8.7.20: As stated in Applicant's Comments on Local Impact Reports [REP3-009] the Applicant cannot seek to acquire land to change the designation of a footpath to bridleway where to do so would not be as mitigation for the Scheme.</p> <p>8.7.24: As stated in Applicant's Comments on Local Impact Reports [REP3-009] provision of a footway or footpath extension north along the side of Toseland Road would require the acquisition of land. This would be beyond the Scheme Order Limits and would not be required as mitigation for the Scheme.</p> <p>8.7.26: This relates to NMU facilities at Eltisley north roundabout. The Applicant can confirm that in this instance NMU facilities linking the currently proposed NMU facilities to the B1040 will be provided.</p> <p>8.7.27: The Applicant notes the comment made by the Cambridgeshire Authorities and confirms that it will investigate the opportunity to upgrade the section of footway to a shared use footway/cycleway as requested.</p> <p>8.7.28: As stated in Applicant's Comments on Local Impact Reports [REP3-009] it would be unreasonable to expect the Applicant to make provision for facilities where there is no identified need for them</p>
REP4-058x	<p>Flooding and Water – negative impacts REP2-003as</p> <p>The Applicant's response to 8.8.5 is noted that there are no proposals for the inclusion of oil interceptors, which is supported by the LLFA. However, we note that there are still proposals for the use of vortex flow separators, which are still classed as proprietary treatment. The LLFA is still of the opinion that the treatment could be provided</p>

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	<p>through natural means, such as suitable planting within the basins. It is still not clear whether this has been considered. The use of suitable planting would also provide a betterment to the biodiversity from the scheme.</p> <p>8.8.6: It is accepted that the basins are designed to provide attenuation for the greenfield QBar and the LLFA does not have any concerns regarding this. It is however a concern if the flow controls are to be increased to 5 l/s as suggested within the Drainage Strategy Report. The report is setting out the principles of the scheme. While it is not a concern if the discharge rates are higher than greenfield equivalents where increases are necessary, these should still be as close to the greenfield runoff as possible. In some of the smaller catchments, increasing the runoff rate to 5 l/s could be a large increase compared to the greenfield equivalent.</p> <p>8.87: On pages 109-110 of document TR010044/EXAM/9.22, the applicant states that it notes "the authorities request for clarity regarding the adoption and ongoing maintenance body for the proposed surface water features. As these features will form part of the highway assets to be handed over, these elements will be addressed as part of the ongoing discussions on this point and any agreement reached will be set out within the legal agreement to be completed between the parties". CCC reiterates its position from Written Representation [REP1-048], paragraphs 3.4 to 3.33. Any features that are not essential to the maintenance and operation of new local highways should not by default be considered to be 'adoptable' by the LHA. Specifically, in relation to surface water drainage, any system that does not serve highway drainage should not be assumed to form part of an asset that CCC will maintain</p>
Applicant's comment	<p>8.8.5: The Applicant notes the LLFA preference not to use any propriety water treatment systems such as Vortex flow separators and preference of natural means of water treatment. The Applicant has assessed the water treatment requirements with vegetated pond options within Appendix 13.2 Assessment of Road Runoff and Spillage Risk to Watercourses (HEWRAT) [APP 218] and only proposed Vortex flow separators as a silt reduction system, where required.</p> <p>8.8.6: The Applicant agrees that Greenfield discharge rates should be applied as close as possible at outfalls and alternative minimum flow restrictions such as 75mm diameter flow controls, that restrict flows to less than the 5l/s, stated in the Drainage Strategy Report [APP-219], should be considered. The Applicant will consider reviewing the Drainage Strategy Report [APP-219] wording relating to the 5l/s recommendation in the coming deadlines.</p> <p>8.8.7: The Applicant notes and agrees with the local authority comments that only drainage systems serving highways drainage are to be adopted by the local highway authority.</p>
REP4-058y	Minerals and Waste – negative impacts REP2-003au

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	<p>The Applicant's response is noted. The Cambridgeshire and Peterborough Minerals and Waste Plan was in development for a number of years and had been subject to several public consultations prior to adoption. The consultation of Proposed Submission version of the plan commenced in November 2020, at which time a fair level of certainty and confidence could be attached to the broad direction of the content of Policies 7 and 19, particularly as their content strays little from their predecessors in the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011). The omission of consideration of emerging policy would appear to not be in accordance with paragraph 5.173 of the National Policy Statement for National Networks.</p> <p>Paragraph 5.173 of the National Policy Statement for National Networks sets out that where the project conflicts with a proposal in a development plan, the Secretary of State should take account of the stage which the development plan document has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented or precluded. The closer the development plan document is to being adopted by the local plan, the greater the weight which can be attached to the impact of the proposal on the plan.</p>
Applicant's comment	<p>The Applicant acknowledges that an error was introduced into the response to Local Impact Reports [REP3-009] (page 111) regarding the Minerals and Waste Local Plan, and apologises for the error. The Applicant was aware of this emerging document and had considered it within the Case for the Scheme [APP-240], Appendix C, the Local Policy Accordance Table, as well as in the Borrow Pits Excavation and Restoration Report (Document 9.24) at Deadline 3 [REP3-011].</p> <p>As stated in the response to [REP4-057d] above, the Applicant considers that Policy 19 is not relevant to the restoration of the borrow pits. Policy 7 was considered in the Case for the Scheme, Appendix C (page C-13) as well as within the Borrow Pit Excavation and Restoration Report [REP3-011].</p>
REP4-058z	<p>Economy – negative impacts REP2-003aw</p> <p>Please see the response given in REP2-003b – NH acknowledges the increase in traffic on Cambridge Road with the suggested AADT increase around 24% and peak hour increases of approximately 200PCUs. Our concerns remain about access to and from St Neots station supporting the return of commuter traffic and the flow of local and regional business traffic at St Neots East. The Applicant's response does not adequately address the original point made in 8.10.7.</p>
Applicant's comment	<p>Traffic between St Neots and locations in an easterly direction use a number of routes. Without the Scheme more traffic uses unsuitable routes through villages such as Toseland, Yelling, Abbotsley and Great Gransden. The</p>

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	<p>Scheme results in a transfer of this traffic from these less suitable roads but in order to access the Scheme, this traffic uses Cambridge Road. This also includes traffic from the new developments under construction or currently proposed that directly connect into Cambridge Road.</p> <p>With the Scheme, there will be an overall improvement in accessing St Neots railway station from other parts of St Neots and surrounding villages.</p>
<p><i>REP2-002 – 3.1 Applicant's comments on the local policy assessment undertaken by CCC/HDC/SCDC</i></p>	
<p>REP4-058aa</p>	<p>Borrow Pits – Policy Assessment</p> <p>Policy 7 Borrow Pits, Policy 19 Restoration and Aftercare</p> <p>This response cross references to the Councils' D4 submission CLA.D4.WQ1.AC.C, Comments on the Applicant's comments on other parties' response to WQ1, Q1.6.2.1 Borrow Pits. The content below is identical save for the omission of the last two paragraphs which are not relevant to this response.</p> <p>The following comments relate to 9.22 Applicant's Comments on Local Impact Reports [REP3-009], page 122 in relation to the Policy Assessment of Policies 7 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021):</p> <p>[Applicants Comment on Non-compliance with Policy 19 – “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's comments in respect of Policy 19 raise two concerns:</p> <ol style="list-style-type: none"> 1. While the Applicant may be correct in stating that the biodiversity requirements for the NPSNN apply on a scheme wide basis, the same is also true of paragraph 5.33 of the NPSNN which requires the Secretary of State to consider whether the applicant has maximised opportunities for building in beneficial biodiversity or geological features as part of the design. Given that no attempt has been made to undertake an assessment of the development against Policy 19 or an assessment of what opportunities, particularly in relation to biodiversity, may be present, it is not possible for the applicant to demonstrate they have maximised these opportunities. 2. The assertion that individual elements of a NSIP scheme should not be held to the same standard as other smaller developments, implies that the Applicant is content to promote a scheme in the knowledge that certain

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>parts of the development, if they were to be assessed against local policy, would not be acceptable. Where this is the case, it is important that a proposal is designed so that it is as close to being in accordance with policy as possible. In the context of point 1 above, this does not appear to have been achieved, and consequently it cannot be demonstrated that the most sustainable solution has been presented.</p> <p>The Council is of the view that through assessment of policy and options for restoration, biodiversity gains may be identified. These may be large in form for set-aside habitats, or small in the form of hedgerow planting or specific agricultural treatment of the restored land. The Council also wishes to highlight that paragraph 5.33 of the NPSNN states that the Secretary of State may use requirements or planning obligations where appropriate in order to ensure that such beneficial features are delivered.</p> <p>In the Applicants response to Written Representations [TR010044/EXAM/9.21 Entry REP1- 048ck, page 149], the applicant raises Policy 18 (Amenity Considerations) of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021). The lack of inclusion in the LIR was an oversight and the Council welcomes its highlighting by the Applicant. As the ExA will note, Policy 18 addresses a number of topics such as noise, dust, light, air quality, disturbance and other matters covered under the general heading of amenity.</p> <p>It states: <i>"Proposals must ensure that the development proposed can be integrated effectively with existing or planned (i.e. Development Plan allocations or consented schemes) neighbouring development. New development must not result in unacceptable adverse impacts on the amenity of existing occupiers of any land or property, including:</i></p> <ul style="list-style-type: none"> <i>(a) risk of harm to human health or safety;</i> <i>(b) privacy for the occupiers of any nearby property;</i> <i>(c) noise and/or vibration levels resulting in disturbance;</i> <i>(d) unacceptably overbearing;</i> <i>(e) loss of light to and/or overshadowing of any nearby property;</i> <i>(f) air quality from odour, fumes, dust, smoke or other sources;</i> <i>(g) light pollution from artificial light or glare;</i> <i>(h) increase in litter; and</i> <i>(i) increase in flies, vermin and birds.</i>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p><i>Where there is the potential for any of the above impacts to occur, an assessment appropriate to the nature of that potential impact should be carried out, and submitted as part of the proposal, in order to establish, where appropriate, the need for, and deliverability of, any mitigation."</i></p> <p>The Borrow Pits Excavation and Restoration Report [TR010044/EXAM/9.24] (BPERR) notes the proximity of occupied buildings, including residential buildings and a hotel, at the two sites near Caxton Gibbet, (see BPERR pages 36 and 45). The Council refers to the relevant specialisms to assess whether this policy has been met and directs the ExA and the Applicant to the relevant sections contained within the council's submission for acceptability of the development against Policy 18. Given the proximity to occupied buildings a robust management plan will almost certainly be required.</p>
Applicant's comment	This question repeats the text provided in [REP4-057d] above. For the Applicant's response please refer to that section.
REP4-058ab	<p>Noise and Vibration Policy CC/6 – Construction Methods</p> <p>The Applicants comments on pages 132/133 regarding the level of detail at the First Iteration EMP are agreed. However, significantly more detail is expected at the Second Iteration EMP and detailed design documents moving forward. Consequently, the required level of detail has not been provided to date.</p> <p>The Applicant's response on communication between construction and local residents on pages 142 and is noted.</p>
Applicant's comment	The Applicant notes the comments made by the Authority and confirms that further detail will be provided in the Second Iteration EMP in accordance with Requirement 3 of the dDCO [REP4-006].
REP4-058ac	<p>Cultural Heritage Policy NH/14</p> <p>We do not accept the unrecorded loss of heritage assets and selective schemes of archaeological investigation, as this does not maximise knowledge gain but subjects the current known evidence to interpretive bias before the excavations have begun and appears to be a cost saving exercise.</p>
Applicant's comment	The Applicant's position as stated in the Applicant's Comments on Local Impact Reports [REP3-009] has not changed. This is not a cost saving exercise.

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-058ad	<p>Street Lighting Page 142</p> <p>The Council reiterates their view that further detail is required on the Applicant's lighting proposals so that (i) the County Council can be sure that the lighting of road assets to be maintained by the County Council meet the relevant required standards. The Council does also still require the applicant to provide a lighting strategy to secure an acceptable lighting design for both the new assets and those on the sections to be de-trunked.</p>
Applicant's comment	<p>The Street Lighting for the Scheme will be designed in accordance with the DMRB. Where new sections of side road, that will become County Council assets, include street lighting, the products specified for this new lighting will be agreed with CCC.</p> <p>The Applicant would like to reiterate that it is the intention that the Legal Agreement between the parties will set out the specification for the local roads to be handed over to CCC as local highway authority which will include and cover the design of road lighting. The details of this agreement and the terms of any specification are the subject of ongoing negotiations with CCC.</p>

REP4-060 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

Comments on the Applicant's comments on Written Representations

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-060a	<p>Traffic Modelling REP1-048a</p> <p>The Councils recognise that the issues set out in this section have been discussed at the Local Technical Review Group (LTRG) meetings and that these meetings have been informed by the joint issues log. There have been a number of iterations of the Issues Log. The issues have not been addressed to the satisfaction of the Councils meaning that we are not in a position to confirm the impact of the proposed scheme on the local road network.</p>
Applicant's comment	<p>The Applicant notes this response and would seek clarification on which issues the Cambridgeshire Joint Authorities are referring to.</p>
REP4-060b	<p>Traffic Modelling REP1-048b</p> <p>The response from National Highways (NH) to this section includes reference to a sensitivity test undertaken at Girton Interchange to address the issues identified by the review of the model. This sensitivity test and the detailed results has not been shared with the Councils by NH.</p>
Applicant's comment	<p>A Technical Note was submitted by the applicant at Deadline 4 which details the results of the sensitivity test relating to the coding of the Gitron interchange [REP4-040].</p>
REP4-060c	<p>Traffic Modelling REP1-048c</p> <p>This section refers to the Issues of routing through Coton. This has been addressed by the Technical Note (TN) submitted to the examination [REP1-028] and the Councils have commented on this TN separately</p>
Applicant's comment	<p>The Applicant has provided a response to the Council's comments on the Technical Note. This forms part of the 'Applicant's comments on Deadline 3 submissions' submitted at Deadline 4 [REP4-036].</p>
REP4-060d	<p>Traffic Modelling REP1-048d</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The Councils raised the issues with the volume of traffic using the B1040 throughout the full extent of the Cordoned model supplied for review.</p> <p>NH refer to a select link analysis done on the B1040 and summarises the results seen. This information has not been supplied to the Councils for review.</p> <p>The Councils acknowledge that the proposed scheme has a beneficial impact on the volume of traffic running through the village of Eltisle.</p>
Applicant's comment	<p>The Applicant will provide CCC with details of the select link analysis for the B1040. The Applicant would be grateful if CCC could specify in what format this should be presented.</p>
REP4-060e	<p>Traffic Modelling REP1-048e</p> <p>The key issue here is that the Strategic Model does not adequately represent the observed traffic movements. The use of the alternative Route via the B1040 was also investigated and this showed that there was insufficient traffic making this movement to reflect that indicated by the observed data and therefore the Councils maintain the view that the model does not accurately reflect the movements in this area of the model.</p> <p>NH state that there is traffic making these movements in the with scheme scenario but the fact that there is no traffic making these movements at this junction means it is possible that the level of traffic wanting to make this movement with the scheme might be underrepresented.</p> <p>This makes the issue with the flows used in the operational junction models even more important in this area.</p>
Applicant's comment	<p>Point noted.</p>
REP4-060f	<p>Traffic Modelling REP1-048f</p> <p>This point deals with the impact of the scheme on Great North Road St Neots. NH repeat the point that overall the scheme has a betterment on St Neots.</p> <p>This argument is not sufficient because as set out elsewhere if there is congestion on these routes then the predicted rerouting from other routes in St Neots may not be realised which would reduce the benefit of the scheme on St Neots.</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Applicant has provided responses to these issues in the Applicant's Comments on Local Impact Reports [REP3-009] submitted at Deadline 3.</p> <p>To summarise, although there is an increase in congestion on some sections of these routes (close to the existing A428) the strategic highway models forecasts that these routes are more attractive (i.e. faster) than alternative routes in St Neots in the with Scheme scenario, thus realising the benefits of the Scheme. However, the key point to note is notwithstanding the predicted increases on Great North Road and Cambridge Road, the Scheme results in an overall net reduction on the local road network within St Neots. This is demonstrated in Table 6 of Appendix W of the Consultation Report [APP-069] (and reproduced in [REP3-009]) and shows that the overall inbound/outbound traffic at St Neots decreases by 5% in the 2040 with Scheme scenario compared to the without Scheme.</p>
REP4-060g	<p>Traffic Modelling REP1-048g</p> <p>This point deals with the Impact of the scheme on Cambridge Road St Neots. NH repeat the point that overall the scheme has a betterment on St Neots.</p> <p>This argument is not sufficient because as set out elsewhere if there is congestion on these routes then the predicted rerouting from other routes in St Neots may not be realised which would reduce the benefit of the scheme on St Neots</p>
Applicant's comment	<p>The Applicant has addressed these issues in the Applicant's Comments on Local Impact Reports [REP3-009] submitted at Deadline 3. Please also refer to the response to REP4—060f above.</p>
REP4-060h	<p>Traffic Modelling REP1-048h</p> <p>This point refers to the coding of Girton Interchange in the strategic model NH again refer to the sensitivity test that has been undertaken on this area of the model which has not been supplied to the Councils.</p>
Applicant's comment	<p>A Technical Note was submitted at Deadline 4, Strategic Model Test at Girton [REP4-040] which details the results of the sensitivity test relating to the coding of the Girton interchange.</p>
REP4-060i	<p>Traffic Modelling REP1-048i</p>

A428 Black Cat to Caxton Gibbet improvements
Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>This point refers to the routing issues through Coton. NH have submitted a TN [TR010044/EXAM/9.8] that indicates that the coding of this model in this area is incorrect. The Councils have reviewed this TN separately. NH have indicated they would be prepared to monitor traffic flows through Coton.</p>
Applicant's comment	<p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Operational Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>
REP4-060j	<p>Traffic Modelling REP1-048j</p> <p>This point refers to the routing of traffic through the cordoned model that uses the proposed new road and then the A1198 south of the A428.</p> <p>NH refer to a select link analysis that has been undertaken on this routing with the summary that these are trips going to Cambourne, Caxton and other local villages. The issue for the Councils is that we were not able to see the full range of origins for these trips due to the origin being outside the cordoned model. The Select link analysis has not been shared with the Councils. The provision of this information would allow the Councils to form a view on the nature of the rerouting and the impact on the local road network.</p>
Applicant's comment	<p>The Applicant notes the request and will provide the results of the select link analysis to the Councils. The Applicant requests that CCC provide details of the format in which this should be provided.</p>
REP4-060k	<p>Traffic Modelling REP1-048k</p> <p>This point deals with the increase in traffic through Dry Drayton as a result of the introduction of the scheme.</p> <p>NH repeat the argument that the traffic flows change in the area by 2040 anyway due to the opening of the A14 scheme and traffic to and from Northstowe. However, that analysis undertaken by the Councils indicates that the proposed scheme leads to additional traffic through Dry Drayton.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>NH refer to the TN [TR010044/EXAM/9.43], submitted at Deadline 3. However, as set out in the Councils' review of this document to be submitted at Deadline 4 [CLA.D4.OS.A.C], the assessment undertaken by NH does not address the issues highlighted by the Councils as the links assessed are not those highlighted by the Councils.</p> <p>The Councils require the impact of the scheme on Dry Drayton to be monitored as it is a direct impact of the scheme.</p>
Applicant's comment	<p>The Applicant notes that the roads assessed in 9.43 Assessment of Traffic Flows at Dry Drayton & Madingley [REP3-028] are simply a continuation of the two roads that CCC have listed, i.e. between the A428 and A1307/A14 and the daily changes at the locations are very similar. As REP3-028 has demonstrated, the majority of the increase in traffic on these routes is due to the A14 and development at Northstowe. The impacts from the Scheme are relatively small.</p> <p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Operational Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>
REP4-060I	<p>Traffic Modelling REP1-048I</p> <p>This point deals with the increase in traffic through Madingley as a result of the introduction of the scheme.</p> <p>NH repeat the argument that the traffic flows change in the area by 2040 anyway due to the opening of the A14 scheme and traffic to and from Northstowe. However, that analysis undertaken by the Councils indicates that the proposed scheme leads to additional traffic through Madingley.</p> <p>NH refer to the TN [TR010044/EXAM/9.43], submitted at Deadline 3. However, as set out in the Councils' review of this document to be submitted at Deadline 4 [CLA.D4.OS.A.C], the assessment undertaken by NH does not address the issues highlighted by the Councils as the links assessed are not those highlighted by the Councils.</p> <p>The Councils require the impact of the scheme on Madingley to be monitored as it is a direct impact of the scheme.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Applicant notes that the roads assessed in 9.43 Assessment of Traffic Flows at Dry Drayton & Madingley [REP3-028] are simply a continuation of the two roads that CCC have listed, i.e. between the A428 and A1307/A14 and the daily changes at the locations are very similar. As REP3-028 has demonstrated, the majority of the increase in traffic on these routes is due to the A14 and development at Northstowe. The impacts from the Scheme are relatively small.</p> <p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Operational Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction</p>
REP4-060m	<p>Traffic Modelling REP1-048m</p> <p>Local Junction models</p> <p>NH have agreed to undertake sensitivity tests at key junctions which will hopefully address this issue. The Councils would welcome discussion on the traffic flows to be used ahead of any additional modelling to minimise the risk of further disagreement on this matter as the traffic flows feed into several areas of the scheme including scheme design and therefore it is vital that we can agree the traffic flows to be used in the junction assessments as soon as possible.</p>
Applicant's comment	<p>The traffic flows used in the sensitivity tests have been prepared using the method recommended by the Councils – this is explained in Scope of Junction Model Sensitivity Test [REP3-029], submitted at Deadline 3. The Applicant will seek to organise a meeting to explain the approach adopted to undertake the sensitivity test and the resulting outputs.</p>
REP4-060n	<p>Traffic Modelling REP1-048n</p> <p>The modelling of the Cambourne Signalised junction</p> <p>NH have checked the parameters used in the junction assessment and confirm that they are correct. As discussed above the flows used in the junction assessments are not agreed as these have been taken directly from the</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Strategic Model. Once the flows have been agreed the performance of the junction can be reassessed. The level of over provision suggested by the work undertaken by NH to date would not be acceptable as this might encourage more traffic which would not be compliant with policies dealing with sustainability and carbon zero.</p>
Applicant's comment	<p>The Council's comments are noted. However, the Cambourne signalised junction is not a junction that is to be provided or upgraded as part of this Scheme. The results of the modelling relate to the impact of the Scheme on this junction and show that it will remain well within capacity once the Scheme opens to traffic.</p>
REP4-060o	<p>Traffic Modelling REP1-048o</p> <p>The modelling of Madingley Mulch</p> <p>NH refer to this junction being included in an extended M11J13 VISSIM model, this is welcomed but this revised model has not been shared with the Councils. NH have agreed to undertake sensitivity tests at key junctions which will hopefully address this issue.</p>
Applicant's comment	<p>M11 J13 is not in the list of sensitivity tests in document [REP3-029]) the Applicant has currently agreed to undertake The TN on M11 J13 extended model which includes the Madingly Mulch roundabout will be shared with CCC before D6 deadline.</p>
will be forwarded to REP4-060p	<p>Traffic Modelling REP1-048p</p> <p>Wyboston Junction</p> <p>Regarding points (ii) and (iii) the point on the peak hours is noted and agreed.</p> <p>Regarding point (iv) the geometries when checked by CCC did not match those on the ground. This can be checked as part of the sensitivity tests to be undertaken by NH.</p> <p>Regarding point (v) the Councils are concerned over the use of flows directly from the strategic model in the testing of the local junctions as the turning proportions don't accurately reflect the observed turning movements.</p> <p>The operation of this junction is key to both the operation of the local road network and the success of the proposed scheme as this is a key access point to both networks. The Councils need assurance that the junctions on Great North Road will be able to accommodate the additional traffic predicted by the Strategic model as this is vital to the operation of the local road network and the realisation of the benefits associated with the scheme because if Great</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>North Road cannot accommodate the predicted additional traffic then the level of rerouting away from the town centre will be reduced and therefore the scheme will not have a beneficial impact on St Neots.</p> <p>The Councils hope that these issues will be addressed by NH undertaking the agreed sensitivity test on the Wyboston junction and further assessments of the adjacent junctions on Great North Road.</p>
Applicant's comment	<p>Points (ii) and (iii) – Comments noted.</p> <p>Point (iv) – the Applicant has re-visited the geometries and made some small adjustments to those previously used, for the Sensitivity Test models. The results are set out in Junction Model Sensitivity Test Outputs [TR010044/EXAM/9.68], submitted at Deadline 5.</p> <p>Point (v) – this issue has been addressed in the Sensitivity testing of the Wyboston junction as reported in Junction Model Sensitivity Test Outputs [TR010044/EXAM/9.68], submitted at Deadline 5.</p>
REP4-060q	<p>Traffic Modelling REP1-048q</p> <p>The VISSIM model include a number of assumptions that have been derived by Transport for London to aid in the modelling of congested urban road networks. Some of these assumptions have the potential to underestimate the length of queue at these junctions and could lead to the level of performance being over estimated. NH have indicated that these assumptions will be amended in the sensitivity test that are to be undertaken. The Councils wait for the scope of these sensitivity tests to be agreed.</p>
Applicant's comment	<p>The Applicant has noted that only a few parameters in Vissim models are different from the software defaults, which are taken from TfL template. The Applicant has explained how these have limited impact on the model. Otherwise, the models are not developed based on any TfL assumptions. However, the Applicant has agreed to undertake sensitivity tests at the key Scheme junctions to demonstrate that changing the parameters will not change the conclusions of the analysis. The Applicant has already explained the approach adopted to undertake the sensitivity tests – this is set out in the Sensitivity test scoping note [REP3-029]. the approach is in line with CCC's comments. ([REP 3-024.]</p>
REP4-060r	<p>Traffic Modelling REP1-048r</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments
	The overlapping of vehicles is present in all the Vissim Models but is a particular concern for M11 J13. The Councils hope that this will be addressed in the sensitivity tests that NH propose to conduct. The Councils wait for the scope of these sensitivity tests to be agreed.
Applicant's comment	The Applicant has already responded in [REP3-008] to the concern of overlapping vehicles - the Vissim base models are representative of the delay and congestion in the network and validate to TAG standards. The Applicant does not intend to adjust the calibrated/validate base year network at M11 J13.
REP4-060s	<p>Traffic Modelling REP1-048s</p> <p>Number of runs used for some VISSIM models</p> <p>The Councils hope that this will be addressed in the sensitivity tests that NH propose to conduct. The Councils wait for the scope of these sensitivity tests to be agreed.</p>
Applicant's comment	The Applicant has agreed to undertake sensitivity tests at key locations, as set out in [REP3-029] which will have the outputs based on ten runs in Vissim as suggested by CCC.
REP4-060t	<p>Traffic Modelling REP1-048t</p> <p>Conclusions drawn from junction models The Councils hope that this will be addressed in the sensitivity tests that NH propose to conduct. The Councils wait for the scope of these sensitivity tests to be agreed.</p>
Applicant's comment	The Council's comments are noted. The Applicant has agreed to undertake sensitivity tests at key locations, as set out in [REP3-029]. The sensitivity test report proposes some conclusions to be drawn from the sensitivity testing.
REP4-060u	<p>Traffic Modelling REP1-048u</p> <p>Construction Impacts The modelling of the Construction traffic appears to be reasonable although the routes to be used by construction traffic still need to be agreed with the Councils.</p>
Applicant's comment	The OCTMP [REP4 012] includes details in Item 3.3 of the 'Restricted routes for construction vehicles', these routes have been amended in this latest revision of this document to address comments received from the Local Highway Authorities, Councils and other interested parties.

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-060v	<p>Traffic Modelling REP1-048v</p> <p>Diverted traffic during construction</p> <p>The modelling of rerouting traffic during construction is likely to be overestimated due in part to the high speeds assumed in the model on the existing A428 without the scheme meaning that more traffic reroutes in the model than might otherwise be expected and therefore the Councils request monitoring be undertaken in key locations (to be agreed) to enable the impact of construction on key roads to be assessed.</p>
Applicant's comment	<p>The strategic model does not generally overstate traffic speeds. This is demonstrated in the Combined Modelling and Appraisal Report – Appendix B - Local Model Validation Report (LMVR) [APP-252] which indicates good validation against observed travel times for the peak periods.</p> <p>Technical note 43 (Construction Modelling Assessment) issued to the Local Authorities and included with Appendix 9 of the TA report (Part 1) - PINS REF APP-241, clarifies the impact of the construction phase for journey times. Here it is shown (Figure 36) that the model forecasts modest increases in journey times on the existing A428 during construction. These vary between stages with the most severe increases being between 2.5 - 4 minutes during off peak periods and between 1.5 and 3.7 minutes during peak times. The Applicant does not anticipate that in practice these slight increases would entirely account for high levels of drivers opting to undertake a longer diverted journey</p> <p>The response to Q2.11.7.3 confirms that the Applicant will monitor and manage the performance of the strategic road network (SRN). If a relationship is established between network performance and self-diverting traffic the project team will work with the Local Highway Authority (LHA) and Police to determine where the implementation of temporary traffic management measures will provide a deterrent to traffic following alternative routes</p>
REP4-060w	<p>Traffic Modelling REP1-048w</p> <p>This point relates to rerouting traffic and not construction traffic. The point is that the traffic management should be designed in such a way as to accommodate the level of traffic that would be looking to use the A428. As the strategic model potentially overestimates the level of traffic that would reroute away from the A428, if a speed of 40mph through the road works could be secured on a regular basis.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>It should be noted that traffic currently using the A428 between the A1 and Caxton Gibbet often encounters delays due to the significant levels of congestions at peak periods.</p> <p>The updated Outline Construction Management Plan (OCTMP) submitted at Deadline 4 [REP4-012] details the extent of the traffic management where 40mph temporary speed limits will be implemented on the A428. The traffic management will be designed to allow the safe passage traffic through the works areas within the temporary speed limit and the route will be monitored to manage the performance of the route against the expected network performance.</p> <p>The traffic management will be implemented in a manner that minimises the need for traffic to divert to alternative routes, minimises the impact on the local community and minimises the disruption to local traffic.</p>
REP4-060x	<p>Traffic Modelling REP1-048x</p> <p>If the modelling of the rerouting traffic during construction were to be redone with some form of constraint on unsuitable routes this would aid the Councils in determining the focus of monitoring during construction but if this is not forthcoming then the Councils will seek to secure monitoring for all the key areas that are shown to be impacted by the different construction phases. The Councils will seek to agree this with the Applicant.</p>
Applicant's comment	<p>The Applicant considers that it would not be appropriate to place artificial constraints on "unsuitable" routes to attempt to influence the traffic model outcomes.</p> <p>Technical note 43 (Construction Modelling Assessment) issued to the Local Authorities and included with Appendix 9 of the TA report (Part 1) - PINS REF APP-241, clarifies the impact of the construction phase for journey times. Here it is shown (Figure 36) that the model forecasts modest increases in journey times on the existing A428 during construction. These vary between stages with the most severe increases being between 2.5 - 4 minutes during off peak periods and between 1.5 and 3.7 minutes during peak times. The Applicant does not anticipate that in practice these slight increases would entirely account for high levels of drivers opting to undertake a longer diverted journey</p> <p>The response to Q2.11.7.3 confirms that the Applicant will monitor and manage the performance of the strategic road network (SRN). If a relationship is established between network performance and self-diverting traffic the project team will work with the Local Highway Authority (LHA) and Police to determine where the implementation of temporary traffic management measures will provide a deterrent to traffic following alternative routes</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-060y	<p>Highway Assets REP1-048z</p> <p>3.4, 3.6 and 3.7</p> <p>It is not accepted that the Legal Agreement alone will be sufficient to govern the relationship between the parties regarding the handover of assets (be that via de-trunking or the hand-over of local roads). CCC requires that sufficient protections be inserted into the DCO such that the Applicant cannot set a de-trunking date or hand over assets without the requirements of the Legal Agreement being satisfied.</p> <p>The Applicant has not satisfactorily addressed item 3.10 of the Councils' Written Representation [REP1-048], regarding areas of the de-trunked A428 that are not required for highway purposes, stating that this should be addressed through a separate legal agreement. However, it should be noted that this matter could be resolved through the legal provisions of the DCO without requiring separate agreements or legal processes to be undertaken. The excess land could simply be stopped up through the DCO and the remaining areas that are still essential for the operation of the highway could be de-trunked. It is far more efficient to complete these changes through the DCO than to undertake separate legal processes afterwards.</p>
Applicant's comment	<p>The Applicant maintains its view that inserting a certification process into the dDCO, as proposed by CCC, is unnecessary and is better addressed between the parties in a legal agreement. There is no justifiable reason to have two measures that would secure the same outcome. CCC's assertion that the timing of the de-trunking or the agreement on the process for handing over the local highways can only be secured through the dDCO and not adequately secured through the legal agreement is not accepted. The Applicant would be bound by the terms of the legal agreement as to the process for de-trunking or handing over local highways as much as it is bound by the terms of the Order. Further to clarify, as currently drafted the dDCO allows for the de-trunking of all of the relevant elements of the existing A428 and what the legal agreement will do is set out what elements will be handed to the local highway authority to maintain. It is not proposed by the Applicant that the legal agreement will be the legal mechanism by which the de-trunking will occur, as that will be governed by the Order when made.</p>
REP4-060z	<p>Draft DCO – limits of deviation REP1-048aa</p> <p>The Councils welcome the further consideration being given by the Applicant to the matters raised in the Councils' Written Representation [REP1-048].</p> <p>The Councils reiterate their view that the limits of deviation applicable to the Works Plans are not appropriate for the public rights of way as, for example, a public right of way intended to provide connectivity on the west of the</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Scheme could be provided on the east within the limits of deviation. Ensuring that the public rights of way operate as a coherent network is a material concern to the Councils. The inclusion of a specific limit of deviation for each public right of way will allow the Councils to make an overall assessment of the coherency of the network.</p> <p>The Councils note the Applicant's comment that: "it is the Applicant's view that the existing limits of deviation as shown on the Works Plans [APP-090 and APP-010] could be applied to the PROW/NMU routes and that separate limits of deviation for each PROW/NMU route are not necessary". The Council submits that, since the limits of deviation shown on the Works Plans are significantly wider than those which would apply if each PROW/NMU route had its own limit of deviation as proposed by the Councils, it is for the Applicant to demonstrate why this additional flexibility is necessary. The Councils are not aware of this explanation being before the Examination. The Applicant's comment that "the proposed PROW/NMU routes for this Scheme are, in a majority of cases, being provided as part of a new carriageway (in the case of a footway/cycleway) or where it will connect to an existing PROW and as such the flexibility as to where the right of way can be located is limited by the need to connect to the existing way" again raises the question as to why wider limits of deviation are necessary.</p> <p>The Applicant has however failed to address the requirement raised in the Councils' Written Representation [REP1-048], items 3.20 and 3.21, that a legal solution needs to be put in place to ensure that new highways which are constructed on alignments different to those specified in the DCO can be given legal effect. This is of significance because if the new highways are not constructed in accordance with the locations specified in the DCO, other legal processes will be required in order to give them legal effect. CCC does not accept the Applicant's submission that this is unlikely to occur. It is notable that this has occurred many times in the construction of the A14 scheme - for example at Woolley Road, new bridleways that were specified within the DCO were not constructed on the correct alignment, resulting in separate legal processes being required to legally bring those bridleways into being - similar situations arose at various points across the scheme and it is clear that this must be avoided in future. The Councils require that further revisions to the DCO are made to avert this potential outcome. For example, it should be considered whether, in a situation where the LHA consents to the proposed relocation of a highway, this could serve to give effect to the revised location for the purposes of Schedule 3 of the DCO, thus enabling the new location to be given legal effect. CCC would comment that this issue is quite nuanced and would suggest that the matter is easier discussed to enable a clear demonstration of the problem and give a better opportunity of reaching a solution. The Applicant has proposed that as-built plans will be provided to the LHA to enable the accurate statutory recording of new PROW. This is positive, however until it has had the opportunity to review such plans, the Councils cannot indicate that this proposal is satisfactory for the purposes of updating the Definitive Map and Statement under the clauses of the Wildlife and Countryside Act 1981.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Applicant maintains its view that the limits of deviation applicable to the public rights of way should reflect, as far as possible those limits of deviation applied to the Scheme. As noted by CCC in its response above, this is due to the fact that many public rights of way are connected to the carriageway or will have some sort of interface with the carriageway and therefore cannot be restricted such that they may not be able to move with the elements they are connected to. The Applicant has no intention of constructing public rights of way that would not serve the purpose they have been designed for. In addition, as the public rights of way must be constructed to the reasonable satisfaction of the local highway authority the local highway authority can take comfort that unusable ways will not be constructed and proposed to be handed over to them.</p> <p>At Deadline 4 the Applicant provided an updated dDCO [REP4-006] together with updated Streets, Rights of Way and Access Plans [REP4-003] now showing the limits of deviation for the public rights of way. The amendments to the DCO (including a new paragraph (16) to Article 14) ensure that should the public rights of way be constructed taking advantage of the limits of deviation, sufficient information will be supplied to the local highway authority to update the Definite Map and Statement. Therefore, if any of the information contained in the Schedules to the dDCO also need be updated this can be done at the same time.</p>
REP4-060aa	<p>Highway maintenance liability – dDCO article 13(3) and 13(9) REP1-048ab</p> <p>In the Applicant's comments on Written Representations item REP1-048ab, the Applicant acknowledges that it is further considering the appropriate maintenance 'split' in situations where a private vehicular means of access and a public right of way share a surface, as referenced at article 13(3) and 13(9) of the dDCO. This is welcomed. In its Written Representation at items 3.25 and 3.26, CCC is clear that any public right of way that shares a surface with a private vehicular means of access should not be maintainable by the LHA. In particular, farm vehicles using one of these shared public/private routes will typically cause more substantial damage to the surface of the way than the lighter bridleway or foot traffic that may pass over it as users of the PROW.</p> <p>Further details are to be provided by the applicant at deadline 4. Therefore, CCC retains its objection at this time.</p>
Applicant's comment	<p>The drafting of Article 13(3) states that only the diverted or altered way would become the responsibility of the local highway authority and it does not go so far as to include any additional element of that track in the situation where there is a shared access track with a public right of way. The maintenance obligation of private access tracks will rest with the Applicant or the relevant landowner as the case may be.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>In relation to the maintenance of a bridge that shares a public right of way with a private access, the Applicant can confirm that the dDCO [REP4-006] will be updated at Deadline 6 to reflect the fact that maintenance will remain with National Highways.</p>
<p>REP4-060ab</p>	<p>Highway boundaries – dDCO schedules and plans REP1-048ac</p> <p>In applicant's comments on Written Representations item REP1-048ac, the Applicant states that "the exact boundaries for adoption [on new local roads] will be addressed within the legal agreement to be completed between the parties as these will be the subject of detailed discussions". The Applicant has also stated that "it is not the intention of the Applicant to ask CCC as LHA to adopt non-highway land". This is acknowledged by CCC, however at this time CCC cannot indicate its agreement with this answer.</p> <p>It is not accepted that the Legal Agreement alone will be sufficient to govern the relationship between the parties regarding the extent of new highway assets to be handed over to the LHA.</p> <p>In its Written Representation at para 3.28-3.29, CCC has requested the inclusion of proposed local road boundaries within the dDCO Streets, Rights of Way and Access plans, so to provide an indication to the LHA of the extent of asset it is expected to inherit. Addressing this request would go some way to informing the process of identifying exact boundaries, as the applicant seeks to do through legal agreement, and it would also help to set the expectations of the public over the extent of the new public highways upon completion of the scheme.</p> <p>CCC wishes to point out that the definition of the extent of the highway is not solely a maintenance issue. It is a legal matter that must be appropriately documented. Therefore, it would be appropriate to have some reference to this in the DCO. CCC's Highways Service has not been contacted with a view to commencing this process to date, despite requests in its Written Representation REP1-048 para 3.30.</p>
<p>Applicant's comment</p>	<p>The Applicant is not aware of any made Orders that include within it the exact extent of the highway boundary and the Applicant would welcome any examples of this that CCC could provide. In any event, it is the Applicant's view that determining the exact extent of the highway boundary now is too early as the extent of the highway boundary will be subject to detailed design and may be impacted by a range of factors including landscaping and verge widths. As the Applicant has previously said, this detail is better dealt with between the parties in a legal agreement, as would be the case in a usual highways agreement pursuant to section 38 of the Highways Act 1980. Upon completion and adoption by the local highway authority (as governed by the legal agreement) of the local highway the local highway authority can update its maps showing the extent of adopted highway and this will then be used by members of the public to determine the extent of the highway maintainable at the public expense.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The Applicant does not accept that discussions regarding the local highway standard (which would include the extent of the highway to be handed over) have not commenced. As set out in the Applicants submission at Deadline 4 Overview of handover process for de-trunked assets and local highways [REP4-039] meetings have been held between the parties to discuss the standards to be agreed for the local highways which will include the extent of highway.</p>
REP4-060ac	<p>Landscaping REP1-048ac</p> <p>It is welcomed that the Applicant has acknowledged in its comments on Written Representations REP1-048ac, that CCC wishes to be consulted on landscaping schemes and that it will consider the matter further. CCC agrees that it should only be consulted on landscaping issues that will be of relevance to CCC in its capacity as LHA.</p>
Applicant's comment	<p>The Applicant notes this response from the Cambridgeshire Authorities and has included this update in the dDCO submitted at Deadline 4 [REP4-006].</p>
REP4-060ad	<p>Stopping up of highway REP1-048ad</p> <p>The Applicant has addressed concerns raised by CCC in REP1-048, items 3.32 and 3.33, by pointing out at REP1-048ad that the DCO will deploy TROs to prohibit public access from the emergency slip roads provided at Toseland Road (excepting users of the adjacent diverted footpaths who will be served by provision of footways) and Potton Road B1046 (all public traffic).</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities.</p>
REP4-060ae	<p>Highway Design REP1-048ae to Rep1-048ao inclusive</p> <p>Not agreed. The Applicant has not justified its approach and still does not seem to understand that it does not decide matters of local road highway design, the Local Highway Authority does. There are also several misleading statements. The Council's position remains as stated in the Written Representation [REP1-048]. Specific further comments outlined below.</p>
Applicant's comment	<p>The comments made by the Council are noted and the Applicant has provided further responses to the matters raised by the Council below.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-060af	<p data-bbox="483 344 645 376">REP1-048ae</p> <p data-bbox="483 392 1904 616">4.1: The Applicant has clearly pointed out how its own organisational aims and objectives for the SRN align with those of the Vision Zero strategy and should also note it is a named partner in the Cambridgeshire and Peterborough Vision Zero Partnership. However, our concern arises around the apparent reluctance to commit to these same aims and objectives for affected roads not on the SRN. Our position remains that the Applicant should commit to comply with the Vision Zero aims and objectives which apply to ALL roads, not just the SRN and therefore the safety benefits associated with the scheme should be realised for all affected roads, not just those on the SRN.</p> <p data-bbox="483 632 1904 695">If the Applicant has specific issues regarding complying with the aims and objectives of the Vision Zero strategy, then these should be raised.</p> <p data-bbox="483 711 1904 743">If further justification is required, the Applicant's own report "Putting Safety First"¹ outlines the following (p.8):</p> <p data-bbox="483 759 1904 887"><i>"SAVING LIVES THROUGH 3-STAR ROADS Halving road deaths and injuries is a United Nations Sustainable Development Goal. UN member states have agreed that all new roads will be built to a 3-star or better standard, and that by 2030 more than 75% of travel is on the equivalent of 3-star or better roads. It is estimated that achieving these targets will save an estimated 467,000 lives globally every year."</i></p> <p data-bbox="483 903 1904 935">This statement applies to all new roads and is not exclusive to the SRN.</p> <p data-bbox="483 951 1904 1046">In addition, the "Putting Safety First" document also states as part of their Home Safe and Well approach: "We'll continue to work with others to push the boundaries and drive improvements, so we can make sure everyone who works on or uses our network gets home safe and well..."</p> <p data-bbox="483 1062 1904 1222"><i>"...To truly mature our company culture to a level where no one is killed or injured on our roads, we'll need to engrain health safety and wellbeing into everything we do. The high standards we expect should be the natural choice for everyone who works for us, not an additional effort. We've made excellent progress over the last four years, and it's because of this progress we're confident our Home Safe and Well approach is the right direction for the future of our company."</i> (page 26).</p> <p data-bbox="483 1238 1904 1345">It is very rare that these journeys will both start and finish on the SRN, and there is a clear statement from the Applicant to work with others to achieve this. Cambridgeshire is one of only a handful of Local Highway Authorities that have taken similar, bold steps to the Applicant in setting ambitious casualty reduction targets towards zero by</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>2040 and it is disappointing that the Applicant is prepared to argue against working together towards our mutual goals, rather than demonstrating the "high standards" quoted above.</p>
<p>Applicant's comment</p>	<p>The Applicant will continue to work towards working collaboratively with all interested parties including Local Authorities on mutual goals of reducing harm on the road network as a whole. However, the Applicant cannot commit to achieving zero harm on sections of the network we ultimately do not manage or beyond the remit of the scheme, in the same way that we would not ask Local Authorities to commit to zero harm on the SRN.</p> <p>The Scheme has been designed to high standards with proposals offering significant safety benefits for the road network as a whole. For example at Eltisley where an improved arrangement is proposed.</p>
<p>REP4-060ag</p>	<p>REP1-048ae</p> <p>4.4: The Council as the Local Highway Authority is in the best position to determine how best to remove unnecessary safety risks based on the nature of existing local roads, not the Applicant. The Council's position is now summarised very clearly in response to written question 2.11.2.1.</p> <p>The previous Road Safety Audits referred to were not specific to the local roads but general to the whole Scheme and the comments related to avoiding repeated changes in carriageway cross section.</p> <p>The Council is not suggesting that the majority of rural roads are unsafe.</p> <p>A14 post-construction amendments have been needed to address several design aspects that were not fully in accordance with DMRB standards. For example, at Grafham Road the new two-lane carriageway ties into an existing narrow single lane road, hence the provision of narrow road ahead warning signs simply addresses a matter that should have been dealt with at the detailed design stage, not post-construction. Also, at some over-bridge locations double white lines have been provided to prevent inappropriate overtaking due to insufficient stopping sight distance over the brow of the hill. The designer did not assess the DMRB vertical curvature crest 'K' value correctly. Again, this should have been dealt with at detailed design and it has nothing to do with the provision of a compliant, 7.3m wide, carriageway.</p>
<p>Applicant's comment</p>	<p>The Applicant has prepared a response to the Council's document CLA.D4.WQ2.AS1 [REP4-056] see Applicant's comments on Cambridgeshire County Council's response to WQ2.11.2.1 [TR010044/EXAM/9.67]. This document discusses the issues raised by the Council's comment REP4-060ag.</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-060ah	<p>REP1-048af</p> <p>4.6.5: The Council notes the Applicant's statement; however it is not a matter of whether there are any fundamental changes in the standards but rather agreeing which version of the standards will actually be used for consistency.</p>
Applicant's comment	Noted.
REP4-060ai	<p>REP1-048ag</p> <p>4.7.3: It remains the case that formal departures from standard for reduced cross sections on neither Toseland Road nor B1066/Potton Road have been approved by the local Highway Authority, as required by TD27/05. Therefore, the DfS should not have been incorporated into the scheme.</p>
Applicant's comment	The Applicant notes that the need for any Departures from Standards (DfS) cannot be confirmed until the Council and the Applicant agree which standards are or are not to be applied to the design of the local roads within the Council's jurisdiction.
REP4-060aj	<p>REP1-048ag</p> <p>4.7.5 d): Other local authority roads are subject to lower speeds, typically 30mph, whereas the Council's roads are typically 60mph, so DMRB is wholly appropriate for the latter.</p> <p>4.7.5 e): The Applicant has yet to agree the traffic model with the Council. The Council's statement is based on the information that was provided by the Applicant at the preliminary design stage, so finalised volumes are awaited. It would appear from the response that the Applicant is now offering to construct unkerbed roads at 6.6m width. Whilst an improvement it is still substandard.</p> <p>4.7.5 f): The Council disagrees that splashing of water onto the NMU will occur only in the event of extreme rainfall. The width of water flow against the kerb between gully outfalls will mean that water will be in the wheel path in 'normal' rainfall events if the road is narrow, as currently proposed. Climate change is resulting in more intense rainfall with increased frequency so the frequency of water splashing will increase accordingly.</p>
Applicant's comment	4.7.5 d): Other local authority roads will have a variety of speed limits applied, either 60mph, 40mph or 30mph. DMRB widths have not been applied to any of these roads. The Applicant has prepared a response to the Council's

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>document CLA.D4.WQ2.AS1 [REP4-056] see Applicant's comments on Cambridgeshire County Council's response to WQ2.11.2.1 [TR010044/EXAM/9.67]. This document discusses the issues raised by the Council's comment.</p> <p>4.7.5e): The Applicant has prepared a response to the Council's document CLA.D4.WQ2.AS1 [REP4-056] see Applicant's comments on Cambridgeshire County Council's response to WQ2.11.2.1 [TR010044/EXAM/9.67]. This document discusses the issues raised by the Council's comment.</p> <p>4.7.5f): Where NMU facilities are adjacent to a local road that has a reduced width e.g. Toseland Road, based on NMU counts the frequency of NMU use is likely to be very low. The likelihood of a user being on the NMU facility at the same time as a very extreme rainfall event occurring is therefore considered to be very low, so in the unlikely event that splashing of water were to occur it is extremely unlikely to cause a nuisance.</p>
REP4-060ak	<p>REP1-048ah</p> <p>4.8.2: It is not for the Council to justify why standards should be applied, it is the Applicant's responsibility to justify any variation from standards, which they have not done based on sound engineering reasons. Notwithstanding this, the Council's position is now summarised very clearly in response to written question 2.11.2.1</p> <p>4.8.6: DMRB is wholly appropriate for the design of new local roads. This decision rests with the relevant Local Highway Authority, not the Applicant. GG 101 Clause 1.1.1 states "<i>Where DMRB requirements are applied to other roads, the specific highway or local road authority acting as the Overseeing Organisation should decide on the extent to which the requirements are appropriate in any given situation.</i>"</p>
Applicant's comment	<p>4.8.2 and 4.8.6: The Applicant has prepared a response to the Council's document CLA.D4.WQ2.AS1 [REP4-056] see Applicant's comments on Cambridgeshire County Council's response to WQ2.11.2.1 [TR010044/EXAM/9.67]. This document discusses the issues raised by the Council's comment.</p>
REP4-060al	<p>REP1-048ai</p> <p>4.9.1 It remains the case that formal departures from standard for reduced cross sections on neither Toseland Road nor B1066/Potton Road have been approved by the local Highway Authority, as required by TD27/05. Therefore, the DfS should not have been incorporated into the scheme.</p> <p>4.9.2: The Council maintains its view that there will not be isolated sections of wider roads, driver speeds will not necessarily increase unacceptably nor will the temptation to overtake unsafely arise if the roads are designed to fully comply with Standards.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>4.9.1 The Applicant notes that the need for any Departures from Standards (DfS) cannot be confirmed until the Council and the Applicant agree which standards are or are not to be applied to the design of the local roads within the Council's jurisdiction.</p> <p>4.9.2 The Applicant has prepared a response to the Council's document CLA.D4.WQ2.AS1 [REP4-056] see Applicant's comments on Cambridgeshire County Council's response to WQ2.11.2.1 [TR010044/EXAM/9.67]. This document discusses the issues raised by the Council's comment.</p>
REP4-060am	<p>REP1-048aj</p> <p>4.10.1 and 4.10.2: The Council's position remains that the highway drainage design does not currently take account of the required principles.</p>
Applicant's comment	<p>Noted. The Applicant stated in Applicant's Comments on Written Representations [REP3-008] that the principles of drainage design had been noted and would be considered during detailed design.</p>
REP4-060an	<p>REP1-048ak</p> <p>4.11.2: The Council maintains its view that there will not be isolated sections of wider roads, driver speeds will not necessarily increase unacceptably nor will the temptation to overtake unsafely arise if the roads are designed to fully comply with Standards.</p> <p>4.11.4: Disagree that providing the standard road width i.e. an additional lane width of 0.65m "...will increase speeds". Also, even if speeds do increase it is not necessarily more dangerous. Collisions quoted are from earlier 5-year period and include a serious collision at a bend to be removed by scheme.</p> <p>4.11.6: The Council has not been provided with any junction specific RSA; the Applicant is requested to provide a copy.</p>
Applicant's comment	<p>4.11.2 and 4.11.4: The Applicant has prepared a response to the Council's document CLA.D4.WQ2.AS1 [REP4-056] see Applicant's comments on Cambridgeshire County Council's response to WQ2.11.2.1 [TR010044/EXAM/9.67]. This document discusses the issues raised by the Council's comment.</p> <p>4.11.6: The Stage 1 Road Safety Audit was a Scheme wide audit and is provided in [APP-241].</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-060ao	<p>REP1-048al</p> <p>4.12.2: The Council maintains its view that there will not be isolated sections of wider roads, driver speeds will not necessarily increase unacceptably nor will the temptation to overtake unsafely arise if the roads are designed to fully comply with Standards.</p> <p>4.12.7: The decision on applying DMRB standards rests with the relevant Local Highway Authority, not the Applicant. GG 101 Clause 1.1.1 states "Where DMRB requirements are applied to other roads, the specific highway or local road authority acting as the Overseeing Organisation should decide on the extent to which the requirements are appropriate in any given situation."</p> <p>4.12.8: Apposite term being "very localised widening". Council expects whole of new constructed length to be constructed to appropriate DMRB standard sufficient for safe 2- way working for large vehicles including NMU traffic.</p>
Applicant's comment	<p>4.12.2, 4.12.7, 4.12.8: The Applicant has prepared a response to the Council's document CLA.D4.WQ2.AS1 [REP4-056] see Applicant's comments on Cambridgeshire County Council's response to WQ2.11.2.1 [TR010044/EXAM/9.67]. This document discusses the issues raised by the Council's comments.</p>
REP4-060ap	<p>REP1-048ao</p> <p>4.15: The Council as the Local Highway Authority is in the best position to determine how best to assess operational safety on the local roads, not the Applicant.</p> <p>The decision on applying DMRB standards rests with the relevant Local Highway Authority, not the Applicant. GG 101 Clause 1.1.1 states "Where DMRB requirements are applied to other roads, the specific highway or local road authority acting as the Overseeing Organisation should decide on the extent to which the requirements are appropriate in any given situation."</p> <p>The Applicant's own preliminary 'Side Roads Departure from Standards' documents quote significant reduced construction costs as justification, in part, for the reduced carriageway width. For example, at Toseland Road Doc. Ref. HE551495-ACM-HAC-ZN4_SR_Z_ZZ-DFCH-4047 states on page 6 D Capital and Whole Life Cost/Value "Providing the proposed narrower road width is estimated to provide an overall cost saving for roadworks and bridgeworks of £1,783,000 compared to the compliant design during the delivery stages of the scheme."</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Furthermore, G Structural "For the proposed design, the cost of the overbridge is estimated to cost approximately £817,000 less than for a compliant design, owing to the reduction in the width of the bridge."</p>
Applicant's comment	<p>4.15 The Applicant has prepared a response to the Council's document CLA.D4.WQ2.AS1 [REP4-056] see Applicant's comments on Cambridgeshire County Council's response to WQ2.11.2.1 [TR010044/EXAM/9.67]. This document discusses the issues raised by the Council's comment.</p> <p>The provision of reduced widths for local roads was driven by road safety considerations, not cost.</p>
REP4-060aq	<p>REP 1-048ar</p> <p>This change to the construction route near the school is welcomed.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities.</p>
REP4-060ar	<p>REP 1-048as</p> <p>The council would welcome ongoing engagement on this matter as the level of traffic likely to reassign on to the local network is shown by the modelling to be significant and this remains a concern.</p>
Applicant's comment	<p>The Applicant has made a commitment via the updated Outline Construction Traffic Management Plan [REP4-012] to establish a traffic management forum, which will, amongst other things, review the results of traffic monitoring on the strategic road network and consider this against any LHA reports of significant increases in self-diverting traffic on the local road networks. If a relationship between the two is established then the traffic management forum will agree on a range of measures that could be deployed to further discourage self-diverting traffic.</p>
REP4-060as	<p>Highway Network Impact During Construction REP1-048au</p> <p>5.6: The Applicant has failed to address the substantive issue of damage to the local road network caused by construction traffic and diverted traffic. The Applicant merely states that it is committed to keeping existing users of the SRN on the SRN. Construction and diverted traffic will, of necessity use the local road network. In the case of heavier vehicles, this will cause damage to the local road network. This will constitute extraordinary traffic and the provisions of Section 59 of the Highways Act 1980 are relevant and should be included in the Legal Agreement. This is key learning point from the A14 scheme.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Applicant has made a commitment via the updated Outline Construction Traffic Management Plan [REP4-012] that local roads which are to be used as part of an official diversion route or for construction traffic will be inspected prior to and following their use and that damage that has occurred as a result of the Scheme will be repaired in consultation with the Local Highway Authority.</p> <p>The Applicant does not accept at this stage that Section 59 of the Highways Act 1980 would be applicable. As would be the usual case in any claim under Section 59, it would be for Cambridgeshire County Council to establish that the relevant tests contained within that section have been met at the time they seek to rely on it.</p>
REP4-060at	<p>REP 1- 048av/aw/ax</p> <p>This is an acceptable way forward.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities.</p>
REP4-060au	<p>REP1-048ay</p> <p>5.10: The above comments regarding extraordinary traffic apply</p>
Applicant's comment	<p>The Applicant has made a commitment via the updated Outline Construction Traffic Management Plan [REP4-012] that local roads which are to be used as part of an official diversion route or for construction traffic will be inspected prior to and following their use and that damage that has occurred as a result of the Scheme will be repaired in consultation with the Local Highway Authority.</p>
REP4-060av	<p>Non-Motorised Users (NMU) and Public Rights of Way REP1-048az</p> <p>6.1: The Applicant's statement that connectivity of the existing RoW is maintained is accepted. However, the existing network starts at a low base level and the sections of shared footway/cycleway proposed for Cambridgeshire are piecemeal and fragmented. They do not form coherent routes and as such do not serve to connect communities or promote increased active travel as required by local and government policies, as set out in the Council's Written Representations sections 6.2-6.3, reference TR010044. They may also encourage users to attempt a journey on foot or by cycle which ends suddenly leaving them with a choice of turning back or continuing in an unsafe environment. In addition, as previously stated, the proposal is for the bare minimum provision and does</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>not take the opportunity to improve and enhance NMU provision for wider society's health and wellbeing, including that of equestrians.</p> <p>6.2.1 - 6.2.17: To say that National Highways is not bound by the same policies is to say that one rule applies for them and another for local highway authorities. This is inconsistent, poor collaborative working that is not in the best public interest. The Design Manual for Roads and Bridges, including CD 143, applies to the design of walking, cycling and shared use facilities on and/or adjacent to the motorway and all-purpose trunk road network. All NMU provision along non-trunk roads should therefore accord with LTN 1/20 which states that "The guidance should be applied to all changes associated with highway improvements, new highway construction and new or improved cycle facilities, including those on other rights of way such as bridleways and routes within public open space."</p> <p>The requirement in the NPS (3.3) is to 'avoid and mitigate environmental and social impacts in line with the principles set out in the NPPF.' The NPPF states that 'opportunities to promote walking, cycling and public transport use are identified and pursued;' (104 c) The NPS (3.17) also states that 'The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions' and that (5.205) 'Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users.' CCC considers that the lack of a safe NMU route between St Neots and Cambourne, connecting settlements along this corridor, and lack of safe crossing provision of the current A428 are existing severance issues that should be addressed as part of the DCO. We request details of the type and location of signalled crossings of the slip roads and roundabout north of Caxton Gibbet roundabout.</p>
Applicant's comment	The comments made by the Council are noted. The Applicant would refer to its response to Q2.11.6.1 included in 9.47 Applicant Response to the Examining Authority's Second Round of Written Questions [REP4-037] .
REP4-060aw	REP1-048ba As above (6.1).
Applicant's comment	The Applicant would refer to its response to Q2.11.6.1 included in 9.47 Applicant Response to the Examining Authority's Second Round of Written Questions [REP4-037] .

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-060ax	<p>REP1-048bb</p> <p>6.4.1: See the CCC response under REP1-048aa.</p> <p>6.4.2: In the applicant's comments on Written Reps [REP1-048bb], it is stated that details of the handover process for new/amended PROW should be secured within a side legal agreement. CCC wishes to make the point that the handover of PROW should be subject to the same inspection and certification process as new roads, and this is better clarified under article 13 of the dDCO. CCC does not currently have any certainty from the applicant regarding what this handover process will be, and as the side legal agreement is still under discussion, CCC is not currently in a position to agree with the Applicant's response.</p> <p>6.4.3: Noted.</p> <p>6.4.4 - 6.4.7: Extinguishment of PROW – CCC has requested in its Written Representation that it is given a role in authorising that extinguishments of PROW are appropriate to proceed. The Applicant states that it feels discussion about such matters is more suitably carried out through the SoCG and asks why such additional controls are required. To expand, the LHA needs to know when PROW are to be extinguished because 1) there might effectively be an alternative provided (e.g. 4 PROW are to be 'merged' into two new routes over the A428), of which the LHA needs to be satisfied before the old routes can be safely extinguished (including that alternative routes provided by the scheme or using preexisting routes are appropriate and ready to act as a diversion and that there is no deviation from the route shown in the DCO plans), and b) in order for CCC in its role as the OrderMaking Authority (OMA) to undertake its statutory duty with regard to effecting changes on the Definitive Map & Statement through appropriate Legal Event Modification Orders under s53 WCA 81. If the OMA does not know the changes are coming it cannot put in place the appropriate follow-up legal work. As NH will be paying for that work, it is in its interest to know when those costs are likely to come back to them. CCC believes that simple amendments to the relevant dDCO clauses (article 18(2) and article 29(2)) should be incorporated now to ensure clarity for all parties and hopes this can be considered further. CCC has also requested additional measures related to noticing under dDCO article 29 which the Applicant would prefer to agree separately, but which it is felt could be easily and more effectively be incorporated into the DCO.</p> <p>6.4.8 - 6.4.10: PROW Widths and Standards – CCC has requested that the Applicant commits to provision of PROWs and NMU routes to minimum width standards by incorporating these widths into part 7 of schedule 3 of the dDCO. The Applicant feels that this should be deferred to the SoCG or side agreement, along with other matters raised by CCC that relate to the standard of construction of PROW. The SOCG and legal agreement are still under negotiation, but it remains the Councils' preference that PROW widths should be held within the DCO, to provide</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>clear governance going forward and align it with the statutory processes that the LHA must follow for all orders affecting PROW that it makes. It would save considerable uncertainty and engender a valuable improvement to the asset recording process. There is no reason why such an improvement should not be made. We reject this response. To change the layout and/or standard of the route to enable improvements after construction is more expensive and difficult once the trunk road is open than providing facilities for equestrians from the outset. It would be wasteful of the public purse. The NMU users would also undergo further disruption as changes to signage and crossings are carried out. It is also difficult to legally alter the status of a roadside shared pedestrian and cycle NMU route to include equestrians due to a technicality of the law. It is far more efficacious to designate NMU routes for all users at the time of construction.</p> <p>6.5.1: Not agreed, details of the NMU facilities and PRoW should be included in Schedule 1 to avoid any future ambiguity.</p> <p>6.5.2 - 6.5.3: Noted. CCC still awaits details of the technical working groups that it has repeatedly requested (see paragraph 3.30 of its Written Representations [REP1-048] at meetings going back to 2017).</p> <p>6.5.4: Noted. CCC still awaits details of the technical working groups that it has repeatedly requested (see paragraph 3.30 of its Written Representations [REP1-048] but has also requested at meetings going back to 2017).</p> <p>6.5.5: We request that details of the type and location of signalled crossings are provided.</p> <p>6.5.7 a): Once the road is de-trunked, the road will have particular policies that will apply to it, in particular LTN 1/20, so if this road is handed to the LHA with unsatisfactory cycle provision, there is almost an immediate obligation on the LHA to put measures in place to deal with that. Whilst LTN 1/20 is not mandatory it is the most appropriate and recent guidance for cycle provision including provision shared with other users. It feels appropriate that National Highways should lead by example in following Department for Transport policy.</p> <p>6.5.7 b): The design of the bridge needs to allow for any future enhancement of the cycle network and PRoW. There is no surety that the current design would allow for any future segregated provision.</p> <p>6.5.7 c) and d): Noted.</p> <p>6.5.7 e): Appendix C of document 9.26 Scheme Design Approach and Design Principles shows the Toseland Rd bridge as having a footway and cycleway within the verge. CCC does not accept that this should be a footway only. We expect an enhancement to the RoW provision, not the bare minimum. To accord with ROWIP SOA2, GP2 an NMU path should be provided with suitable transition from off to on-road north of the bridge for cyclists and a crossing facility to enable safe access to Abbotsley Road.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>6.5.7 f): Noted.</p> <p>6.5.7 g): We reject the Applicant's response referring to RR-013bn in the Applicant's Response to Relevant Representations [REP1-021]. It is a general statement and does not address the issue of the 600 metre Eltisle–Caxton Gibbet Junction link NMU gap.</p> <p>6.5.7 h), i) and j): We request that details of the type and location of signalled crossings is provided.</p> <p>6.5.7 k): The Streets, Rights of Way and Access sheet 14 [APP-013] with part 7 schedule 3 shows points 14/8 - 14/9 as being footway which is before the filling station entrance not at the entrance as stated in the Applicant's comment. This section should be a shared footway/cycleway.</p> <p>6.5.7 l): Users who wish to go between Cambourne West north towards Papworth would have to cross the A1198 twice. The Cambourne West development has a cycleway which links from the development to the A1198 south of the Caxton Gibbet Park which the Applicant's path should link to. A signalled crossing is needed for a safe NMU link between the services/shop and Caxton Gibbet park.</p> <p>6.5.7 m): Whilst initially an isolated section of bridleway would be created, nevertheless it would futureproof CCC's aspirations to provide an east-west bridleway which would then connect with the new bridleway being created as part of the Wintringham Park development. As stated at the ISH2, it is much simpler and more cost-effective to put in the relevant infrastructure at the point of construction to enable longer term improvements than to try and retrofit it. Wintringham Park is a major development and public authorities have a shared responsibility to plan for growth and the future needs of a large town such as St Neots. It would also connect and provide valuable active travel opportunities for the rural communities to the south of the A428 to access St Neots rather than having to use the car (or not to travel at all).</p> <p>6.5.8: The Applicant has provided funding for a route alongside the A1198 between Papworth and the Caxton Gibbet junction. 6.5.8 refers to the section beyond this along the old A428 from the Brockley Rd to Cambourne which has no provision for NMUs. Traffic volumes and speed along this section of road, which was detrunked when the new section of the A428 was built for the Cambourne development around 2006, are not suitable for NMUs to be on the carriageway.</p>
Applicant's comment	6.4.1: As CCC have not presented anything new here so no response is required.

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>6.4.2: The Applicant maintains its view that the legal agreement is the appropriate place to include the process for handover all local highway assets (including public rights of way). The Applicant will not repeat its view here but refers the Examining Authority to its responses to REP4-057p and REP4-060y above.</p> <p>6.4.3: No response required.</p> <p>6.4.4 - 6.4.7: The Applicant notes that Article 18 of the dDCO [REP4-006] contains conditions that must be met before an existing public right of way can be stopped up where a substitute is to be provided. The conditions require that the substitute street is completed to the reasonable satisfaction of the street authority and that it is open for use or that a temporary alternative route has been provided. It is the Applicant's view that this is sufficient control for the local highway authority (who would be the street authority for public rights of way in their area) to ensure that no stopping occurs before an alternative way has been provided.</p> <p>The Applicant has incorporated the amendments sought by CCC in Article 29 and this is reflected in the dDCO submitted at Deadline 4 [REP4-006].</p> <p>6.4.8 - 6.4.10: The Applicant maintains its position that including this detail in the Order is unnecessary and would not be possible at this stage as the detailed design is still being progressed. However, the amendments to the dDCO [REP4-006] (including a new paragraph (16) to Article 14) will ensure that the details needed by the local highway authority in relation to public rights of way, as constructed, are provided to assist the local highway authority in completing its obligation to update the Definitive Map and Statement. It is the Applicant's view that this should be sufficient and should provide the local highway authority with the certainty and detail required to do this.</p> <p>6.5.1: The Applicant maintains its position in relation to the description of the Works in Schedule 1 of the dDCO [REP4-006].</p> <p>6.5.2 - 6.5.3: Details of the Technical Working Groups and other technical engagement are given in the Consultation Report [APP-033].</p> <p>6.5.4: Details of the Technical Working Groups and other technical engagement are given in the Consultation Report [APP-033].</p> <p>6.5.5: Locations of signalised crossings were detailed in Applicant's Comments on Written Representations [REP3-008]. The details of the signals will be developed as part of the detailed design.</p> <p>6.5.7 a): LTN1/20 applies to new roads. As the de-trunked road is not a new road LTN1/20 will not apply and as acknowledged it is not in any case mandatory.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>6.5.7 b): The verges on the bridge as presented in the Works Plans (Part 1) [APP-019] should be sufficiently wide to accommodate a future NMU facility if such a facility was required.</p> <p>6.5.7 c) and d): No response is required here.</p> <p>6.5.7 e): The Applicant has commented previously on the NMU provision made, throughout the Scheme, in Applicant Response to the Examining Authority's Second Round of Written Questions [REP4-037] and Applicant's Comments on Written Representations [REP3-008] for example.</p> <p>6.5.7 f): No response is required here.</p> <p>6.5.7 g): This was commented on in Applicant Response to the Examining Authority's Second Round of Written Questions [REP4-037]</p> <p>6.5.7 h), i) and j): Locations of signalised crossings were detailed in Applicant's Comments on Written Representations [REP3-008]. The details of the signals will be developed as part of the detailed design.</p> <p>6.5.7 k): The Applicant notes the comment made by the Cambridgeshire Authorities and confirms that it will investigate the opportunity to upgrade the section of footway to a shared use footway/cycleway as requested.</p> <p>6.5.7 l): Locations of signalised crossings were detailed in Applicant's Comments on Written Representations [REP3-008]. The details of the signals will be developed as part of the detailed design.</p> <p>6.5.7 m): This was commented on in Applicant's Comments on Local Impact Reports [REP3-009]</p> <p>6.5.8: The link being referred to was to have been provided by CCC and funding for design activities was provided by the Applicant from Designated Funds. The design covered the route being promoted by CCC between Papworth Everard and Cambourne via Brockley Road.</p>
REP4-060ay	<p>REP1-048bd</p> <p>6.6.1: The width and height for the PROW is noted. As stated in CCC's response to the Applicant's D3 Submission 9.26 Scheme Design Approach and design principles – NMU on 2.18 Local policy and Guidance and at p57 S19, CCC requests that the design is of an oval rather than box shape in order to fit better into the landscape and be less intimidating to the substantial number of NMUs likely to be using the route to and from St Neots. The reason for requesting an upgrade to bridleway status is to futureproof CCC's aspirations to provide an east-west bridleway which would then connect with the new bridleway already being created as part of the Wintringham Park development, as noted at 6.5.7 m above.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>6.6.2: Noted.</p> <p>6.6.3: Noted.</p> <p>6.6.4: Noted, we are reassured that the gradients on the diversion of FP1/17 are minimal and have no further comment to make.</p> <p>6.6.5: Noted.</p> <p>6.6.6: With the cycle track & footway being provided from 14/7 to 14/8 it would be naïve to expect cyclists to dismount at that point. Provision should continue from 14/8 to 14/11.</p> <p>6.6.7: As part of the Cambourne West development a NMU route for pedestrians, cyclists and equestrians will be built along the eastern side of A1198 from the south as far as the farm access road to the south of McDonalds. In the ROW & access plans an NMU will be provided on the opposite side of the A1198 from 14/7 to 14/8 where there will be a crossing. CCC proposes that instead of the section 14/7 to 14/8, an NMU could be built from 14/6 south to the farm access road which would be shorter for the Applicant to construct, whilst providing onward connectivity with an NMU that will be constructed as part of the Cambourne West development.</p> <p>6.6.8: Noted.</p>
Applicant's comment	<p>6.6.1: The Applicant considers that in terms of designing for bats, it is better to keep with the box design (height and width) to maximise the cross-sectional area. If the cross-section is oval then it would need to be taller and wider than the current dimensions to maintain the cross-sectional area for bats. As stated in Applicant's Comments on Local Impact Reports [REP3-009] the Applicant cannot seek to acquire land to change the designation of a footpath to bridleway where to do so would not be as mitigation for the Scheme.</p> <p>6.6.6: The Applicant notes the comment made by the Cambridgeshire Authorities and confirms that it will investigate the opportunity to upgrade the section of footway to a shared use footway/cycleway between 14/8 to 14/9 as requested elsewhere to allow access to the services, but there would be little if any benefit in extending this to 14/11.</p> <p>6.6.7: The Applicant notes the response from the Cambridgeshire Authorities and will review the matter further.</p>
REP4-060az	<p>Ecology REP1-048be</p> <p>a): No further information has been provided as to the potential impact to terrestrial invertebrates that are sensitive to lighting. Without any detailed surveys to determine the level of impact of the scheme on the behaviour of light</p>

Reference Number	Interested Parties Submission/Applicant's Comments																				
	<p>sensitive species within the scheme and the wider landscape, it must be assumed that the lighting will have an adverse impact. The Councils seek further information about the measures to be implemented as part of the detailed lighting scheme to minimise impact on invertebrates.</p> <p>b): Further evidence from the 2021 survey work is required to provide evidence for this assessment.</p>																				
Applicant's comment	<p>a):</p> <p>The majority of the Scheme will not be lit (Table 1) and there will be no impact on light-sensitive insects and other invertebrates. Additionally, the Scheme will introduce very little lighting over and above that already provided for the existing A428 and associated roundabouts and other junctions (Table 1). The A1 Services Link road passes through improved/poor semi-improved grassland) and approaches to junctions on the Roxton Road and Roxton Road Link (south) are arable, all poor quality/modified habitats with limited invertebrate species diversity.</p> <p>The detailed lighting strategy will include measures to reduce light spill and to ensure that the quality of light minimises any impact on biodiversity including bats and insects and other invertebrates. On this basis that, it is concluded that there will be no impact on invertebrates.</p> <p>Table 1. Summary of lighting provision for proposed Scheme in comparison to lighting provided for existing A428</p> <table border="1" data-bbox="486 935 1711 1350"> <thead> <tr> <th data-bbox="486 935 835 1038">Section of route</th> <th data-bbox="835 935 965 1038">Current lighting</th> <th data-bbox="965 935 1111 1038">Planned lighting</th> <th data-bbox="1111 935 1711 1038">Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="486 1038 835 1110">A421</td> <td data-bbox="835 1038 965 1110">No</td> <td data-bbox="965 1038 1111 1110">No</td> <td data-bbox="1111 1038 1711 1110">The new dual carriageway will not be lit</td> </tr> <tr> <td data-bbox="486 1110 835 1214">Black Cat roundabout</td> <td data-bbox="835 1110 965 1214">Yes</td> <td data-bbox="965 1110 1111 1214">Yes</td> <td data-bbox="1111 1110 1711 1214">Planned lighting to include slip road roads and Bedford Road approach to circulatory</td> </tr> <tr> <td data-bbox="486 1214 835 1286">Roxton Road</td> <td data-bbox="835 1214 965 1286">None</td> <td data-bbox="965 1214 1111 1286">Yes</td> <td data-bbox="1111 1214 1711 1286">On approach to Roxton Road roundabout</td> </tr> <tr> <td data-bbox="486 1286 835 1350">Roxton Road Link (south)</td> <td data-bbox="835 1286 965 1350">None</td> <td data-bbox="965 1286 1111 1350">Yes</td> <td data-bbox="1111 1286 1711 1350">On approach to Roxton Road roundabout</td> </tr> </tbody> </table>	Section of route	Current lighting	Planned lighting	Comments	A421	No	No	The new dual carriageway will not be lit	Black Cat roundabout	Yes	Yes	Planned lighting to include slip road roads and Bedford Road approach to circulatory	Roxton Road	None	Yes	On approach to Roxton Road roundabout	Roxton Road Link (south)	None	Yes	On approach to Roxton Road roundabout
Section of route	Current lighting	Planned lighting	Comments																		
A421	No	No	The new dual carriageway will not be lit																		
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Roxton Road Link (south)	None	Yes	On approach to Roxton Road roundabout																		

A428 Black Cat to Caxton Gibbet improvements
 Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments		
	A1	Yes Yes	Entire length of the realignment to connect with the existing infrastructure
	A1 services Link	No (road not present) Yes	Entire length of service road up to Black Cat junction circulatory
	New A428: Black Cat to B1428 roundabout	No (road not present) No	New dual carriageway will not be lit
	Cambridge Road junction	Yes Yes	Junction will be lit, including the slip road and B1428 approaches to the dumbbell roundabouts as well as the link between the existing Cambridge Road roundabout and the proposed Cambridge Road junction northern roundabout to be lit in its entirety to tie in with the existing infrastructure.
	New A428: Cambridge Road junction to Eltisley junction	No (road not present) No	New dual carriageway will not be lit
	Toseland Bridge	No No	
	New A428: Eltisley Link to Caxton Gibbet roundabout	No No	New dual carriageway will not be lit

Reference Number	Interested Parties Submission/Applicant's Comments		
	Eltisley Link	Yes Yes	The roundabout and the approaches will be lit.
	Caxton Gibbet roundabout	Yes Yes	The roundabouts and approaches will be lit
	<p>b): The Applicant refers the Cambridgeshire Authorities to the following 2021 ecological survey reports submitted at Deadline 5:</p> <ul style="list-style-type: none"> • Barbastelle Bat Surveys and Mitigation Technical Note (Revision 2) [REP4-044]. • Updated Background Biodiversity Information 2021 Technical Note [TR010044/EXAM/9.57]. • Aquatic Habitats Surveys 2021 Technical Note [TR010044/EXAM/9.58]. • Barn Owl Survey Update Technical Note [TR010044/EXAM/9.59]. • Updated Bat Surveys 2021 Technical Note [TR010044/EXAM/9.60]. • Great Crested Newt Survey Update Technical Note [TR010044/EXAM/9.61]. • Reptile Survey Update Technical Note [TR010044/EXAM/9.62]. • Updated Terrestrial Habitat Surveys 2021 Technical Note [TR010044/EXAM/9.63]. 		
REP4-060ba	<p>REP1-048bf</p> <p>The Biodiversity Net Gain Metric 2.0 [REP3-013] confirms that while the scheme will deliver some biodiversity net gain, net loss in value to hedgerow and habitats of high / medium distinctiveness have not been adequately compensated.</p>		
Applicant's comment	<p>The Applicant refers the Cambridgeshire Authorities to its response to Q.2.3.2.1 Applicant Response to the Examining Authority's Second Round of Written Questions [REP4-037] which clarifies that the Scheme will deliver increases in woodland, grassland habitat and hedgerow length when compared to baseline values and explains</p>		

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>why, in the case of hedgerows, a negative score (-31%) has been calculated for this unit type despite some 3.4km of new hedgerow being created and delivered.</p>
<p>REP4-060bb</p>	<p>REP1-048bg</p> <p>b): We welcome the Applicants invite to discuss changes to species types and mixes as part of SoCG discussions.</p> <p>c): During the Drainage Pond meeting with the Applicant, it was confirmed that the loss of two ponds within Cambridgeshire will be compensated for enhancement within pond 83. To date, there is no information provided within the First Iteration EMP to include enhancement of existing ponds. The Applicant's statement is incorrect – the Defra Metric 2.0 will result in a net loss in hedgerow biodiversity value [REP3-013].</p> <p>f): The Applicant's statement is inaccurate. While some biodiversity net gain for habitat 'areas' (+16%) will be delivered, the scheme does not adequately compensate for the loss of habitat (area) of medium and high distinctiveness. The proposed landscape scheme results in trading down of distinctiveness and doesn't provided the required like-for-like habitats. Therefore, the scheme is not considered to meet the requirements of the Biodiversity Net Gain metric 2.0 calculator (due to a trading error). This net loss in biodiversity, as well as net loss in hedgerow biodiversity identified in the metric, further compensatory habitats of high & medium distinctiveness & hedgerow need to be provided either on-site or off-site to address this net loss.</p>
<p>Applicant's comment</p>	<p>b): The Applicant encouraged the Cambridgeshire Authorities in its response to [REP1-048bg] to provide advice on species mixes and plant community composition via the Statement of Common Ground; however, to date no such advice has been forthcoming. The Applicant remains open to discussing the outline plant and species mixes contained in Annex L of the First Iteration Environmental Management Plan [APP-234] further with the Cambridgeshire Authorities on receipt of their views within the Statement of Common Ground, such that these can be considered as part of the Applicant's planned update to the First Iteration Environmental Management Plan [APP-234], which will be submitted at Deadline 6.</p> <p>c): Pond 83 is part of the highway network and as such is managed by the Applicant to fulfil its function as highway drainage. Part of this activity includes the clearing of reeds to maintain the function of the pond. The Applicant refers the Cambridgeshire Authorities to its response to Q.2.3.2.1 Applicant Response to the Examining Authority's Second Round of Written Questions [REP4-037] which clarifies the position regarding hedgerow losses.</p> <p>f): The Applicant refers the Cambridgeshire Authorities to Section 2.7 of <i>Biodiversity Net Gain: Metric 2.0</i> [REP3-012] which details the limitations of undertaking the calculation based upon baseline information gathered at the time of assessment to undertake the National Highways (formerly Highways England) BNG Metric [APP-206]. As</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>the Applicant is not required under legislation or policy to achieve biodiversity net gain as part of Scheme delivery, there is accordingly no requirement for the Applicant to deliver compensation measures (under the auspices of biodiversity net gain) to address the unit losses reported in <i>Biodiversity Net Gain: Metric 2.0 [REP3-012]</i>, as asserted by the Cambridgeshire Authorities.</p>
<p>REP4-060bc</p>	<p>REP1-048bh The applicant must submit the 2021 survey results as evidence to support their statement.</p> <p>REP1-048bi Previous comments still stand until the Applicant provided the 2021 survey results as evidence to support their response.</p> <p>g): The Councils are not aware of survey work undertaken in 2019 by the Wildlife Trust (no reference is provided) and therefore, a copy of this survey report. Cambridgeshire County Council commissioned the Wildlife Trust to undertake a survey of PRV S8 in 2021 (CCC will share the final survey report with the Applicant – expected in Nov 2021). The survey confirmed the southern end of the PRV (located adjacent to the proposed A428 works) contained populations of Betony, <i>Betonica officinalis</i> and Common Valerian <i>Valeriana officinalis</i>. Both species are in the 'Draft Rare Plant List of Cambridgeshire (vc29)'2 as Endangered and Vulnerable. The Councils seek confirmation when the 'Biodiversity Management Plan' will be produced and seek consultation on the draft document prior to finalisation.</p> <p>The methodology set out for protection of veteran tree ref T311 is appropriate.</p>
<p>Applicant's comment</p>	<ul style="list-style-type: none"> ● The Applicant has submitted the following 2021 ecological survey updates at Deadline 5: ● Barbastelle Bat Surveys and Mitigation Technical Note (Revision 2) [REP4-044]. ● Updated Background Biodiversity Information 2021 Technical Note [TR010044/EXAM/9.57]. ● Aquatic Habitats Surveys 2021 Technical Note [TR010044/EXAM/9.58]. ● Barn Owl Survey Update Technical Note [TR010044/EXAM/9.59]. ● Updated Bat Surveys 2021 Technical Note [TR010044/EXAM/9.60]. ● Great Crested Newt Survey Update Technical Note [TR010044/EXAM/9.61]. ● Reptile Survey Update Technical Note [TR010044/EXAM/9.62]. ● Updated Terrestrial Habitat Surveys 2021 Technical Note [TR010044/EXAM/9.63].

Reference Number	Interested Parties Submission/Applicant's Comments
	<ul style="list-style-type: none"> g): Information regarding the PRV has been cited in REP4-058p, response to 8.3.23. The Applicant draws the attention of the Cambridgeshire Authorities to the First Iteration Environmental Management Plan [APP-234] which contains the Biodiversity Management Plan and Requirement 3 of the draft Development Consent Order [REP4-006] which requires that planning authorities are consulted with during the production of the Second Iteration Environmental Management Plan.
REP4-060bd	<p>Landscape REP1-048bk</p> <p>Applicant response does not consider any changes and monotonously references the First Iteration Environment Management Plan, which is the document we wish to see altered to respond more sympathetically to the character of the host landscape.</p>
Applicant's comment	<p>The Applicant wishes to clarify that its reference to the First Iteration Environment Management Plan [APP-234] for its response to [REP1-048bk] was, at the time of responding, the most appropriate document to cite to answer the Council's query on the Scheme's integration and the landscape design approach.</p> <p>Subsequent to this, the Applicant prepared and submitted its <i>Scheme Design Approach and Design Principles</i> [REP3-014] which provides increased detail on how the landscape design has developed to respond to local landscape character.</p> <p>The Applicant refers the Cambridgeshire Authorities to its response to [REP4-060bb] above and requests that any suggested modifications to the outline planting and species mixes presented within the First Iteration Environment Management Plan [APP-234] are provided through the Statement of Common Ground for consideration.</p>
REP4-060be	<p>Landscape REP1-048bn</p> <p>Proposals for site specific Arboricultural Method Statements to be submitted are noted. No further comments.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities.</p>
REP4-060bf	<p>Landscape REP1-048bo</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	Requested alterations to planting proposals have been rebutted by the Applicant. Original comments stand.
Applicant's comment	The Applicant notes the Cambridgeshire Authorities response and will discuss this further in finalising the SoCG and in reviewing the First Iteration Environmental Management Plan [APP-234] and Revision 2 of the Environmental Masterplan [REP4-047], to be submitted at Deadline 6.
REP4-060bg	<p>Noise REP1-048bv</p> <p>Working hours: Disagree – Our comment 9.1 is still applicable: “The impacts of noise from construction works can be intrusive and affect people’s health and wellbeing if experienced over an extended period. Limiting construction hours can give affected residents a certain amount of respite.”</p> <p>The working hours agreed by SDCD and HDC are as follows and we believe are reasonable:</p> <ul style="list-style-type: none"> • 8am - 6pm, Monday to Friday • 8am - 1pm, Saturday • No working on Sundays and Bank Holidays. (It should be noted that it is expected that additional start-up and shut-down periods are to be requested either side of the core hours). This topic is still under discussion to resolve. <p>Commitment to continuous noise monitoring (during construction): The Applicant confirms that noise monitoring would be based on the outcome of the updated construction noise assessment which would be undertaken at the detailed design stage, which is to include a Noise and Vibration Management Plan bound by Requirement 3 of the DCO. This appears to be acceptable. However, there is no mention about monitoring following justified complaints. It is assumed that this would also be at the detailed design stage.</p> <p>Noise limits at receptors during construction: The Applicant prefers this to be agreed within the Noise and Vibration Management Plan in line with BS5228 Part 1 as set out in para 1.4.4 of Annex B of 1st Iteration EMP. This appears to be acceptable.</p> <p>However, during the ISH2 on 23rd September 2021 (Agenda Item 9.2), NH stated that temporary screens would not be used due to noise predictions indicating they would not be necessary. In order to provide “Best Practical Means” mitigation due to noisy construction works (especially at night when background noise levels are lower) temporary barriers will probably be essential.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Noise monitoring once Scheme is operational: An assessment of operational noise will be carried out for the purposes of the Noise Insulation Regulations, so this is an ideal opportunity to also verify the road noise modelling at rural dwellings that are less affected by other ambient sounds.</p> <p>Notwithstanding the above, the Applicant's response is centred upon long term monitoring and comparisons with predicted noise levels. The assessment they propose relies upon continued use of calculations, rather than any "real world" measurements. Due to the inherent inaccuracies/errors that can occur by modelling and its application scheme wide, it does not take into account localised noise mitigation that would have been provided. A noise monitoring scheme detailing the short-term monitoring at specific locations to test the effectiveness of the installed barriers should be submitted and agreed with the LAs.</p> <p>Provision of information to officers during construction phase: Agreed.</p> <p>Local construction management plans: Agreed. However please note: The Applicant's response states "The proposed approach to management plans during construction is on a topic by topic basis rather than by location." It is a small point, but the location is key to what mitigation is required for each topic considered.</p> <p>Commitment to providing off-site Noise barriers: The Applicant has not provided any detail about the potential to provide off-site barriers. This issue was about offering residents a noise barrier on the boundary of their land to protect their garden from the increase in road noise.</p> <p>Parkers Farmhouse would benefit from a noise barrier alongside Potton Road to protect the garden that lies to the south of the house. The same applies to Rectory Farm Cottage where a noise barrier could be constructed along the south-eastern boundary of the property, which is south-east of the house. The justification for no barriers at Greyholme and Tithe Farm are acceptable. 1 and 2 Wintringham Cottages would benefit from a noise barrier on their northern property boundary and along the western boundary of 1 Wintringham Cottage. The Applicant's justification for no noise barriers at 3 and 4 Wintringham Cottages is acceptable. Please note that the homeowners may refuse the offer of a noise barrier, in which case, that is the end of the matter.</p> <p>Noise Insulation and Temporary Rehousing policy: Acceptable.</p> <p>Section 61 administration: Acceptable.</p>
Applicant's comment	<p><i>Working hours:</i></p> <p>The Applicant refers to response provided to REP4-057x above.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p><i>Commitment to continuous noise monitoring (during construction):</i></p> <p>The Applicant notes the comments made by the Cambridgeshire Authorities. The Applicant confirms that the complaints procedure to be adopted during the works will be developed during the detailed design process and, as noted in its response to REP1-048bv Applicant's Comments on Written Representations [REP3-008], set out in the Noise and Vibration Management Plan. It is agreed that the choice of construction noise monitoring positions would consider locations where complaints have been received.</p> <p><i>Noise limits at receptors during construction:</i></p> <p>The Applicant notes the comment made by the Cambridgeshire Authorities. With regard to temporary screens, the Applicant refers to the transcript of ISH2 (times 1:20:35-1:22:20) [EV-041]. Under this item, the Applicant confirmed that construction noise assessment reported in the ES [APP-080] was completed on a worse case basis and no benefit from temporary noise barriers were included in the construction noise predictions. However, the Applicant confirms that temporary screens will be considered at detailed design stage when details of the works are more certain. This is secured in the First Iteration Environmental Management Plan [APP-234].</p> <p><i>Noise monitoring once scheme is operational:</i></p> <p>The Applicant refers to response provided to REP4-057z above.</p> <p><i>Provision of information to officers during construction period:</i></p> <p>The Applicant welcomes the agreement provided by the Cambridgeshire Authorities.</p> <p><i>Local construction management plans</i></p> <p>The Applicant notes the comments provided by the Cambridgeshire Authorities and confirms that location will be considered when determining the mitigation required to minimise construction noise and vibration levels.</p> <p><i>Commitment to providing off-site Noise barriers</i></p> <p>The Applicant refers to response provided to REP4-057y above.</p> <p><i>Noise Insulation and Temporary Rehousing</i></p> <p>The Applicant welcomes the acceptance provided by the Cambridgeshire Authorities.</p> <p><i>Section 61 administration</i></p>

Reference Number	Interested Parties Submission/Applicant's Comments
	The Applicant welcomes the acceptance provided by the Cambridgeshire Authorities.
REP4-060bh	<p>Noise REP1-048bw</p> <p>9.2: Cambourne West noise modelling: Agreed, regarding the non-inclusion of Cambourne West properties in relation to construction noise impacts due to the units not being expected to be occupied at that time. If the situation changes for any reason this will need to be reviewed to reflect the changing circumstances.</p> <p>Following a meeting on 21st October 2021 more clarification and information has been received. Consequently, we are now in agreement with the applicant's comments submitted and accept sufficient modelling and assessment has been carried out in relation to the Cambourne West development</p>
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-060bi	<p>Noise REP1-048bx</p> <p>9.3: Lack of mitigation justification in South Cambridgeshire area: Agreed.</p>
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-060bj	<p>Cultural Heritage REP1-048cf</p> <p>12.2.1: The subject of the meetings listed was to discuss the areas for archaeological investigation only, the Applicant-commissioned draft Rationale and Strategy being presented the day before the first meeting on the 24th September 2020. The Archaeological Mitigation Strategy [APP-238] was not seen until the DCO was submitted. It is true that a formal response was issued for the Rationale and Strategy by CCC on 15th February 2021, but informal responses and discussions in the intervening months made clear that CCC could not accept the categorisation of sites as presented and hoped these discussions would influence changes to the AMS [APP-238] be made prior to deposition. Furthermore, the levels of excavation assigned to some of the archaeological sites were considered to be unacceptably low or nil, flouting national policy (see REP1-048cf 12.2.2), and some evidence considered as not interpretable from the evaluation alone. CCC's expert archaeological advice was not sought in the devising of the AMS, particularly with regard to the contradictory notion of knowledge gain (AMS [APP 238] 2.1.2 and Appendix C page 1 paragraph 3).</p>

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Applicant's comment	<p>The draft Rationale and Strategy was presented to all three County Archaeologists for comment in September 2020 at the earliest point it was available. Where received in time, comments from LPA's were incorporated. This was not the case for CCC due to the date comments were received. While the final version of the AMS was not shared with CCC or the other Local Planning Authorities (primarily due to time constraints between completion of the evaluation and submission of the DCO), elements of the strategy were shared, including the extent and broad strategy for each mitigation area. These were discussed at numerous meetings with CCC and by e-mail. At these meetings, individual mitigation areas were discussed, and comments were taken into account as the mitigation strategy developed.</p>
REP4-060bk	<p>Cultural Heritage REP1-048cf</p> <p>12.2.3 a): This is incorrect. CCC presented clear maps and justification for the inclusion of areas in the AMS repeatedly to the Applicant since 15th October 2020. We do not agree with the Applicant's interpretation of some evidence gained from the evaluation and are seeking to safeguard the archaeological resource from unrecorded loss from construction impacts.</p>
Applicant's comment	<p>The response is noted by the Applicant.</p> <p>The Applicant believes that evaluation is the industry standard tool for understanding the archaeological potential of deposits. In this regard, where a strategy of no further work is included, this is justified from the evaluations. In a similar manner the Applicant has proposed to excavate some sites in a targeted manner to answer site specific questions, where the archaeological resource will be impacted.</p>
REP4-060bl	<p>Cultural Heritage REP1-048cf</p> <p>12.2.4: Extent of some of the mitigation areas is one aspect, but the level of excavation is also in dispute. For this reason, the AMS cannot be supported in full. Site Specific Written Schemes of Investigation will respond to this AMS and the Local Authority Brief now shown in the Updated AMS [REP3-010 Appendix B] so it is imperative that the AMS can be agreed.</p>
Applicant's comment	<p>The response is noted by the Applicant.</p>
REP4-060bm	<p>Cultural Heritage REP1-048cg</p>

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Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The Applicant's confidence that the 3% evaluation sample can provide sufficient understanding of the archaeological evidence of this site area is not reassuring but displays an ignorance of how sites of this period behave. The feature-specific explanation given deals only with the known elements that were targeted by a suitably located evaluation trench that tested plotted cropmarks and geophysical survey anomalies. This demonstrated a significant amount of archaeological evidence that will not occur in isolation. It appears that the over-arching objective of knowledge gain will not be met if areas known to contain archaeological evidence will be subjected to unrecorded loss.</p>
Applicant's comment	<p>The average trench percentage across the Scheme is 3.44%, not 3%. In areas where there were known archaeological deposits, a higher percentage of trenches was undertaken in order to understand the significance of those sites. In the same way, where all other evidence was absent, evaluation trenches were undertaken to test the seemingly blank areas. Apart from two locations, no features were located that were not previously recorded, giving confidence that the remains have been identified.</p> <p>The Applicant disputes that the comment that our confidence in the evaluation 'displays an ignorance of how sites of this period behave'. The Heritage team have extensive experience of working in a variety of archaeological landscapes, but particularly on those dating to the Iron Age and Roman periods. The team have worked on numerous highways and other Nationally Important Infrastructure Projects across the UK, including in Cambridgeshire.</p> <p>The Applicant's position has not changed from that presented in the Applicant's Comments on Written Representations [REP3-008].</p>
REP4-060bn	<p>Cultural Heritage REP1-048ch</p> <p>The councils stand by the description as given in the Written Representation [REP1-048].</p>
Applicant's comment	<p>The Applicant notes the response from the Cambridgeshire Authorities.</p>
REP4-060bo	<p>Cultural Heritage REP1-048ci</p> <p>The councils stand by the statement at 12.5.8 in their Written Representation [REP1-048].</p>
Applicant's comment	<p>The Applicant notes the response from the Cambridgeshire Authorities.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Minerals and Waste REP1-048ck</p> <p>Response noted. Please refer to relevant comments relating to the Policy Assessment in the Comments on the Local Impact Report [CLA.D4.LIR.AC.C] regarding Policy 19.</p>
Applicant's comment	<p>As stated in the response to [REP4-057d] above, the Applicant considers that Policy 19 is not relevant to the restoration of the borrow pits.</p>
REP4-060bp	<p>Minerals and Waste REP1-048cn</p> <p>The Applicant has already accepted that the development is required to have regard to local policy as set out in the paragraphs 5.203 and 5.211 of the National Policy Statement for National Networks (NPSNN). Furthermore paragraph 5.33 of the NPSNN requires the Secretary of State to consider whether the Applicant has maximised opportunities for building in beneficial biodiversity or geological features as part of the design. Without undertaking an assessment, such as one which would demonstrate compliance, or lack thereof, with Policy 19, it is not possible to demonstrate that this has been achieved.</p>
Applicant's comment	<p>As stated in the response to [REP4-057d] above, the Applicant considers that Policy 19 is not relevant to the restoration of the borrow pits. The Applicant therefore does not accept the Joint Authorities assertion that a further assessment is required, such as one which would demonstrate compliance, or lack thereof, with Policy 19. The Applicant has considered biodiversity within the Environmental Statement [APP-077]. The Applicant's Scheme Design Approach and Design Principles [REP3-014] explains how (in paragraph 3.3.36) the Scheme has been designed to avoid and reduce the effects on biodiversity features through the process of design-development. Collectively measures have been designed to provide replacement habitats, re-establish and create habitat corridors, and improve connectivity. In addition, biodiversity enhancement opportunities have also been identified through the design-development process.</p> <p>There are no geological Sites of Scientific Interest within the Scheme boundary, or within the Geology Study Area. Also there are no Local Geological Sites within the Geology Study Area [APP-078], Environmental Statement Chapter 9, Geology and Soils.</p>
REP4-060bq	<p>Minerals and Waste REP1-048cp</p> <p>The Council is of the view that given the lack of detailed information and compliance with local policy, such a requirement is entirely necessary and proportionate. Paragraph 5.33 of the NPSS states that the Secretary of State</p>

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	<p>may use requirements or planning obligations where appropriate in order to ensure that such beneficial features are delivered. As it has not been demonstrated that biodiversity has been maximised, a requirement to ensure it occurs would appear entirely appropriate.</p> <p>Please refer to relevant comments relating to the Policy Assessment in the Comments on the Local Impact Report [CLA.D4.LIR.AC.C] regarding Policy 19 for further context.</p>
Applicant's comment	<p>The Applicant considers that as the Scheme delivers biodiversity net gain as a whole, and through design has avoided and/or minimised disturbance to a range of nearby important habitat including woodland; the Secretary of State can be assured that the proposed Scheme does not require further obligations or requirements in this respect.</p>
REP4-060br	<p>Minerals and Waste REP1-048cr</p> <p>This matter was resolved as already being covered within the EMP. No further action required.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities.</p>
REP4-060bs	<p>Flood Risk REP-048ct</p> <p>The Applicant's response does not cover the points within 14.3.5 and therefore this is still a concern in relation to water quality and treatment</p> <p>We note that there are ongoing discussions to be had with the CCC Highways Team. In the event that these structures are not to highways adoptable standards, there are no plans in place for the ongoing maintenance of the drainage scheme proposed.</p> <p>The LLFA acknowledges that the applicant has stated that flow control diameters can be used as the limit to the minimum rate of discharge. However, the principles of the report do not indicate this is the case and the LLFA requires certainty around this. While an element of the design can be left for the detailed design stage, the principles of the scheme should be clearly set out in any report that is approved and supported at this stage.</p>
Applicant's comment	<p>Refer to the Applicant response to REP4-058x relating to Scheme drainage water quality and treatment systems</p> <p>The Applicant notes the CCC adoptable drainage structure concerns. The Applicant will consult with CCC to ensure that CCC adoptable drainage structures are constructed to the correct standards.</p>

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	<p>The Applicant will consider reviewing the Drainage Strategy Report [APP-219] wording relating to the 5l/s recommendation in the coming deadlines.</p>
<p>REP4-060bt</p>	<p>Flood Risk REP1-048cx</p> <p>The proposals for managing and treating water should be set out at this stage. While it is noted that treatment can be provided in proprietary features, the preferred treatment of surface water should be through natural means. The LLFA would only support a scheme proposing proprietary treatment where this is a last resort. The principles of the scheme should prioritise and give certainty that these features will incorporate suitable planting and treatment from the outset of the proposals. While an element of the design can be left for the detailed design stage, the principles of the scheme should be clearly set out in any report that is approved and supported at this stage.</p>
<p>Applicant's comment</p>	<p>The Applicant will consider reviewing the Drainage Strategy Report [APP-219] wording relating to the water treatment system principals for the Scheme.</p>
<p>REP4-060bu</p>	<p>Climate Change REP1-048cz</p> <p>Not sure that much more can be said here. Both the Councils and Applicant have set out their views. However, the Applicant has omitted to respond to the Councils' request to consider "proportionate investment in EV charging infrastructure and in active travel and public transport". This seems to be an outstanding issue that needs to be addressed.</p> <p>The Applicant's response does not address the following statement from the Councils' representation "accompanied by proportionate investment in EV charging infrastructure and in active travel and public transport". The Councils consider this to be a missed opportunity. It also does not address the point made by the Committee on Climate Change regarding demonstrating the proposals would not lead to increases in overall emissions. While we recognise that the emissions from the project are small in the context of the sixth carbon budget, and that further opportunities to mitigate greenhouse gas emissions will be identified, there are still emissions associated with the project. We would welcome further information as to whether remaining emissions will be subject to carbon offset.</p>
<p>Applicant's comment</p>	<p>Please see response to REP4-058t above.</p>
<p>REP4-060bv</p>	<p>Climate Change REP1-048da</p>

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	We welcome the inclusion of further details on construction GHG mitigation measures in the next iteration of the EMP and the production of a Technical Note providing a detailed breakdown of construction carbon emissions for Deadline 4. We do, however, wish to reserve the right to provide further comment once we have seen that further detail.
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-060bw	<p>Climate Change REP1-048db</p> <p>The Councils would support planting of native and climate resilient species to offset emissions associated with both the land use change and subsequent operation of the road scheme as set out in the Environmental Statement [APP-077]. The Councils accept that the Biodiversity Net Gain (BNG) has been recalculated using the DEFRA Metric 2.0. The Biodiversity Net Gain Metric 2.0 [REP3-013] confirms that while the scheme will deliver some biodiversity net gain, net loss in value to hedgerow and habitats of high / medium distinctiveness have not been adequately compensated.</p>
Applicant's comment	<p>The Applicant refers the Cambridgeshire Authorities to its response to [REP4-060bb] above.</p> <p>The effects of the Scheme have been assessed using the methods described in the Scoping Report [APP-258] and agreed in the Scoping Opinion [APP-038] and detailed in the Biodiversity chapter of the ES [APP-077].</p>
REP4-060bx	<p>Climate Change REP1-048dc</p> <p>The Councils are satisfied with the Applicant's response to the extent to which the electrification of vehicles has been taken into account as part of the analysis of greenhouse gas emissions and are supportive of taking the precautionary approach.</p>
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-060by	<p>Climate Change REP1-048dd</p> <p>This comment relates to Transport Modelling and consideration of sustainable travel, so needs input from transport colleagues in terms of whether we are satisfied with their approach to sustainable transport.</p>

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Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	The Applicant notes this comment and would seek clarification on the input sought.
REP4-060bz	<p>Climate Change REP1-048de</p> <p>The Councils are satisfied that the Applicant has considered the potential flood risk to adjacent communities as part of the ES.</p>
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-060ca	<p>Digital Connectivity REP1-048di</p> <p>The National Highways response is noted and understood, but not supported. We disagree that the inclusion of fibre assets (ducts and/or fibre) does not help to address the impacts of the scheme. The inclusion of digital assets would support the UK digital strategy to build a world-class digital infrastructure for the UK. Digital capabilities enable agile working, reducing transport needs and support wider sustainability options. The inclusion of fibre assets within the construction, through rural areas that are less well served with high-speed digital connectivity, will enable easier access for telecoms providers to those rural locations and enhance the digital accessibility to residents in the area. Inclusion of assets from the outset removes the need for future retrofitting of core ducting over an extended trunk route that will require upgraded digital backhaul in the future to support 4G and 5G mobile capabilities.</p>
Applicant's comment	The Applicant considers the location of the existing A428 to be closer to the communities and therefore potentially more suitable for the installation of ducts. As this road will be detrunked and handed over, in part, to Cambridgeshire Highway Authority sufficient opportunity exists for the Authority to make provision.

REP4-061 – Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council

Comments on the Applicant's Deadline 3 (D3) submissions

Reference Number	Interested Parties Submission/Applicant's Comments
9.23 Updated Archaeological Mitigation Strategy [REP3-010]	
REP4-061a	<p>Status of the AMS</p> <p>1.2.5 and 1.3.1</p> <p>As the local authority curators will be advising the course of excavations once started, and signing off the archaeological sites once satisfactorily completed, we will need to fully agree the strategy and extent of areas for excavation in the AMS. We have remaining issues that will be discussed for the Statement of Common Ground and hope to see a final AMS that accords with our requirements and can be approved by the Cambridgeshire councils.</p>
Applicant's comment	<p>The Applicant stands by their position that there is no justification to amend the mitigation areas. Further detail is contained within the Applicant's response to Cambridgeshire County Council's comments on archaeological mitigation areas [REP4-045].</p> <p>The developed approach to archaeological mitigation has drawn on the considerable experience of other archaeologists working across the region, including that of CCC. The development of the Site Specific Written Schemes of Investigation should reflect the wide experience of the appointed Archaeological Contractor, who may have developed strategies to excavate similar features elsewhere in the region and across the UK.</p> <p>We will accord with the requirements of the DCO, should consent be granted.</p>
REP4-061b	<p>Research questions by period</p> <p>4.4.11 a. 4th paragraph</p> <p>As the Iron Age sites within the scheme express different morphologies, there is no reason to assume that their excavation results will all provide the same information. We disagree with consigning some sites to base planning alone or low-level sample excavation, as this biased approach will prevent proper understanding of such sites and not fulfil the overarching objective of 2.2.1a or address other research</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>agenda items, specifically 4.4.11 c., 4.4.12 and 4.4.16 b. paragraph 2, but not 3, which contradicts the former's aims. Our understanding of the published Regional Research Agenda (Section 16, page 87 [REF 48]) given in these sections is to recommend that the areas between the close-spaced Iron Age and Roman settlements require examination – as a 'landscape archaeology' approach. While this type of archaeological investigation often takes place on large-scale Cambridgeshire development led sites, we do not agree with the author's suggested trading of not conducting very much excavation on known settlements in order to look at their hinterland, but to agree a rational approach to the investigation of this space where it can be justified.</p>
Applicant's comment	<p>There appears to be a misunderstanding over the purpose of the text here. The text referenced regarding "consigning some sites to base planning alone or low-level sample excavation," is taken directly from the research agenda. It is not the Applicant's proposed methodology. However, following previous comments from CCC the part of the research agenda that references the 'blank space' between the archaeological sites has been deleted from the Archaeological Mitigation Strategy submitted at Deadline 4 [REP4-030]. We do not agree that the objectives are incompatible or unachievable.</p> <p>The Applicant does not understand why CCC think we are proposing "not conducting very much excavation on known settlements in order to look at their hinterland". This appears to be based on misinterpretation of what is proposed. Indeed, hinterland is only mentioned once in the AMS as a "hinterland status" associated with agricultural storage, primarily in the Roman period.</p>
REP4-061c	<p>Archaeological mitigation requirements</p> <p>5.1.2 c., 5.1.3 b., 9.1.2</p> <p>Following the welcome absorption of the excavation strategy and investigation methods in the Joint Authorities' Archaeology Brief (Appendix B in [REP3-010]), there is no longer need for the 'Sampling' category. Archaeological excavation only ever samples a proportion of sites rather than 100% of them (aside from significant features or structures that may be subject to full excavation) and levels of sample excavation are shown as approved for the 'Full Excavation' and 'Excavation' methods at 5.1.3.</p> <p>CCC advised the Applicant of 'Sampling' not being an acceptable category/mitigation method by email on 08/08/21 as part of work to modify the AMS.</p>

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	<p>To support archaeological contractors in designing their Site-Specific Written Schemes of Investigation, we recommend that, in particular but not solely, section 5 and sections 8-10 of the Updated AMS are duly edited to avoid any uncertainty and as levels of excavation have financial implications when tendering for the contract. This is important, as the levels of 'Sampling', as opposed to the other techniques, have been nowhere set out in the Updated AMS.</p>
Applicant's comment	<p>The Archaeological Mitigation Strategy submitted at Deadline 4 [REP4-030] has been updated so that the term 'Full Excavation' has been changed to 'Intensive Excavation' and 'Sampling' to 'Targeted Excavation' to avoid confusion and provide clarity.</p> <p>For the targeted excavation sites, features will be excavated using a research focused approach, to answer key questions. While the areas highlighted in this category will be stripped, it is intended to target those features that resolve outstanding research questions for those sites.</p>
REP4-061d	<p>Archaeological Mitigation Sites</p> <p>Table 5.1</p> <p>Site 14 requires no involvement from A428 archaeologists as this site has already been excavated by Urban and Civic's archaeologists at Wintringham Park as part of that development. It should not be listed as archaeological contractors tendering for the A428 scheme will not excavate it.</p> <p>Site 21, also in Wintringham Park development area and within the site of a main A428 compound, should remain in the A428 list as the scheme will work to ensure it is protected from construction impacts. The Mitigation Requirements column should show this as an Archaeology Protection Area for the avoidance of doubt for those using the compound.</p> <p>All sites shown as 'c. Sampling' in the Mitigation Requirements column require amendment to 'b. Excavation'.</p> <p>Sites in this list (Table 5.1) are still to be agreed in terms of areas and levels of excavation.</p>
Applicant's comment	<p>The Archaeological Mitigation Strategy submitted at Deadline 4 [REP4-030] has been updated in both Table 5.1 and Appendix D to state that Site 14 has been excavated. However, it will not be removed from the strategy as knowledge gain from this site will inform excavations within the rest of the Scheme.</p>

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	<p>Site 21 remains in the Archaeological Mitigation Strategy. It is marked as 'Area to be fenced-off'. It will not be impacted.</p> <p>The Archaeological Mitigation Strategy submitted at Deadline 4 [REP4-030] has been updated so that the term 'Sampling' has been changed to 'Targeted Excavation'.</p> <p>The Applicant stands by their position that there is no justification to amend the mitigation areas. Table 5.1 will not be amended.</p>
REP4-061e	<p>Provisional environmental sampling strategy for archaeological excavation</p> <p>Table 8.1</p> <p>Column 5 has not been edited to match the adjusted percentages of the excavation of linear features as shown in 8.3.7 a. This table should inform the process of environmental sampling for all excavated sites, it is absent for those shown in Section 9, levels of excavation for which remain to be agreed.</p>
Applicant's comment	<p>The Applicant will review Table 8.1 for a future deadline.</p> <p>This table has deliberately not been repeated in Section 9. As stated in Section 9.2.11 "The methodology for recording, artefact recovery, environmental sampling, finds processing, human remains and treasure should follow the methodology detailed in Section 8 above."</p>
REP4-061f	<p>General methodology</p> <p>9.2.7</p> <p>This is not agreed. It would be more constructive to change the last sentence to read: "Some features might only require recording on plan. This will be determined during curatorial monitoring visits."</p>
Applicant's comment	<p>As the Archaeological Mitigation Strategy states that methods will be agreed with Curators this paragraph will not be updated.</p>
REP4-061g	<p>Preservation of archaeological remains beneath fill</p> <p>11.3.1</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	Site 17 should be deleted from this paragraph as per advice given in the Cambridgeshire councils' Joint Written Representation [REP1-048 12.5.5 – 12.5.8].
Applicant's comment	The Applicant's comments on this issue remain unchanged as to those presented in the Applicant's Comments on Written Representations [REP3-008].
REP4-061h	<p>Preservation of archaeological remains beneath fill</p> <p>11.3.8</p> <p>There is no discussion of measures to reinstate land buried under temporary scheme features (shown at 11.3.1) following the removal of materials. This typically requires ripping/scarifying or rotavating of the surface to restore the drainage properties of highly compacted soils. This action will have a major adverse impact on buried archaeological remains and negates attempts to preserve sites in situ and is not approved.</p> <p>Also, surcharged materials are seldom placed on topsoil, these usually being stripped in advance. Stripping the soils over Field 70 will also have an adverse impact on the surface of the archaeological evidence, as was the case at TEA 27 on the A14 scheme, which was unnecessarily stripped prior to the finalisation of the design of a flood compensation area, necessitating remedial archaeological work and the reinstatement of deeper soils.</p> <p>There are many parts of Field 70 around Site 17 that do not hold significant archaeological evidence and should be the alternative location for temporary works. This would protect the archaeology at Site 17 (AMS [REP3-010] Appendix D, page 187), which could be fenced off from all construction impacts.</p>
Applicant's comment	The Applicant's comments on this issue remain unchanged as to those presented in the Applicant's Comments on Written Representations [REP3-008]. Should it be considered, following topsoil strip, that there are elements of Site 70 (such as medieval field boundaries) that could be retained under soil storage, the methodology will be described in the SSWSI to ensure there will be no impact following removal of the soil storage. Until the depth of deposits and the robust nature (or fragility) of the archaeology has been determined it is not possible to produce a bespoke methodology for this area. It should be noted that it is possible to do this. It has been undertaken on numerous schemes, including the A1 Dishforth to Barton, A1 Ferrybridge to Hook Moor, and HS2, and is proposed on the A303 and elsewhere on this Scheme.

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REP4-061i	<p>Weekly reports</p> <p>13.2.1</p> <p>The progress reports should also be sent to the curators</p>
Applicant's comment	<p>There is no barrier to weekly reports being sent to the Curators. Should a later revision of the Archaeological Mitigation Strategy be produced, this text will be revised. This is already taking place for the advanced works in Central Bedfordshire.</p>
REP4-061j	<p>Archive consolidation</p> <p>14.2.4</p> <p>Cambridgeshire County Council's Archaeology Archive Store does not accept digital archive. We will expect archaeological contractors to adhere to paragraph 9.10 of the Joint Authorities' Archaeology Brief in AMS Appendix B [REP3-010].</p>
Applicant's comment	<p>This paragraph will not be updated. The Scheme is located within more than one county and the Archaeological Mitigation Strategy points out the requirement to adhere to the Brief in several places. The Applicant anticipates the digital archive will go to the ADS repository for digital archives, as industry best practice, as has taken place on other National Highways schemes, such as the A14.</p>
<p>9.24 Borrow Pits Excavation and Restoration Report [REP3-011]</p>	
REP4-061k	<p>General</p> <p>The submission of the Borrow Pits Excavation and Restoration Report [TR010044/EXAM/9.24] (BPERR) is welcomed. It is noted that there appears to be some differences between the July version and the October version; these mostly appear to be additional information from the First Iteration Environmental Management Plan. Changes were noted in relation to noise, landscape and air quality. As the noted in the Council's Joint Written Representations (August 2021) [REP1-048] (paragraph 13.6) it was written on the basis that the BPERR was submitted as part of the original submission. Consequently, many of the Council's concerns remain.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>It is noted that the policy assessment in the BPERR does not match the Applicant's response to the Local Impact Report (LIR) Policy Assessment [REP3-009], in that no reference is made to Policy 19 or 20 in the BPERR.</p> <p>Please refer to the Council's submission in response to ExA's Second Written Questions (WQ2) [CLA.D4.WQ2.R] Q.2.6.2 for a summary of the Councils' current position in relation to the borrow pits. This is supported by other D4 submissions:</p> <ul style="list-style-type: none"> • [CLA.D4.WQ1.AC.C] Comments on the Applicant's comments on other parties' responses to WQ1, Q1.6.2.1; • [CLA.D4.WR.AC.C] Comments on the Applicant's comments on Written Representations, pages 147-152); and • [CLA.D4.LIR.AC.C] Comments on the Applicant's comments on Local Impact Reports, Topic: Borrow Pits.
Applicant's comment	<p>The Applicant welcomes the Cambridgeshire Authorities comment regarding the Borrow Pit Excavation and Restoration Report [REP3-011]. The Applicant has responded to other (similar) concerns raised by the Joint Authorities regarding local policy above, in row REP4-057d. Please also see the Applicant's comments on Local Impact Report [REP3-009], pages 121-122 in relation to the Joint Authorities Minerals and Waste Local Plan policies.</p>
REP4-0611	<p>Archaeology</p> <p>Table 1-1: Outline management plans relevant to the borrow pits</p> <p>Annex J needs editing to delete the technique 'Sampling' as this technique is not supported for reasons shown at 9.23 above and requires changing to the Archaeological Mitigation Strategy [REP3-010].</p> <p>It is unclear if the APP references (e.g. [APP-238]) will remain the same as those shown in this document, or if superseded amended documents will have new reference numbers requiring corresponding editing across all documents. This is raised to so that it is clear which version of the AMS is used when under discussion.</p>
Applicant's comment	<p>The Borrow Pit document is not being updated.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The Archaeological Mitigation Strategy submitted at Deadline 4 [REP4-030] has been updated so that the term 'Sampling' has been changed to 'Targeted Excavation' to avoid confusion and provide clarity. However, the Applicant has not changed their position on the need for this category of site.</p> <p>The [APP-238] document reference number used is relevant to the date of issue of the Borrow Pit report. The Applicant does not believe this will cause confusion.</p>
<p>9.25 Biodiversity Net Gain: Metric 2.0 [REP3-012] & Appendix G [REP3-013]</p>	
<p>REP4-061m</p>	<p>Baseline data 2.2.1 and 3.6.4</p> <p>The BNG assessment is based on survey work undertaken between 2018 and 2020. It does not include the 2021 habitat survey work and is therefore not up to date. The Councils seek that the BNG metric be recalculated with the results of the 2021 survey work and submitted to the Examining Authority (along with the survey work) at Deadline 4.</p>
<p>Applicant's comment</p>	<p>The Applicant sees no requirement to recalculate the biodiversity net gain performance of the Scheme using data gathered from the 2021 baseline survey updates during the remainder of the Examination period. The results of the surveys undertaken for terrestrial habitats and aquatic habitats, were they to be used to recalculate biodiversity net gain would probably increase the Habitat units and the River units (Terrestrial Habitats Survey Update Technical Note [TR010044/EXAM/9.63] and Aquatic Habitats Survey Update Technical Note [TR010044/EXAM/9.58]).</p> <p>Notwithstanding this, the Applicant will refine further the existing calculations as part of updates to be carried out as part of detailed design. This update will, where necessary, take into consideration any Scheme design amendments (within the parameters permitted by the limits of deviation) as set out within Chapter 2, The Scheme [APP-071] of the Environmental Statement. It will also incorporate, where relevant, the 2021 updated survey data and any further information gathered from pre-construction ecological surveys (the details of which are summarised within the Applicant's response to Q1.3.1.3 in the <i>Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022]</i>).</p>
<p>REP4-061n</p>	<p>Baseline data</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>2.7.3 i.</p> <p>The Applicant has provided no information to demonstrate how the river corridors will be enhanced to be of 'fairly good' condition. It is important that this requirement to deliver 'fairly good' conditions is incorporated into the development of the enhancement of river corridors.</p>
Applicant's comment	<p>The Applicant is under no obligation to enhance river corridors in the context of delivering biodiversity net gain. Notwithstanding this, as stated in paragraph 4.1.13 of Annex F of the First Iteration Environmental Management Plan [APP-234], a Water Framework Directive mitigation and enhancement strategy will be prepared to develop appropriate enhancements for various watercourses affected by the Scheme within the Order Limits.</p>
REP4-061o	<p>Habitat (area) loss not adequately compensated</p> <p>Paragraphs 3.6.4 & 4.1.1</p> <p>The assessment of net gain with regards to habitat (Area) does not provide a comprehensive analysis of the BNG metric results. While an overall net gain in biodiversity units has been identified (+16%), the scheme has resulted in trading down of quality and type of habitat and therefore, does not meet the trading requirements of the BNG metric. as, flagged up in Appendix G [REP3-013, page 7]. Therefore, the scheme does not adequately compensate for the loss of high and medium distinctiveness habitats, as discussed below. Consequently, the scheme will deliver a net loss in habitat (area), as well as hedgerows. Adequate compensation for these losses should be incorporated into the scheme design, either on-site or off-site.</p> <p>Uncompensated loss of high/medium distinctive biodiversity (area)</p> <p>High distinctive habitats – under trading rules for Biodiversity Metric 2.0, compensatory habitats should be at least high distinctiveness and like-for-like. The calculator demonstrates this hasn't been achieved (highlighting a trading down & not like for like error).</p> <p>Some high distinctive habitats are proposed as part of the scheme; however, they do not adequately compensate for the loss of -117.19 units of high distinctive habitat, including reedbeds, lowland mixed deciduous woodland and wood-pasture and parkland.</p>

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	<p>Medium distinctive habitats – under trading rules for Biodiversity Metric 2.0, compensatory habitats should be like-for-like or better, within the broad habitat type. The calculator demonstrates this hasn't been achieved (highlighting a compensation - not like for like or better error).</p> <p>The scheme has not adequately compensated for the losses (-94.84 units), including arable field margins tussocky, mixed scrub and ditches.</p> <p><u>Condition assessment rationale</u> (Appendix D: Condition assessment rationale)</p> <p>Criteria rationale for the following habitats (listed on page 9 of Appendix G [REP3-013] are omitted and should be provided:</p> <ul style="list-style-type: none"> • Lakes - Ponds (Non- Priority Habitat) – poor condition • Grassland - Lowland meadows – good condition • Wetland – Reedbeds – poor condition • Urban - Street Tree <p><u>Habitat management required to achieve target condition</u> (Appendix F: Habitat management required to achieve target condition)</p> <p>The following habitats have been omitted:</p> <p>Woodland and forest - Other coniferous woodland (poor condition)</p> <p><u>Habitat management required to achieve target condition</u> (Appendix G (page 7)</p> <p>Page 7 of the BNG assessment highlights that the following habitat types require further compensation in order to deliver the required numbers of units to reach no net loss:</p> <p>High distinctive habitats (-117.9 units) - reedbeds, lowland mixed deciduous woodland and wood-pasture and parkland.</p> <p>Medium distinctive habitats (-94.84 units) - arable field margins tussocky, mixed scrub and ditches.</p> <p>It is noted that the scheme will result in an increase in medium distinctive neutral grassland and broad-leaved woodland, which will help to compensate for other types of 'woodland forest – other woodland' to be lost.</p>

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	<p>Low distinctive habitats – low trading is acceptable</p> <p><u>Habitat management required to achieve target condition</u> (Appendix G (page 9))</p> <p>Ref. 8 grassland – the area (hectare) figure is missing for lowland meadow.</p> <p><u>Habitat management required to achieve target condition</u> (Appendix G (page 10))</p> <p>Calculation error - area of habitats proposed (665.49ha, page 10) - does not match the area of habitats lost (665.58ha, page 9).</p> <p>Grassland- Lowland meadows – area (hectare) figure omitted.</p>
Applicant's comment	<p>The Applicant emphasises that there is no requirement for the Scheme to deliver biodiversity net gain. However, the Cambridgeshire Authorities are incorrect in their statement that the Scheme results in a net loss of biodiversity. The Applicant refers the Cambridgeshire Authorities to paragraph 2.1.7 of <i>Biodiversity Net Gain: Metric 2.0</i> [REP3-012] which explains that, in accordance with the metric guidance, individual losses and gains for the different unit types (i.e. habitats, river-based and hedgerow) are to be assessed and reported separately, and are therefore not aggregated or summed to arrive at an overall Scheme-wide score.</p> <p>The Applicant refers the Cambridgeshire Authorities to its response to Q.2.3.2.1 [REP4-037] which clarifies that the Scheme will deliver increases in woodland, grassland habitat and hedgerow length when compared to baseline values and explains why, in the case of hedgerows, a negative score (-31%) has been calculated for this unit type despite some 3.4km of new hedgerow being created.</p> <p>The Applicant contends that the requirements of paragraph 5.25 of the NPSNN have been met as Chapter 8, Biodiversity [APP-077] of the Environmental Statement has not concluded any significant adverse effects on, or significant harm to, habitats post-mitigation.</p> <p>Arable margins are a habitat that is widely distributed throughout Cambridgeshire as compared to, for example, woodland and grassland, hence the design of the Scheme including habitat creation of these priority habitats. The surveys of arable margins for notable arable weeds undertaken in 2018 identified that the majority of arable margins within the area surveyed did not support any such species. Surveys undertaken in 2021, focusing on those margins with notable weed species, have identified that none of them occurs within the Order Limits. The Applicant concludes that the Scheme has been adequately</p>

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	<p>designed to mitigate loss of priority habitat and to have gone to achieve significant habitat enhancement.</p> <p>The Applicant notes the comments from the Cambridgeshire Authorities on the appendices to the Net Gain report. The condition assessment has been undertaken using the Biodiversity Metric 2.0 condition assessment criteria and where necessary professional judgement has also been applied. This has been declared in Appendix D Condition Assessment Rationale of the <i>Biodiversity Net Gain: Metric 2.0</i> [REP3-012].</p>
<p>9.26 Scheme Design Approach and Design Principles [REP3-014]</p>	
<p>REP4-061p</p>	<p>2.1.8</p> <p>PROW routes should be encouraging rather than intimidating. Both the Hen Brook Underpass and the Pillar Plantation Underpasses are utilitarian and uncompromising in their design. These current designs are boxes with right angles, whereas natural environments have curves. CCC requests that the design is changed to an oval design, such as that used on the A1198 for the Caxton Bridleway 5 underpass. This approach is supported by paragraph 3.1.1: "The Design Vision for the Scheme is for the best possible integration with the surrounding landscape."</p> <p>There is also an issue with marrying ecological with human needs. We understand that it is proposed that these tunnels are unlit because the intention is for them to double as bat passages. However, Wintringham Park adds nearly 3000 new homes to the already sizeable population of 36,000. The developer's website rightly highlights footpaths, cycle routes and connectivity with the countryside as a benefit of the new development. St Neots as a town is currently really poorly served with good strategic NMU greenways out into the countryside network, and in reverse for surrounding villages accessing urban facilities. The Hen Brook and Pillar Plantation paths will be primary strategic route out from it/St Neots into the countryside and needs to deliver on being welcoming to encourage people to make the desired modal shift. If the tunnels are not sufficiently welcoming and well-lit, they will be a source of constant intimidating anti-social behaviour, so it needs to be planned out from the start. The Hen Brook tunnel is 32.1m long. The width is 6.85 including the brook and headroom 4.25m. It is going to be very dim, damp and intimidating at the midpoint. It is suggested that one solution would be a light well located in the centre reserve of A428 ventilating and letting in natural light and splitting the 'tunnel' into two slightly less daunting 16m sections for day-time use. This highlights the need for National Highways</p>

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	to be more collaborative with local councils and more innovative in design, in accordance with their design statement.
Applicant's comment	<p>The Applicant considers that in terms of designing for bats, it is better to keep with the box design (height and width) to maximise the cross-sectional area. If the cross-section is oval then it would need to be taller and wider than the current dimensions to maintain the cross-sectional area for bats.</p> <p>The Applicant does not believe that it is viable to provide a light-well from the central reserve of the new road down and into the Henn Brook underpass due to the presence of the concrete central reserve safety barrier and the fact that through this section of the new road there is no proposed central reserve widening. It would not be possible to alter the barrier without compromising the performance of the barrier system.</p>
REP4-061q	<p>Local Policy and Guidance 2.1.9</p> <p>The paragraph notes that local character assessments were considered in the definition of local landscape character areas for the study, which is accepted. It is the lack of consideration of the specific environmental opportunities identified within the national and district level landscape character assessments, that is a concern to the local authorities.</p>
Applicant's comment	<p>The Applicant contends that opportunities have been considered during the design-development of the Scheme, where appropriate, to further enhance the character of the receiving landscape at the local and national level.</p> <p>As noted by the Applicant in its response to [REP2-003p] in the Applicant's comments on local impact reports [REP3-009], the area of planting proposed within the Scheme is substantially greater than the area of vegetation that will be lost through its construction. Similarly, the Scheme will create approximately 4.3km of new hedgerows as part of the landscape strategy.</p> <p>Notwithstanding the mitigation functions this planting will provide across the Scheme, the Applicant considers that the delivery of increased planting will, once established, contribute to the enhancement of landscape character – a point acknowledged by the Councils themselves in paragraph 8.1.3 of their <i>Joint Local Impact Report (LIR) from relevant Local Authorities [REP2-003]</i>, in which they agree that “<i>Extensive areas of mitigation planting will be established along the route which will enhance the local and national landscape character...</i>”.</p>

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REP4-061r	<p>Overarching design principles 2.2.6</p> <p>The scheme does not meet all of the overall design principles when considering non-motorised users. The designs are not inclusive, and the proposed provisions only meet minimal requirements. Whilst providing motorised users with a new well-connected route, NMU users are left with fragmented pieces of infrastructure which do not connect sufficiently to encourage active travel and meet the design standards of being environmentally sustainable.</p>
Applicant's comment	<p>The Applicant has commented previously on the extent of NMU provision in REP1-048az of Applicant's Comments on Written Representations [REP3-008] and in the draft SoCG [REP4-018].</p>
REP4-061s	<p>Design standards, guidance and good practice 3.2.2</p> <p>Given recent government policies and publications on active travel and carbon reduction the Applicant should be implementing high quality NMU infrastructure that at least meets the requirements of LTN 1/20 rather than the CD143 quoted which has not been updated to accord with recent guidance such as CD195.</p>
Applicant's comment	<p>The Applicant has commented previously on the extent of NMU provision in REP1-048az of Applicant's Comments on Written Representations [REP3-008] and in the draft SoCG [REP4-018].</p>
REP4-061t	<p>Engineering Design Principles 3.3.11 and 3.3.15</p> <p>The applicant refers to the aesthetic quality of structures, and in paragraph 3.3.15 that "Structures have been designed as a family, with common design details, materials and structures. This approach has been taken to reinforce sense of place, create a memorable journey and maximise efficiency and buildability."</p> <p>It is considered that there is nothing in the design of the features that relate particularly to the Cambridgeshire landscape or vernacular, and the authorities struggle to see how the structures would reinforce sense or place or create a memorable journey – these particular combinations of structures and materials are found on highways across the country. It is very disappointing that more aspirational design interventions have not been sought on this important and significant new piece of infrastructure</p>

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	<p>within the Oxford-Cambridge Arc, where place-making (including environment, biodiversity and beauty) is a key "area of focus", alongside connectivity and infrastructure.</p> <p>The authorities question why such a utilitarian palette has been employed, when, particularly on NMU structures, for example sustainable timber, green "living" bridges that connect both people and wildlife, or public art features would much better have reflected the Department of Levelling Up, Housing & Communities aspirations for the region.</p>
Applicant's comment	<p>The design of the Scheme has followed a landscape-led approach, as set out in the Scheme Design Approach and Design Principles [REP3-014] document and Annex L of the First Iteration Environmental Management Plan [APP-234]. Whilst paragraph 4.30 of the NPSNN acknowledges that there may be a limit on the extent to which national infrastructure can contribute to the enhancement of the quality of the area, and paragraph 4.34 references the limited choice in physical appearance, these documents demonstrate that local character has informed the design of structures, in particular through their siting, scale and massing, landscape permeability, landform and vegetation. Visual appearance has therefore been a key factor in the design, balanced against functionality, fitness for purpose, sustainability and cost. Materials such as concrete and weathering steel are common in infrastructure design and applied in the Scheme because they are durable and resilient as set out in NPSNN.</p>
REP4-061u	<p>Engineering Design Principles 3.3.17</p> <p>The Applicant states local authorities were consulted on the design of structures; however, this has not been undertaken on the appearance and materiality of structures, and flexibility should be maintained for revisions based on local authority feedback.</p>
Applicant's comment	<p>Visual appearance has been a key factor in the design, balanced against functionality, fitness for purpose, sustainability and cost. Materials such as concrete and weathering steel are common in infrastructure design and applied in the Scheme because they are durable and resilient as set out in NPSNN.</p>
REP4-061v	<p>Active travel provision 3.3.23</p> <p>NH Active Travel provision states "Enabling more sustainable travel choices". To meet this design principle the A428 should be providing safe, continuous NMU routes between the settlements along the</p>

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	A428. The Applicant's proposal creates fragmented sections of NMU which are only provided where the A428 severs existing roads and does not encourage more sustainable travel choices. Provision of roadside NMU routes between St Neots, Eltisley and Cambourne would enable the Active Travel criteria to be met.
Applicant's comment	The Applicant notes and disagrees with the Cambridgeshire Authorities comment. The Applicant has commented previously on the extent of NMU provision in REP1-048az of Applicant's Comments on Written Representations [REP3-008] and in the draft SoCG [REP4-018] .
REP4-061w	Landscape Views and Visual Appearance 3.3.32a Limiting the extent of temporary and permanent land take within the Order Limits is welcomed where this enables the retention of valuable landscape features. However, in places the limited Order Limits have restricted the quantity (and thereby quality) of landscape mitigation and enhancement, in places where the landscape baseline condition is poor. This is considered a missed opportunity.
Applicant's comment	The extent of landscape mitigation has balanced the need to mitigate adverse effects on landscape character and views with the need to acquire the land. Further, as far as possible, the boundaries of the Scheme follow existing natural features or define new boundaries which integrate with existing landscape features or facilitate agriculture. Additional land take for planting would not further reduce the significant adverse landscape effects reported in Chapter 7, Landscape and Visual Effects [APP-076] of the Environmental Statement.
REP4-061x	Landscape Views and Visual Appearance 3.3.34.c The Councils have sought changes to the scheme to better "filter and screen" views of prominent features, particularly within the sensitive Ouse Valley. The Applicant has not accepted the concerns held by the Councils.
Applicant's comment	The Applicant refers the Cambridgeshire Authorities to its response to REP1-048bo in the Applicants Comments on Written Representations [REP3-008] . The Applicant remains of the view that the landscape strategy for the Scheme balances the need to integrate the form of the new dual carriageway

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	and associated road components into the character of the local landscape whilst achieving an appropriate level of visual screening in this area.
REP4-061y	<p>Landscape Views and Visual Appearance 3.3.34.e</p> <p>The Councils have sought changes to species mixes and implementation times to enhance climate change resilience, based on the extreme droughts experienced within the region in recent years. These concerns have not been accepted by the Applicant.</p>
Applicant's comment	<p>The Applicant refers the Cambridgeshire Authorities to its response to [REP4-058m] which responds to matters relating to proposed modifications to species mixes.</p> <p>In relation to implementation of the planting, the Applicant refers the Cambridgeshire Authorities to its response to [REP1-048bp] within the Applicant's Comments on Written Representations [REP3-008], which confirms that planting will take place in the first available planting season and at a time of the year appropriate to the species being planted. The Applicant will prioritise planting in late autumn/early winter, but requires flexibility to maximise opportunities to plant early in the programme and minimise risks associated with adverse weather and the supply of plants.</p>
REP4-061z	<p>Engagement on design matters 4.1.3</p> <p>Engagement on design – There has been some engagement with CCC regarding NMU routes and PROW, but in our view, this has been insufficient. This is typified by the fact that CCC is having to raise so many points at this stage regarding fundamental issues, such as connectivity, and provision for equestrians on NMUs.</p>
Applicant's comment	<p>The Applicant considers that it has consulted adequately with the Cambridgeshire Authorities on NMU provision through direct engagement with the authority and through the Statutory and Supplementary Consultations. Through this engagement the Applicant considers that it has understood the issues raised by the Cambridgeshire Authorities and that its proposals for NMU provision is reasonable and proportionate.</p>
REP4-061aa	Development of the detailed design 5.1.1

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	<p>CCC rejects the statement that the level of design development and consultation have been sufficient enough to only require minimal further design work. Since CCC were not involved in the technical working groups, our requirements have not been taken into account. The progress to detailed design is concerning designs such as the Pillar Plantation and Hen Brook Underpasses are boxes and have not made consideration of users (as outlined in our response to 2.1.8 above). CCC as local highway authority has not seen or approved any designs as yet.</p>
Applicant's comment	<p>The Applicant considers that it has consulted adequately with the Cambridgeshire Authorities on NMU provision and through direct engagement with the authority and through the Statutory and Supplementary Consultations.</p> <p>The structures that will carry the new A428 alignment over the public footpath at Hen Brook and bridleway at Pillar Plantation will be National Highways structures.</p> <p>Alternative structural forms were investigated during the development of the Outline Design with the other options discounted before the box culvert design was confirmed.</p> <p>The headroom details for the Pillar Plantation culvert were revised (increased) during the design development phase to take account of feedback returned from a local user group during the consultation process.</p> <p>The detailed design will be based on the box culvert arrangement with the design certified through the same process as all other National Highways structures on the project. This follows similar process to that used on similar National Highways projects.</p> <p>As it is not intended that CCC will adopt or maintain either of these structures and the structural form has been established following a robust option development process the Applicant does not intend to seek any further approvals for the detailed design of these structures.</p>
REP4-061ab	<p>Scheme response to the Road to Good Design</p> <p>Appendix B: Scheme response to the Road to Good Design (pages 37- 39)</p> <p>Good design in the local context: CCC has not been involved with this process. For example, a key alternative considered was the design of the footbridge at Wintringham Brook but the alternatives were not provided to CCC to comment upon.</p>

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	<p>Appendix B states: 'Good design is inclusive'. The Councils have repeatedly questioned the Applicant's commitment to this statement in its Written Representation, our responses to WQ1 and in our LIR because of the lack of all-inclusive NMU design along roadside junctions and where equestrians could be included in overbridges and underpasses.</p> <p>At p45 the document states that 'Good design is innovative' and references the Wintringham Brook footbridge. It is not clear why the Applicant believes the design is innovative. In our view this is backward as the design is not inclusive of equestrians.</p>
Applicant's comment	<p>The Applicant set out in Applicant's Response to the Examining Authority's First Round of Written Questions [REP1-022] how the principles of the Road to Good Design have been applied. The footbridge was considered to be innovative because of its structural form.</p>
REP4-061ac	<p>Scheme response to the Road to Good Design</p> <p>Appendix B</p> <ol style="list-style-type: none"> 1. The Applicant points to improvements to connectivity and improved safety addressed by the scheme but the Councils do not agree that this has yet been achieved with regard to provision for NMUs in Cambridgeshire. 2. We are of the opinion that the mitigation measures included within the design of the scheme do not sufficiently address existing connectivity issues between communities, in accordance with relevant policies as set out in our WR at pp. 28-34, with specific issues highlighted at para 6.57 - 6.6.8, and also at pp. 98-110 of the Local Impact Report. 9. The review of existing WCH movements highlights the small number of active travel journeys along the A428 corridor due to lack of existing safe, continuous facilities. Despite consultation feedback from organisations regarding the need for improved active travel connections, and transport policies citing the need for a strategic NMU route (LTP Long term transport strategy, TIP, Travel Strategy for Cambridge and South Cambridgeshire) there were no significant changes to the design in Cambridgeshire. 'Good design is long-lasting' there is no mention of asset boundary definition features (which may not be the same as the legal highway boundary) or any detail about land take. This must be included in design and agreed with the LHA. CCC has reiterated that the LHA will not take land that is not related to highway

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	purposes, and that asset boundaries need to be agreed and defined with the LHA through technical working groups that should be set up as the earliest opportunity.
Applicant's comment	<p>1. & 2. The Applicant has commented previously on the extent of NMU provision in REP1-048az of Applicant's Comments on Written Representations [REP3-008] and in the draft SoCG [REP4-018].</p> <p>9.The Applicant notes the comments made by the Cambridgeshire Authorities in connection with boundary treatments and not wishing to take land not related to highway purpose and confirms that these matters will be dealt with at detailed design and through the legal side agreement respectively.</p>
<p><i>9.27 Updated Arboricultural Impact Assessment Plans [REP3-015] & Appendix 7.5: Updated Arboricultural Impact Assessment Report - Parts 2 [REP3-002], 3 [REP3-003], 4 [REP3-004] and 5 [REP3-005]</i></p>	
REP4-061ad	<p>General</p> <p>The changes to the Arboricultural plans are noted. No further comments.</p>
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
<p><i>9.32 Applicant Response to actions arising from Issue Specific Hearing 2 [REP3-019]</i></p>	
REP4-061ae	<p>Sensitivity Testing of Strategic traffic model flows in junction models</p> <p>Table 1-1 Line 1 AP1</p> <p>This refers to 9.44 Scope of Junction Model Sensitivity Test [TR010044/EXAM/9.44] Please see the comments on this document [REP3-029] later in this document.</p>
Applicant's comment	Please refer to REP4-061az to REP4-061bm of this document.
REP4-061af	<p>Joint Position Statement on modelling methodology</p> <p>Table 1-1 Line 2 AP2</p>

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	This is largely superseded by 9.44 Scope of Junction Model Sensitivity Test [TR010044/EXAM/9.44] for the further work NH are proposing. Please see the comments on this document [REP3-029] later in this document.
Applicant's comment	Please refer to REP4-061az to REP4-061bm of this document.
REP4-061ag	<p>Traffic management</p> <p>Action Point 4, Appendix A, 1.1.7 Action Point 4, Appendix A, 1.1.8</p> <p>The HGV construction traffic restriction on the Barford Road route is welcomed given the proximity to the Ernulf Academy.</p> <p>The Councils would welcome an explanation from NH as to why there is a need for HGV traffic to use Cromwell Road and Cambridge Road in St Neots, given NH's compound is at Wintringham Park and there is a construction access on the A428/Cambridge Road roundabout (1.1.9).</p>
Applicant's comment	<p>The Applicant confirms that it will require access for HGV traffic to facilitate construction of the B1046 side road diversion and mainline bridge crossing. Access will also be required for a limited duration for construction of the Alington Top Farm accommodation access bridge.</p> <p>In addition, Anglian Water will require access for HGV traffic to undertake water main diversions along the B1046 and Potton Road.</p>
REP4-061ah	<p>Traffic management</p> <p>Action Point 5</p> <p>Offering incentives to staff to use sustainable travel to work would be welcomed. Perhaps it is time for National Highways DCO schemes to include sustainable travel plans for its workforce given national policies relating to climate change.</p>
Applicant's comment	The Applicant has submitted an Outline Travel Plan [TR010044/EXAM/9.66] for the Scheme at Deadline 5.

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REP4-061ai	<p>Traffic management</p> <p>Action Point 6</p> <p>The request for traffic counts on the local road network was so that there was data to compare if complaints are made about re-assigning traffic. Without that it is sometimes difficult to judge the difference between perception and reality and the cause.</p>
Applicant's comment	<p>The Applicant is responsible for the Strategic Road Network and does not propose to undertake traffic counts on local roads during construction. Temporary traffic management measures will be considered in the event that self-diversion is obviously and regularly occurring at an identified point due to construction of the works, and where it is agreed with the local highway authority and local police force that there is a need for this.</p>
REP4-061aj	<p>Traffic management</p> <p>Action Point 7</p> <p>Noted and engagement with local stakeholders is welcomed.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities.</p>
REP4-061ak	<p>Noise</p> <p>Action Point 10</p> <p>The Councils consider the baseline noise data for 2017 acceptable for the ES.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities.</p>
REP4-061al	<p>NMUs</p> <p>Action Point 16</p> <p>Signalled crossings should provide for all NMUs, not just pedestrians. The provision of a signalised crossing of the A1198 approximately 45m south of the southern roundabout should be included as this</p>

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	is an important link between services and the Cambourne West development will increase demand. Given the traffic volume and speeds at this junction an uncontrolled crossing at this location is not acceptable.
Applicant's comment	As confirmed in the Applicants response to Action No. 16 of 9.32 Applicant response to actions arising from Issue Specific Hearing 2 [REP3-019], consideration is being given to provision of a signalised crossing of the A1198 approximately 45m south of the southern roundabout.
REP4-061am	<p>Design development process</p> <p>Action Point 9</p> <p>CCC notes the applicant's reference to the document 'Scheme Design Approach and Design Principles' (document ref TR010044/EXAM/9.26). Item 9 of Appendix B of this document, 'Scheme response to the Road to Good Design', is headed 'Good road design is collaborative'. The document however does not outline what collaborative working is to be undertaken with CCC as the LHA to agree the extent of local highways and highway assets that are proposed to be handed over to the LHA upon completion of the scheme. As is noted by CCC at para 3.30 of document REP1-048, and as has been raised repeatedly, the agreement of highway boundaries for local roads is of significant importance to CCC in understanding the extent of the assets it is due to inherit as a result of the scheme. CCC has requested the formation of working groups to begin to tackle this issue, but no engagement on this matter has yet commenced. Such collaboration is also of value to the applicant and to adjoining private landowners as it serves to clarify, at an early stage, which parties are expected to assume ongoing responsibility for different assets. The Applicant has still not commented on the means of engagement they intend to undertake with LHAs on this matter, nor has it attempted to make the limited amendments to the DCO that have been requested to assist the LHA on this issue.</p>
Applicant's comment	The Applicant notes the comments made by the Cambridgeshire Authorities in connection with highway boundaries and confirms that these matters will be dealt with at detailed design and through the legal side agreement.
REP4-061an	<p>Limits of Deviation</p> <p>Action Point 13</p>

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	<p>CCC notes that in the Applicant's Comments on Written Representations [REP3-008] in relation to REP1-048aa the Applicant proposes making changes to the wording of Article 9 of the DCO to give the LHA a consultative role if the Applicant wishes to extend the Limits of Deviation in the DCO pursuant to article 9. The Applicant also indicates it will amend the associated plans showing Limits of Deviation and make it clear that the Limit of Deviation will apply to PROW and NMU routes and will consider the effect of making such changes on articles 14(7) and 18(2)(a). Furthermore, the applicant commits to providing the LHA with as-built plans to assist with accurate statutory recording of new or diverted PROW.</p> <p>These are positive steps, however CCC has the following reservations and therefore at this time cannot agree on this matter.</p> <ol style="list-style-type: none"> (1) Broad Limits of Deviation may permit the construction of PROW in unsuitable locations that do not provide optimum connectivity for users. It is not appropriate therefore to apply a scheme-wide limit to PROW, and a more appropriate corridor should be provided for each individual PROW. (2) CCC cannot comment on the appropriateness of the applicant's proposal to provide asbuilt plans until it has reviewed the nature of what is shown on those plans. The statutory recording of PROW must meet certain criteria which would need to be displayed on such a plan. (3) Further amendments to the draft Order are necessary to deal with the provisions of Schedule 3, Part 7 and Schedule 4, Part 2 to the draft Order. Presently, those Schedules require PROW to be constructed in specific places and condition the ability to stop up existing PROWs on the provision of replacement PROW in specific places. Where PROWs are constructed in different locations under the power to deviate, that raises questions as to whether Schedule 3, Part 7 has been complied with and, separately, whether the existing PROWs that are to be stopped up once the replacement PROWs have been provided (Schedule 4, Part 2), have in fact been validly been stopped up. One solution would be to provide (i) that any deviation of PROWs under the power to deviate may not permit deviations that would not connect the particular points listed in the final columns of those Parts of those Schedules; and (ii) that any deviated PROW which does connect those particular points is deemed to satisfy those Parts of those Schedules, so as to ensure that the PROWs to be stopped up are validly stopped up. This is of significance to CCC as the failure to give new highways legal effect through the DCO results in further separate legal processes being necessary.

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	<p>(4) Although the applicant indicates it is considering changes to articles 14(7) and 18(2)(a), CCC cannot agree to these changes until it has been able to review them after deadline 4.</p>
Applicant's comment	<p>(1) The Applicant would point to its response to REP4-060z above.</p> <p>(2) The Applicant has included an express obligation in Article 14(16) of the dDCO [REP4-006] to provide information showing the detail of the public rights of way as constructed. the Applicant also notes that CCC has sought to include detail as to the form of that information in the legal agreement to be agreed between the parties and subject to the Applicant being able to practically comply with those requirements it has no objection to fulfilling the request.</p> <p>(3) In light of the comments from the Cambridgeshire Authorities in relation to the limits of deviation the Applicant has reconsidered the amended drafting to the dDCO as submitted at Deadline 4 [REP4-006]. The Applicant is of the view that sufficient flexibility is required in order for the public rights of way to react to the changes to the Scheme that may result through the application of the limits of deviation while still complying with the requirements of the Order to provide the public rights of way and substitute public rights of way. The Applicant will look to engage with the Cambridgeshire Authorities directly in this regard in an effort to agree proposed amendments to the dDCO.</p> <p>(4) The Applicant awaits further comments from CCC in this regard.</p>
REP4-061ao	<p>Handover of new highways</p> <p>AP14</p> <p>CCC has made its position on handover of assets clear in document REP1-048, paras 3.4 to 3.14. The Councils require the DCO itself to contain a clear mechanism to underpin the provisions of the Legal Agreement to ensure that, as a matter of law, the relevant roads are not de-trunked without the Legal Agreement being complied with. The Councils have suggested at Deadline 3 amendments to the draft DCO that would provide for a clear certification process that would fulfil the necessary role. The certification process would also have added benefits in terms of clarifying, as a matter of law rather than just contract between the parties, the extent of the de-trunked road / new highways by reference to the as-built drawings.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	The Applicant maintains its view that this is unnecessary and would point the Examining Authority to its response to REP4-060y above.
<i>938 Joint Position Statement with the Local Highways Authorities on Junction modelling [REP3-024]</i>	
REP4-061ap	This document is largely superseded by the Scoping note [TR010044/EXAM/9.44] for the further work NH are proposing. Please see the comments below on 9.44 Scope of Junction Model Sensitivity Test [REP3-029] .
Applicant's comment	The Applicant notes the response from the Cambridgeshire Authorities.
<i>9.41 Joint Position Statement with Natural England and the Local Authorities on Drainage Ponds [REP3-026]</i>	
REP4-061aq	Details of attenuation basins including intended design principles and planting arrangements Annex A Annex A [REP3-026] does not contain information about the enhancement to existing ponds, which the Councils requested be included within Annex A during the meeting between the Applicant and Local Authorities on 05th October. The Councils have asked for clarity about how attenuation pond 83 will be restored to mitigate the permanent habitat loss (two ponds). This has not been provided.
Applicant's comment	Ponds 9 and 83 (the "two ponds") are part of the highway network and as such are managed by the Applicant to fulfil their function as highway drainage. Part of this activity includes the clearing the ponds of vegetation including reeds and scrub to maintain the function of the ponds. The meeting minutes produced from the meeting on 5 October has said this information would be included for Deadline 7 and the Joint Position Statement with Natural England and the Local Authorities on Drainage Ponds [REP4-034] will be updated for Deadline 7.
<i>9.42 Chapter 11 Noise and Vibration Errata [REP3-027]</i>	
REP4-061ar	General

Reference Number	Interested Parties Submission/Applicant's Comments
	HDC accepts the Errata in relation to Noise and Vibration. The document does not change the methodology used or outcomes reported, as it appears only to correct a typographical error.
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
<i>9.43 Assessment of Traffic Flows at Dry Drayton & Madingley [REP3-028]</i>	
REP4-061as	<p>The impact on Dry Drayton and Madingley 1.1.1</p> <p>The impact highlighted by CCC was on Scotland Road, Dry Drayton and Church Lane, Madingley but the assessment undertaken by NH focusses on Oakington Road, Dry Drayton and The Avenue, Madingley and so does not address the issues seen in the assessment undertaken by the Councils.</p>
Applicant's comment	The roads assessed in REP3-028 are simply a continuation of the two roads that CCC have listed, i.e. between the A428 and A1307/A14 and the daily changes at the locations are very similar. As REP3-028 has demonstrated, the majority of the increase in traffic on these routes is due to the A14 and development at Northstowe. The impacts resulting from the Scheme are relatively small.
REP4-061at	<p>The impact on Dry Drayton and Madingley 1.1.2</p> <p>The Councils agree that there are significant changes to the road network in this area as a result of the A14 scheme, but the issue here is the impact of the proposed A428 Scheme. The only difference between the 2025 and 2040 DM and DS scenarios is the introduction of the A428 Black Cat to Caxton Gibbet Scheme and therefore, any changes on Scotland Road, Dry Drayton and Church Lane, Madingley are a direct result of the scheme, and the Councils require sufficient information to assess the significance of the suggested increase in traffic. To date there is insufficient information to assess the impact which is why the Councils have asked for monitoring of the traffic on Scotland Road, Dry Drayton and Church Lane, Madingley.</p>
Applicant's comment	The Scheme is not the only change affecting traffic flows between 2025 and 2040. Northstowe increases significantly in size during that period and has an impact on traffic using these roads. There are also developments in the west and northwest Cambridge areas that result in additional traffic on these roads.

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REP4-061au	<p>The impact on Dry Drayton and Madingley 1.1.8</p> <p>The Councils agree that the Northstowe development may affect traffic flows in the Dry Drayton and Madingley areas, but the development is included in the DM scenarios. The only difference between the DM and DS scenarios is the addition of the A428 Black Cat to Caxton Gibbet scheme. Therefore, any changes on Scotland Road, Dry Drayton and Church Lane, Madingley are a direct result of the scheme, and the Councils require sufficient information to assess the significance of the suggested increase in traffic. To date there is insufficient information to assess the impact which is why the Councils have asked for monitoring of the traffic on Scotland Road, Dry Drayton and Church Lane, Madingley.</p>
Applicant's comment	Please refer to the applicant's response to REP4-061at above.
REP4-061av	<p>Assessment 2.1.1</p> <p>The Councils have not asked for a comparison of the differences between base year and the future years because as is acknowledged above there have been significant changes to the road network in this area as a result of the A14 scheme. The Councils have asked for an assessment of the changes in traffic as a result of the introduction of the A428 scheme which should be the only difference between the future year DM and DS scenarios The assessment undertaken in this section does not deal with the issues highlighted by the Councils who are concerned with the levels of traffic on Scotland Road, Dry Drayton and Church Lane, Madingley.</p>
Applicant's comment	The applicant notes that CCC were provided with the traffic models in early 2020 including the traffic flow data which should provide sufficient information for CCC to undertake an assessment of the impacts at this location. The Applicant confirms that the increase in daily traffic in 2040 on Church Lane due to the Scheme is less than 600 vehicles daily and the increase on Scotland Road is around 1500 vehicles.
REP4-061aw	<p>2025 DM Forecasts 2.1.7</p> <p>The Applicant states that "A reason for some of the increase on Oakington Road will be due to a coding error on the section between Dry Drayton and the new A1307 junction. This resulted in the route distance specified being too short by 670m and may have resulted in more traffic using this route. There was also an error in the coding of The Avenue, although this was only 170m, with a similar error on the</p>

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	<p>A428 in the eastbound direction on the approach to Girton. A test assignment shows that the overall impact from coding errors resulted in more traffic on Oakington Road but less on The Avenue”.</p> <p>This indicates that the model is wrong in this location and therefore, these errors need to be fixed to see if this is the reason for the predicted impact of the scheme. If the modelling is not to be corrected then the Councils will require the monitoring of the impact of the scheme on Scotland Road, Dry Drayton and Church Lane, Madingley to enable an assessment of the impact of the scheme on these locations.</p>
Applicant's comment	<p>The Applicant has advised on the likely impacts of correcting the link lengths in the Sensitivity Test using the 2020 Uncertainty Log [APP-249] and since the likely changes are likely to be modest (see Figures A-2 to A10 in [APP-249]) does not consider this warrants a further sensitivity test.</p> <p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction.</p>
REP4-061ax	<p>2025 Forecasts (DS) 2.1.8</p> <p>As stated above the changes noted by the Councils were on Scotland Road, Dry Drayton and Church Lane, Madingley and so the Applicant has not answered the issues identified in the review of the model.</p>
Applicant's comment	<p>The increase in daily traffic in 2040 on Church Lane due to the Scheme is less than 600 vehicles daily and the increase on Scotland Road is around 1500 vehicles.</p>
REP4-061ay	<p>2040 DM Forecasts 2.1.13</p> <p>The Applicant states that “Some of the increase is due to trips to and from the NW Cambridge development which is only connected to the A1303 in the model network but in reality can also access the A1307. This is illustrated in Figure 2-6. A connection into the A1307 would result in less traffic travelling through Madingley.”</p>

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	<p>This indicates that the model coding of the Cambridge West (Eddington) is wrong and therefore, these errors need to be corrected to see if this is the reason for the predicted impact of the scheme. If the modelling is not to be corrected then the Councils will require the monitoring of the impact of the scheme on Scotland Road, Dry Drayton and Church Lane, Madingley to enable an assessment of the impact of the scheme on these locations.</p>
Applicant's comment	<p>. The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction.</p>
<p>9.44 Scope of Junction Model Sensitivity Test [REP3-029]</p>	
REP4-061az	<p>Flows to be used in sensitivity tests 3.1.3</p> <p>The Applicant has opted to adopt Option 2 from the joint Cambridgeshire Authorities note [REP3-043] submitted as a response to ISH2. This is acceptable to CCC but needs to be undertaken for all the junctions listed in the submitted note.</p>
Applicant's comment	<p>The Applicant has undertaken sensitivity testing for the junctions where it is considered there to be a risk of an impact from the Scheme that might differ from that reported in the Transport Assessment Annex [APP-243]. The Applicant's rationale for not carrying out sensitivity tests elsewhere is set out in [REP3-029].</p>
REP4-061ba	<p>Modelling of additional junctions in St Neots Table 3-1 Row 1</p> <p>The Applicant states <i>"The Scheme would remove through traffic from St. Neots thereby providing net relief to local traffic. Local traffic would re-route and benefit through a net reduction of traffic within the town centre. In considering the proposed Scheme, and in particular, when weighing its adverse impacts against its benefits, the Applicant has established through its comprehensive and robust assessments of</i></p>

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	<p><i>the network that the Scheme does offer significant net benefits to all the local towns and villages in the vicinity of the Scheme and to the majority of the junctions in the network. The Applicant considers that it would not be reasonable or proportionate to carry out further modelling to assess a potential deterioration in traffic conditions on selective approach arms of a number of specific individual junctions within the urban road network of a town, where the overall impact of the Scheme on the town is beneficial, and where the increase in traffic flows concerned is acknowledged to be the effect of local reassignment of traffic away from less suitable routes within the town centre”.</i></p> <p>The predicted increase in traffic on Great North Road and Cambridge Road is approximately 24% over the day with peak hour increases of around 200PCU's. These are significant increases onto sections of road that have historically experienced severe delays as a result of the congestion on the A428.</p> <p>The increases predicted are a direct result of the proposed scheme and the Councils are concerned that some of the adjacent junctions will not be able to accommodate the level of traffic indicated and that this could lead to congestion on the local road network that might lead to traffic not rerouting away from less suitable routes and therefore the predicted improvements might not be realised.</p> <p>The Councils require the assessment of the following junctions:</p> <ul style="list-style-type: none"> • Great North Road/Alpha Drive/Marlborough Road; • Great North Road/Howard Road; • Great North Road/Little End Road; • Great North Road/Nelson Road; • Cambridge Street/Cromwell Road/Station Road/Cambridge Road; • Cambridge Road/Dramsell Rise; and • Cambridge Road/Stone Hill/Wintringham Park access. <p>This is required to enable confirmation that the local road network can accommodate the predicted increase in traffic that is directly related to the implementation of the proposed scheme.</p>
Applicant's comment	The Council's comments about Great North Road and Cambridge Road are noted. The Applicant has provided a detailed response to this point in Table 3-1 of the 'Scope of Junction Model Sensitivity test'

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>[REP3-029]. The Applicant does not propose to undertake additional modelling at the junctions concerned, for the reasons already given in [REP3-029]. The Applicant will give consideration to monitoring the impacts in this area post Scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction.</p>
REP4-061bb	<p>Flows to be used in sensitivity tests of Black Cat Junction, Caxton Gibbet Junction, Cambridge Road Junction Table 3-2 Row 1</p> <p>The Applicant states <i>"As these are the three main Scheme junctions, sensitivity tests are proposed, for the 2040 AM and PM Do Something scenarios, using traffic count data to derive future year traffic flows – following the 'Option 2' approach recommended by CCC."</i></p> <p>This approach is acceptable for these junctions. The Councils would request that the flows are discussed and agreed prior to any further modelling.</p>
Applicant's comment	<p>The Applicant has already explained the approach adopted to develop the forecast year flows – the approach is set out in [REP3-029] in line with Option 2 as suggested by CCC in the Joint Position Statement [REP 3-024]. The Applicant can share the sensitivity test models with CCC for review if required.</p>
REP4-061bc	<p>Vissim parameters for testing of Black Cat Junction Caxton Gibbet Junction Cambridge Road Junction Table 3-2 Row 1</p> <p>The Applicant states <i>"The Vissim parameters (such as look ahead distance of priority markers, the HGV disaggregation between OGV1 and OGV2, etc.) which have been questioned are not likely to have a significant impact on model results. However, as a sensitivity test is being run to take into account survey data, then the parameters can be adjusted to test the impact of different Vissim parameters."</i></p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The inclusion of these measures in the sensitivity tests is welcomed. The Councils request that the revised parameters are discussed and agreed prior to any further modelling.</p>
Applicant's comment	<p>The Applicant has already explained the approach adopted to develop the sensitivity test forecast year models – the approach is set out in [REP3-029] in line with Option 2 as suggested by CCC in the Joint Position Statement [REP 3-024]. The Applicant can share the sensitivity test models with CCC for review if required.</p>
REP4-061bd	<p>Yelling & Toseland Crossroads Table 3-2 Row 2</p> <p>The Applicant states that as the junction is shown to be operating well within capacity in 2040 there is no need to undertake further assessment and therefore no further action proposed by the Applicant.</p> <p>The Councils are not aware of any independent turning counts at this junction. Comparison of NH link counts with 2015 base year model flows on two of the four approach arms to this junction show good correlation between modelled and observed flows giving the Councils confidence in the performance of the strategic model at this location. The Councils are therefore also confident in the forecast year modelled flows predicted by the strategic model at this junction and therefore accept NH's detailed junction model assessment of this junction.</p>
Applicant's comment	<p>The Applicant notes and welcomes this response from the Cambridgeshire Authorities.</p>
REP4-061be	<p>A428/Toseland Road/Abbotsley Road junction Table 3-2 Row 3</p> <p>The Applicant states that the scheme removes the vast majority of through traffic on the A428 at this junction and that the junction is shown to be operating well within capacity in 2040 and therefore there is no need to undertake further assessment at this junction. No further action is proposed by the Applicant.</p> <p>The Councils do not have confidence in the traffic flows used in the junction models used in the assessment of the scheme and therefore, are not able to agree the impact of the proposed scheme at this junction.</p> <p>The Councils requested that the modelling be undertaken using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the impact of the proposed scheme in this location. This is still needed for this junction.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Council's comments are noted. The Applicant does not propose to carry out sensitivity testing at this location for the reasons already given in the Scope of Junction Model Sensitivity Test [REP3-029] and elsewhere.</p>
REP4-061bf	<p>Potton Road/ B1046 Junction Table 3-2 Row 4</p> <p>The Applicant states that as the junction is shown to be operating well within capacity in 2040, there is no need to undertake further assessment and therefore no further action proposed by the Applicant.</p> <p>The Councils do not have confidence in the traffic flows used in the junction models used in the assessment of the scheme and therefore, are not able to agree the impact of the proposed scheme at this junction.</p> <p>The Councils requested that the modelling be undertaken using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the impact of the proposed scheme in this location. This is still needed for this junction.</p>
Applicant's comment	<p>The Council's comments are noted. The Applicant does not propose to carry out sensitivity testing at this location for the reasons already given in the Scope of Junction Model Sensitivity Test [REP3-029] and elsewhere.</p>
REP4-061bg	<p>Eltisley Link Junction Table 3-2 Row 5</p> <p>The Applicant states that as the junction is shown to be operating well within capacity in 2040 there is no need to undertake further assessment and therefore no further action proposed by the Applicant.</p> <p>The Councils do not have confidence in the traffic flows used in the junction models used in the assessment of the scheme this junction is to be provided as part of the scheme and the level of performance (max RFC of 0.33) indicates that the proposed junction is significantly larger than it needs to be to cater for the predicted levels of traffic and therefore, the Councils are not able to agree the proposed design at this junction.</p> <p>The Councils requested that the modelling be undertaken using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the performance of this junction in the future year. This is still needed for this junction.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Council's comments are noted. The Applicant does not propose to carry out sensitivity testing at this location for the reasons already given in the Scope of Junction Model Sensitivity Test [REP3-029] and elsewhere. There is no 'observed data' for this junction, as it differs fundamentally from the road layout that exists in this location today.</p> <p>Roundabouts are necessary here in order to turn the existing A428 across the alignment of the Scheme and connect it with the B1040. The design of the junction at this location is determined by the minimum geometric requirements for roundabouts in DMRB and not by the need to provide adequate traffic capacity. The Applicant therefore does not agree that the proposed junction is significantly larger than it needs to be.</p>
REP4-061bh	<p>Cambourne Junction Table 3-2 Row 6</p> <p>The Applicant states that this junction could accommodate double the amount of traffic used in their modelling before reaching its capacity. They continue to state this means there is no reason to do any further modelling of the junction.</p> <p>The Councils do not have confidence in the traffic flows used in the assessment of the scheme for this junction and therefore request that modelling be undertaken using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the performance of this junction in the future year. This is still needed for this junction.</p>
Applicant's comment	<p>The Council's comments are noted. The Applicant does not propose to carry out sensitivity testing at this location for the reasons already given in the Scope of Junction Model Sensitivity Test [REP3-029] and elsewhere.</p>
REP4-061bi	<p>Scotland Road, Hardwick, Junction Table 3-2 Row 7</p> <p>The Councils are still attempting to identify traffic surveys at this junction. If these are forthcoming the Councils will require the junctions to be re-modelled using observed data to adjust the strategic model turning proportions (Option 2 in the Councils note) to enable confirmation of the performance of this junction in the future year. This is because the Councils do not have confidence in the traffic flows used in the assessment of the scheme for this junction.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	The Council's comments are noted. The Applicant does not propose to carry out sensitivity testing at this location for the reasons already given in the Scope of Junction Model Sensitivity Test [REP3-029] and elsewhere.
REP4-061bj	<p>Madingley Mulch Junction Table 3-2 Row 8</p> <p>The Applicant states that that the issues at this junction are due to blocking back from M11 J13 and therefore this junction is better assessed by the extension of the M11 J13 VISSIM model.</p> <p>In principle the Councils agree with this statement but given the issues already noted with the M11 J13 VISSIM model this work will need to be agreed prior to any further modelling of this junction.</p>
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-061bk	<p>Wyboston Junction Table 3-2 Row 9</p> <p>NH States <i>"The Applicant maintains that the impact of the Scheme on this junction will still be beneficial whatever modelling approach is used. Nevertheless, the Applicant is prepared to undertake 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."</i></p> <p>The agreement to undertake revised testing of this junction is welcomed by the Councils. The parameters at the junction and the flows to be used should be discussed and agreed with the Councils ahead of any further modelling at this junction.</p>
Applicant's comment	The sensitivity test outputs are reported in Junction Model Sensitivity Test Outputs [TR010044/EXAM/9.68], submitted at Deadline 5.
REP4-061bl	<p>A428 Barford Road junction Table 3-2 Row 10</p> <p>The Applicant states <i>"It would not normally be appropriate for National Highways to carry out further, more detailed modelling to assess the performance of this junction, where the overall impact is so clearly beneficial. Nevertheless, the Applicant is prepared to undertake sensitivity testing to quantify the</i></p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p><i>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."</i></p> <p>The Councils welcome the commitment to undertake the modelling of this junction using the methodology suggested by the Councils (Option 2 in the Council's note). The Councils request that the flows to be used in the modelling are discussed and agreed prior to any further modelling being undertaken at this junction.</p>
Applicant's comment	The Applicant notes and welcomes this response from the Cambridgeshire Authorities.
REP4-061bm	<p>M11 Junction 13/A1303 Buckden Roundabout Table 3-2 Row 11</p> <p><i>The Applicant states "Base models have been developed and calibrated/ validated to TAG standards, which is the accepted and standard approach required in the NPSNN. The calibration and validation was done with the parameters in place – so the capacity of junctions and queue lengths are calibrated to observed information and are robustly modelled. The parameters are also consistent between the Do Minimum and Do Something scenarios, so the modelling submitted provides a robust assessment of the impacts of the Scheme. No further action proposed by the Applicant"</i></p> <p>With regard to M11 J13 there are a number of areas where the model is incorrect such as the coding of the construction access to the Eddington development as a permanent access. This together with the use of TFL parameters in the model means that there are significant areas that would benefit from the re modelling of this junction. Also, in relation to the Madingley Mulch Junction it was stated that the M11 J13 VISSIM model would be extended to include this junction. This information is required by the Councils to confirm the impact of the proposed scheme on the local road network.</p> <p>For the A1 Buckden Roundabout it is acknowledged that the base model is based on observed data, but the future year flows were taken directly from the strategic model and the Councils request that the flows used in this model are treated in the same way as the flows at other junctions assessed.</p>
Applicant's comment	The Applicant has explained in the Applicant's Comments on Written Representations [REP3-008] the use of TfL parameters in M11 J13 model, the limited impact this has, and that the Applicant considers the base models to be robust given the models are calibrated and validated to TAG guidelines. The Applicant does not intend to adjust the previously calibrated/validated base model network.

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>The Applicant considers that the Eddington development loading point does not need to be changed in the model, as the current model was based on the best information the Applicant had when the model was built. The issue is present in both the DM and DS models and therefore does not affect the way the model quantifies the impact of the Scheme on M11 J13.</p> <p>Madingley Mulch junction is already included in the M11 J13 VISSIM model submitted with the DCO application and reported on in the TAA [APP-243]. The purpose of extending the model is to understand the potential impact of queues on the A428. The Applicant can discuss the approach and share the results of this study with CCC.</p> <p>For the A1 Buckden Roundabout, the Applicant does not agree with CCC's comment – "the future year flows were taken directly from the strategic model". The Applicant has undertaken the future year modelling in the DCO submission using the validated base year Vissim flows (based on observed flows) and applying only forecast changes from the Strategic model. This approach is consistent with CCC's preferred approach and is explained in Appendix 2.1 of the Transport Assessment Annex [APP-243].</p>
<p><i>Comments on any other information and submissions received by D1 and D2 [REP3-030]</i></p>	
<p>REP4-061bn</p>	<p>Definition of "commence" Table 2-2</p> <p>The Councils note that the Applicant is developing a pre-commencement plan which aims to address the issues raised by the Councils. The Councils will comment further on the precise details of the pre-commencement plan once this is available following Deadline 4.</p>
<p>Applicant's comment</p>	<p>The Applicant has submitted a Pre-commencement Plan [REP4-038] at Deadline 4.</p>

REP4-063 – Central Bedfordshire Council

Comments on any other information and submissions received by D3

Reference Number	Interested Parties Submission/Applicant's Comments
<i>9.22 Applicants comments on Local Impact Reports</i>	
REP4-063a	<p>Construction Phase Impacts</p> <p>The opportunity for further discussion with regards to the use of the A603 as a formal diversion is welcomed and CBC would encourage the applicant to contact the CBC traffic manager to progress these discussions.</p> <p>It is noted that the Applicant acknowledges that there will be significant traffic increases forecast on sections of the CBC local road network during the construction phases of the development and further engagement with CBC with regards to the monitoring and management of these impacts is encouraged – as outlined in the joint position statement (REP3-016)</p>
Applicant's comment	<p>The Applicant's position with regard to local traffic monitoring is set out in the response to ISH2.</p> <p>[TR010044/EXAM/9.32] This is further clarified in the joint position statement [REP3-016] 'The Applicant aims to encourage continued use of the Strategic Road Network (SRN) and reduce self-diverting traffic during construction by ensuring high levels of communication with road users. Using Variable Message Signs (VMS) and clear diversion route signage on the SRN, well in advance, the Applicant will ensure road users are kept informed and able to plan their journeys. Additionally, the Applicant will monitor the effectiveness of traffic management measures to ensure significant increases are addressed and delays minimised at key SRN junctions. Temporary traffic management measures will be considered in the event that self-diversion is obviously and regularly occurring at an identified point due to construction of the works, and where it is agreed with the local highway authority and local police force that there is a need for this.</p> <p>Technical note 43 (Construction Modelling Assessment) issued to the Local Authorities and included with Appendix 9 of the Transport Assessment (Part 1) [APP-241], clarifies the impact of the construction phase for journey times. Here it is shown (Figure 36) that the model forecasts modest increases in journey times on the existing A428 during construction. These vary between stages with the most severe increases being between 2.5 - 4 minutes during off peak periods and between 1.5 and 3.7 minutes during peak times. The Applicant does not anticipate that in practice these slight increases would entirely account for high levels of drivers opting to undertake a longer diverted journey</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-063b	<p>Operational Phase Impacts</p> <p>The response provided with regards to Monitor and Manage represents the standard operation and management of the Strategic Road Network and is not tailored to the impacts of the DCO scheme. Whilst the RIS represents a mechanism by which a long-term solution to traffic issues on the A1 could be identified, and further assessment of a major improvement through the RIS (or other funding mechanism) would be strongly supported by CBC, this does not address the more immediate impacts of the DCO scheme, nor does it address the potential displacement of strategic traffic onto local roads through Sandy. It is also noted that the applicant does not intend to monitor traffic impacts on the local network. However, there are specific traffic dynamics associated with the A1 and adjacent routes (and Sandy in particular) where CBC consider that a broader monitoring process would be both reasonable and proportionate</p>
Applicant's comment	<p>The Applicant will give consideration to monitoring the impacts in this area post scheme opening. As with previously consented schemes the Applicant proposes to finalise the scope of scheme benefits review after the DCO decision has been made. This is because the examination and decision process can alter the benefits delivered. Monitoring could either form part of the Post Opening Project Evaluation (POPE) programme undertaken by the Applicant, or as an additional monitoring programme that would supplement local monitoring the Applicant assumes all LHA's, as responsible authorities, are routinely undertaking on local routes. The Applicant will consult Local Authorities on the scope of pre and post scheme monitoring prior to the start of construction.</p>
<p><i>9.32 Applicant response to actions arising from Issue Specific Hearing 2</i></p>	
REP4-063c	<p>Joint position statement on the possibility, process and outcomes of common modelling methodology</p> <p>The joint position statement referenced (TRO10044/EXAM/9.38) excludes comments made by CBC with specific regards to the outcomes of the common modelling methodology, although these are referenced within the associated CBC submission REP3-043k. In particular the over-arching issue of the applicant's approach to mitigation via Monitor and Manage as detailed within the submitted Transport Assessment Annex (APP-243). This is a matter which remains unaddressed and of fundamental importance to CBC – as it represents the only approach to mitigation proposed on highly traffic sensitive junctions within the CBC authority area.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>A revised Joint Position Statement incorporating CBC's position will be resubmitted at D5. It appears that during managing of multiple versions of JPS before the D3 submission some parts pf CBC's contributions were inadvertently omitted; hence an updated version is being submitted at D5.</p> <p>Regarding the Applicant's position on monitoring, it is reiterated that for the SRN junctions where the local highway network arms are predicting to have longer queues due to reassignment of local traffic NH proposes to obtain regular feedback through monitoring of the traffic flow characteristics by the local highway authorities and if found necessary consideration will be given to the potential need for interventions.</p>
REP4-063d	<p>Update on the construction traffic impacts at the following locations, including likely Heavy Goods Vehicles (HGVs) numbers, routes and frequency:</p> <p>Whilst the information provided in Appendix A of document TR010044/EXAM/9.32 gives some further information with regards to potential peak numbers of HGVs using Station Road – which are assumed to equate to a peak daily demand for 50 movements (25 arrivals and 25 departures), no information on duration of use, or potential vehicle types has been provided. Taking into account the narrow nature of sections of the route, which are incapable of accommodating a HGV if opposed by another vehicle, and the poor condition of the carriageway, CBC's concern with regards to the use of the route for significant construction traffic remains.</p>
Applicant's comment	<p>The Applicant notes the concern expressed with regard to the narrow nature of section of this access route. This route has been successfully managed to facilitate the archaeological mitigation works in Field 44 which required HGV access through Tempsford for various aspects of these works. HGV movements on this route would be coordinated and managed in a similar way during this phase of the works.</p> <p>Construction access via Station Road Tempsford is required for the Cadent gas diversion works and the construction of the east abutment of the East Coast Mainline structure. Cadent have not confirmed the duration of gas main diversion works and thus the period during which access via this route is required cannot be confirmed but is estimated to be for between 8 to 12 months. Once Cadent have completed their diversion design and provide a detailed construction programme the Applicant will share this the local authority.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-063e	<p>Consider how physical measures such as temporary traffic calming (to reduce need for enforcement), or temporary traffic regulation HGV restrictions could be introduced to assist in mitigating effects of construction traffic and inappropriate re -routing on the local highway network.</p> <p>The response provided suggests that the responsibility for identifying impacts upon the local road network will sit with the Local Highway Authority. It is agreed that the management of traffic on the Strategic Network represents an important part of the overall traffic management response. However, as the applicants modelling predicts, there will remain a significant residual impact on the Local Highway network that also needs to be acknowledged, monitored, and managed. As detailed in the previous CBC responses such monitoring and management carries a resource implication for which the authority would be seeking appropriate support. The CBC position on this matter is summarised in the Joint Position Statement (REP3 - 016).</p>
Applicant's comment	<p>T Technical note 43 (Construction Modelling Assessment) issued to the Local Authorities and included with Appendix 9 of the TA report (Part 1) - [APP-241], clarifies the impact of the construction phase for journey times. Here it is shown (Figure 36) that the model forecasts modest increases in journey times on the existing A428 during construction. These vary between stages with the most severe increases being between 2.5 - 4 minutes during off peak periods and between 1.5 and 3.7 minutes during peak times. The Applicant does not anticipate that in practice these slight increases would entirely account for high levels of drivers opting to undertake a longer diverted journey</p> <p>The response to Q2.11.7.3 confirms that the Applicant will monitor and manage the performance of the strategic road network (SRN). If a relationship is established between network performance and self-diverting traffic the project team will work with the Local Highway Authority (LHA) and Police to determine where the implementation of temporary traffic management measures will provide a deterrent to traffic following alternative routes.</p>

REP4-064 – Deloitte LLP on behalf of Church Commissioners for England

Comments on the Outline Construction Traffic Management Plan

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-064a	<p>Outline Construction Traffic Management Plan (OCTMP)</p> <p>CCfE notes that NH will be submitting an updated OCTMP at Deadline 4. During ISH2, CCfE raised a query regarding the Customer Plan and Stakeholder Engagement and Communications Plan referred to the OCTMP. NH responded that the plan is an internal document, and that it will respond by Deadline 3 as to its contents and purpose. No such information appears to have been submitted by NH at Deadline 3.</p> <p>CCfE acknowledges NH's response to Action 7 arising from ISH2 [TR010044/EXAM/9.32, pages 5 and 6] but submits that more detail around landowner consultation and engagement is required and that such details should be secured through the DCO. For example, NH's response refers to the requirements of its standard communications plan but as far as CCfE is aware, this plan is not before the ExA.</p>
Applicant's comment	<p>As submitted in response to WQ2.11.7.2, reference to the Customer Plan and Stakeholder Engagement and Communications Plan, which are internal documents, has been removed from the OCTMP submitted at Deadline 4 [REP4-012].</p>

REP4-066 – East West Railway Company

Response to Deadline 3 submissions

Reference Number	Interested Parties Submission/Applicant's Comments
<i>EWR Co's response to the Applicant's comments on EWR Co's responses to the ExA's First Round of written questions</i>	
REP4-066a	<p>Applicant's Response [REP3-007] on page 190 to EWR Co's response to Q1.17.4.1 East West Rail [REP1-074] b and c</p> <p>EWR Co Response</p> <p>In addition to the details of the potential engineering interfaces provided in EWR Co's response to Q1.17.4.1 (b) [REP1-074], further detail was provided in EWR Co's Deadline 2 submission regarding the draft itinerary for the Accompanied Site Inspection [AS011].</p> <p>The potential interfaces referred to in [REP1-074] and [AS011] were described by reference to a design that had been developed in December 2020 for the purposes of comparing the various route alignments. Since the close of the non-statutory consultation on 9 June 2021, the potential options to take advantage of value management opportunities, insofar as they may interface with the Scheme, have been considered further. As such, Appendix 1 to EWR Co's responses to WQ2 (submitted at Deadline 4) has been prepared to describe the potential interfaces with the value managed design, so as to ensure that the most recent information in respect of EWR Co's ongoing option development and emerging preferences is before the Examination. It is to be noted that EWR Co has yet to confirm its preferred route alignment for the EWR Project and discussions held with NH are based upon the emerging preferences as presented at non statutory consultation, and that the alternative designs shown in the responses to WQ2 represent no more than potential alternatives at this stage.</p> <p>EWR Co issued draft protective provisions to the Applicant's legal team on 15 October 2021 and awaits a response from the Applicant. These provide for the management of key interfaces to ensure the efficient delivery of both the Scheme and the EWR Project. In addition, they provide for the adaptation of the Scheme by way of works to integrate the Scheme and the EWR Project, protective works and amendments to construction programming. This mechanism is subject to an exclusion of works or matters would give rise to any materially new or materially different environmental effects from those reported in the environmental statement. This provides for the management of key interfaces without the need to amend the Scheme during the course of the Examination.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>East West Rail Co (EWR) is in the very early design stage not yet having even announced a preferred route, prepared its preliminary design or consulted on that design. In contrast, the Applicant has completed its preliminary design taking on board comments from consultation, completed its Environmental Impact Assessment (including setting its limits of deviation) and has commenced the detailed design stage for the Scheme. The Applicant maintains its view that given the very early stage of the design for the EWR Scheme it is not possible for any design commitments to be sought for EWR within the A428 Scheme. The nature of the DCO process is such that by the time a scheme is in Examination there are certain elements required in order to provide certainty and control over the design but as a consequence of that certainty there is also a reduction in the ability to accommodate changes at a late stage. Therefore, it is the Applicant's view that it would be for the EWR Scheme design (when completed) to look for efficiencies based on the existing design of the A428 Scheme. There should not be an obligation on the A428 Scheme to redesign or make changes to incorporate a future design from EWR when that information is not currently available.</p> <p>Whilst the Applicant is still of the view that protective provisions for an asset that is not yet in place is premature, the Applicant is reviewing the proposed Protective Provisions provided. The Applicant notes that EWR were to provide a separate Interface Agreement and the Applicant would like to consider the Protective Provisions in line with this agreement which has not yet been received. Once the Interface Agreement has been shared the two can be considered together and any cooperation possible between the schemes can be considered.</p>
REP4-066b	<p>Applicant's Response [REP3-007] on page 190 to EWR Co's response to Q1.17.4.1 East West Rail [REP1-074] d and e</p> <p>EWR Co Response</p> <p>EWR Co maintains that, should the Scheme not be delivered in a manner that takes account of the EWR Project, there is a risk that the latter will be rendered more expensive or more difficult to deliver which would also lengthen the programme to delivery. This may adversely affect the achievement of wider transport and economic objectives of the EWR Project. As such, it is important that measures secured by appropriate protective provisions in the dDCO, are put in place to ensure that key interfaces are properly managed.</p> <p>EWR Co issued draft protective provisions to the Applicant's legal team on 15 October 2021. The draft protective provisions remain the subject of discussion between the parties.</p>
Applicant's comment	Please refer to the Applicant's response to REP4-066a above.

Reference Number	Interested Parties Submission/Applicant's Comments
<i>EWR Co response to the Applicant's comments on other parties' responses' to the First Round of written questions</i>	
REP4-066c	<p>Applicant's Response [REP3-007] on page 203 to CPRE Cambridgeshire and Peterborough (REP1-056e), Q1.11.1.3</p> <p>EWR Co Response</p> <p>The potential interfaces referred to in [REP1-074] and [AS011] were described by reference to a design that had been developed in December 2020 for the purposes of comparing the various route alignments. Since the close of the non-statutory consultation on 9 June 2021, the potential options to capitalise on value management opportunities in so far as they may interface with the Scheme have been considered further. As such, Appendix 1 to EWR Co's responses to WQ2 (submitted at Deadline 4) has been prepared to describe the potential for alternative interfaces. The Preferred Route Alignment announcement will be made in winter 2021/2022, after which further design development will take place, including on the interface locations identified.</p> <p>EWR Co issued draft protective provisions to the Applicant's legal team on 15 October 2021. These provide for the management of key interfaces to ensure the efficient delivery of both the Scheme and the EWR Project. In addition, they provide for the adaptation of the Scheme by way of works to integrate the Scheme and the EWR Project, protective works and amendments to construction programming. This mechanism is subject to an exclusion of works or matters would give rise to any materially new or materially different environmental effects from those reported in the environmental statement. This provides for the management of key interfaces without the need to amend the Scheme during the course of the Examination. The draft protective provisions remain the subject to discussion between the parties. The Applicant's confirmation that it will continue to work with EWR Co to coordinate the Scheme and the EWR Project is welcomed.</p>
Applicant's comment	Please refer to the Applicant's response to REP4-066a above.
<i>EWR Co's response to Applicant's comments on information and submissions prepared by EWR Co received by D1 and D2</i>	
REP4-066d	<p>Applicant's comments [REP3-030] on EWR Co Response [REP1-073] to Action Points 1, Table 2.1, page 2</p> <p>EWR Co Response</p> <p>EWR Co's response to the Applicant's comments on EWR Co's response to Q1.17.4.1(b) is set out at 1.1, above</p>

A428 Black Cat to Caxton Gibbet improvements
 Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	Please refer to the Applicant's response to REP4-066a above.
REP4-066e	<p>Applicant's comments [REP3-030] on EWR Co Response [REP1-073] to Action Points 2, Table 2.1, Page 3</p> <p>EWR Co Response</p> <p>EWR Co issued draft protective provisions to the Applicant's legal team on 15 October 2021. The draft protective provisions remain the subject of discussion between the parties.</p>
Applicant's comment	Please refer to the Applicant's response to REP4-066a above.
<i>EWR Co response to Applicant's comments to Written Representations received at D1 and D2.</i>	
REP4-066f	<p>Applicant's Response to Written Representations [REP3- 008] on page 169 - Response to Huntingdonshire District Council [REP1- 048dg]</p> <p>EWR Co Response</p> <p>EWR Co is of the opinion that the Applicant's cross reference to its response within the Response RR-23a in REP-021 may be incorrect and the correct reference may be RR-23f in REP1-021 which appears to address the matters raised in respect of climate change and carbon.</p> <p>On this basis, EWR Co responds as follows: It is for the Applicant to assess cumulative impacts in respect of the Scheme, including in respect of climate and carbon. EWR Co will address cumulative impacts of the EWR Project with the Scheme as part of the environmental impact assessment undertaken for the EWR Project. That is the appropriate and conventional approach to cumulative impact assessment.</p>
Applicant's comment	The Applicant agrees with the statement provided by the East West Rail Company.
<i>EWR Co comments on Applicant's Written submission of oral case for Compulsory Acquisition Hearing on 22 September 2021</i>	
REP4-066g	<p>Applicant's Written submission of oral case for Compulsory Acquisition Hearing on 22 September 2021 - Agenda Item 8b, page 10 [REP3- 021]</p> <p>EWR Co Response</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>At Deadline 3, the Applicant and EWR Co submitted joint statements in respect of discussions between the parties [REP3-048] and [REP3-018]. Discussions between the parties as to protective provisions and a side agreement are continuing, and the intention remains to reach agreement prior to the close of the examination.</p>
Applicant's comment	<p>The Applicant agrees with the statement provided by the East West Rail Company where such provisions are necessary and appropriate.</p>
<p><i>EWR Co comments on third party responses</i></p>	
REP4-066h	<p>Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council Comments on Written Representations [REP3- 037], page 5 responding to submission [REP1- 053] by Camcycle.</p> <p>EWR Co Response</p> <p>EWR Co acknowledge the Councils' adoption of Camcycle's points regarding a redesign of crossing points for NMUs in coordination with the EWR project.</p> <p>As stated at item 4.3 of [REP3-048], it is for the Applicant to consider impacts on NMUs in respect of the Scheme and make provision as necessary.</p> <p>EWR Co will assess the impact of the EWR Project on NMUs prior to submitting a development consent order application. While the design of the EWR Project continues to be developed, it is expected that this will consider the available options to support sustainable modes of transport to facilitate customer journeys to and from the station, as part of the first or last part of their rail journey.</p>
Applicant's comment	<p>The Applicant agrees with the statement provided by the East West Rail Company.</p>
REP4-066i	<p>Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council Comments on Applicant's Statement of Common Ground with Central Bedfordshire Council and Applicant's Statement of Commonality [REP3- 040], page 5</p> <p>EWR Co Response</p> <p>Provision for the EWR Project</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>As set out at item 8.1 of [REP3-048], the Scheme and the EWR Project have the potential to be geographically related. As such, it is entirely appropriate and efficient that the Scheme make reasonable provision for the accommodation of the EWR Project to ensure that key interfaces are properly managed, taking appropriate and proportionate account of the route alignment eventually chosen for the EWR Project.</p> <p>Cumulative impacts A preferred route alignment for the EWR Project in the vicinity of the Scheme has not been announced nor has EWR Co applied for a Scoping Opinion from the Planning Inspectorate.</p> <p>Therefore, at this stage, it is not considered that the EWR Project is a development that is of sufficient certainty to be included within the cumulative assessment for the Scheme. However, EWR Co will continue to engage with the Applicant to ensure that the EWR Project is appropriately reflected in the assessment of the Scheme.</p> <p>It is for the Applicant to assess cumulative impacts in respect of the Scheme. EWR Co will address cumulative impacts of the EWR Project with the Scheme as part of the environmental impact assessment undertaken for the EWR Project. That is the appropriate and conventional approach to cumulative impact assessment.</p>
Applicant's comment	<p>Please refer to the Applicant's response to REP4-066a above. The Applicant reiterates that it is not reasonably possible to make provision for the accommodation of the EWR Scheme when design for that scheme is so uncertain and lacking in any detail.</p> <p>The Applicant agrees with EWR in relation to the approach regarding cumulative impacts.</p>
REP4-066j	<p>Cambridgeshire County Council, Huntingdonshire District Council and South Cambridgeshire District Council Comments on responses to the Examining Authority's First Written Questions [REP3-042], page 18</p> <p>EWR Co Response</p> <p>The EWR Project will create employment opportunities during construction, as well as enabling employment growth within the Oxford to Cambridge Arc once in operation. Consideration of supply chain and employment and skills opportunities in the building of the EWR Project will be undertaken during design development, with the majority of opportunities being realised in the construction phase.</p> <p>As part of this exercise, EWR Co would be pleased to explore opportunities with the Applicant and its delivery partners in relation to the Scheme. The extent of any such coordination will depend on the manner of delivery of the Scheme and the EWR Project and alignment in terms of timing and skills required.</p>

A428 Black Cat to Caxton Gibbet improvements
Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	The Applicant will collaborate with EWR Co in this regard subject to the delivery of the Scheme and the manner of the delivery of the EWR project timings and skills required.

REP4-069 – Historic England

Response to Deadline 3 submissions

Reference Number	Interested Parties Submission/Applicant's Comments
<i>Historic England Comments on the 'Applicant's Responses to Written Representations [TR010044/EXAM/9.21].</i>	
REP4-069a	<p>In the Applicant Comments on Written Representations (TR010044/EXAM/9.21), the applicant has given further consideration to several designated heritage assets on which we advised in our Written Representations.</p> <ul style="list-style-type: none"> We are content with the Applicant's Comments on the level of impact on Roxton parish church (REP1 077e, page 229).
Applicant's comment	The Applicant notes and welcomes this response from Historic England.
REP4-069b	<ul style="list-style-type: none"> We are content with the Applicant's Comments on the level of impact on Croxton Park (REP1 077j, page 321).
Applicant's comment	The Applicant notes and welcomes this response from Historic England.
REP4-069c	<ul style="list-style-type: none"> The Applicant's Comments on REP1 077af-at notes that further information is needed and that there are ongoing discussions concerning Brook Cottages. We agree with this and are actively involved in these discussions, including Requirement 16 of the draft DCO (REP1 077co).
Applicant's comment	The Applicant can confirm the discussions are ongoing and will seek to provide an update to the Examination at Deadline 6.
REP4-069d	<ul style="list-style-type: none"> In relation to the moated site at Pasture's Farm, the Applicant's Comments on REP1 077r (pages 234-5) reflects conclusions in the ES regarding the potential for screening through existing vegetation and proposed scheme planting. We acknowledge the applicant's assessment in response to REP01 77s, that it will still be possible to understand the site in its landscape context, and the relationship to surrounding farmland and its connection to medieval villages nearby. However, the applicant's response to REP1 077s also notes that the property at Pasture's Farm has a direct line of sight to the elevated dual carriageway and junction, and we welcome the exploration of further landscape visualisation for this site mentioned, which would clarify the scale and height of the proposed elevated elements of the scheme. Notwithstanding, to clarify our position, we would confirm

Reference Number	Interested Parties Submission/Applicant's Comments
	agreement with the applicant of a less than substantial level of harm (noted by the Applicant in their response to REP1 077cg).
Applicant's comment	A visualisation for the moated site depicting its relationship to the Scheme and its associated planting is currently being prepared by the Applicant, and will be submitted to the Examination at a future deadline (the Applicant hopes to make this available to Historic England at Deadline 6).
REP4-069e	<ul style="list-style-type: none"> In relation to potential impacts on part of a series of non-designated earthworks in the vicinity of Wintringham Hall (REP1 077z), we had advised that remains should be considered in design of construction and planting in this area, noting the potential role of already proposed requirements on the DCO relating to consultation on aspects of final design. The applicant advises that earthworks in this area are no longer extant. To clarify, our response referred to those earthworks noted in the applicant response to REP1-077x to be present within the Scheme Order Limits, the 'part of the plough headland and some ridge and furrow'. To clarify our position, comment is intended to be advisory.
Applicant's comment	<p>The Applicant notes Historic England's comment to be advisory.</p> <p>The location of part of the non-designated earthwork of a plough ridge coincides with a narrow belt of woodland planting to the east of the new Cambridge Road Junction, which is proposed for visual screening purposes as illustrated on Revision 2 of the Environmental Masterplan [REP4-047]. The Applicant can confirm that only a very small part of the northern extents of the earthwork will be affected by development-related activity, and that the majority of the feature will remain unaffected by construction (being located outside of the Scheme's Order Limits).</p> <p>Whilst this earthwork may form part of the wider landscape of the scheduled Wintringham deserted medieval village (DMV), the DMV itself is located approximately 0.5km to the south.</p>
REP4-069f	<ul style="list-style-type: none"> We note the Applicant's responses to REP1 077au to REP1 077bt and acknowledge updates to the AMS.
Applicant's comment	The Applicant notes and welcomes this response from Historic England.
REP4-069g	<ul style="list-style-type: none"> In response to a comment made in REP1 077bu that it would have been helpful to see the proposed site areas against the cropmark, geophysical and evaluation results in order to visually understand them (also made in REP1 077cp), the applicant has responded that these figures are not presented in the AMS, but that all data was used in the design of mitigation areas and discussed with local authorities. However, the extent of

A428 Black Cat to Caxton Gibbet improvements
Applicant's Comments on submissions made at Deadline 4

Reference Number	Interested Parties Submission/Applicant's Comments
	mitigation areas is a key point where Deadline 3 submissions reflect disagreement on the Updated Archaeological Strategy. We reiterate that provision of maps and plans to illustrate the proposed mitigation areas against the geophysical survey data and the results of trenched evaluation would facilitate (for other parties) the cross referencing of proposals back to the original data.
Applicant's comment	The requested figures will be submitted at Deadline 6.
REP4-069h	<ul style="list-style-type: none"> The Applicant notes our comment REP1 077bv, regarding employment of a range of techniques to contribute to chronological understanding. We advise insertion of a further update to the AMS on this point in Section 9, relating to excavation and sampling strategy, to complement that added to 10.3.2 relating to geoarchaeological work.
Applicant's comment	Paragraph 8.3.2 states "Provision will also be made for the recovery of material suitable for scientific dating. An appropriate dating specialist with a background in chronological modelling will be consulted in advance of and throughout the fieldwork and will be available to advise on the ongoing strategy." There is no need to repeat this in Section 9, as paragraph 9.2.11 states "The methodology for recording, artefact recovery, environmental sampling, finds processing, human remains and treasure should follow the methodology detailed in Section 8 above."
REP4-069i	<ul style="list-style-type: none"> We note the Applicant's responses to REP1 077bw to REP1 077ce and acknowledge updates to the AMS.
Applicant's comment	The Applicant notes and welcomes this response from Historic England.
REP4-069j	<ul style="list-style-type: none"> We acknowledge the applicant's response to Rep1-077cg regarding no proposed further mitigation for Pastures Farm, as the effects of the scheme are not considered significant, but also refer to responses on REP1 077r above
Applicant's comment	See response to REP4-069d above.
<i>Historic England's Comments on the Archaeological Mitigation Strategy [TR010044/EXAM/9.23]</i>	
REP4-069k	The remit for detailed comment and advice on non-designated archaeological remains lies primarily with the relevant Local Authority Archaeological Advisors. In our Written Representation, we offered some comments on the overall strategy, offered comment on the proposed methodology from our regional Science Advisor, and included

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>suggestions of further detail we would like to see considered in the AMS in order to ensure that the strategy is robust (REP 077).</p> <p>We welcome that the revised Archaeological Mitigation Strategy incorporates the majority of the comments made in our Written Rep. We also note the commitment to public engagement, and the reassurance on the strategy provided by the applicant in their Applicant's Comments on Local Impact Reports that mitigation areas will be treated in their entirety and not subject to piecemeal excavation related to different construction works [TR010044/EXAM9.22].</p> <p>We are broadly satisfied that our comments have been met, with the exception of one detailed point (see below). However, we note ongoing discussion on the strategy and disagreement on elements of it at Deadline 3.</p>
Applicant's comment	The Applicant notes the response from Historic England.
REP4-069I	<p>The 'Applicant's Response to Written Representation R010044/EXAM/9.21, and the 'Applicants comments on other parties responses to first round of written questions' [TR010044/EXAM/9.20 page 144) highlight that archaeological sampling strategies have been updated in line with an agreed brief that has been issued jointly by the Local Authorities. Local Authorities would therefore be best place to comment on the proposed sampling strategies in relation to the brief.</p> <p>However, these submissions for Deadline 3 also demonstrate that there are remaining areas of disagreement regarding the Updated Archaeological Strategy, identified by the applicant as relating particularly to the extent of some of the mitigation areas (TR010044/EXAM/9.20 page 156). This and the 'Applicant's Comments on Local Impact Reports (TR010044/EXAM/9.22, page 52) present points made by Cambridgeshire County Council and the Applicant's responses to them, and the rationale behind both, relating to knowledge gain and decisions based on the evaluation data. Further detail is available in the Applicant's Written Submission of Oral Case of Issue Specific Hearing 3 [TR010044/EXAM/9.36] item 5e and in the 'Written summaries of oral representations made at Issue Specific Hearing 3 by the Cambridgeshire Authorities' submitted at Deadline 3 and in the 'Cambridgeshire County Council comments on Written Representations also submitted at Deadline 3'. There are also representations from the Bedfordshire Authorities.</p> <p>We note that the Examiner is also still seeking views from all parties on the updated Archaeological Mitigation Strategy and that there will be further representations and responses. Whilst Historic England was involved in pre-application discussion and development of the DCO, we have not been party to detailed discussions on the extent of site areas or the excavation strategies for individual sites, responsibility for which lies with Local Authorities, and</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>we have not undertaken the same detailed review against the Historic Environment Record and other data held by Local Authorities.</p> <p>In particular, the applicant has provided further narrative comment on the rationale for areas presented in the mitigation strategy, with reference to trench numbers and archaeological remains from trenches, and statements of case that refer to research aims and the quality of evidence ('Applicant's Response to Written Representation TR010044/EXAM/9.21 pages 138 to 146). It would be usual practice to illustrate this evidence to also allow review.</p> <p>If the examining authority requires further comment, we would need the applicant to provide maps and plans to illustrate the proposed mitigation areas against the geophysical survey data and the results of trenched evaluation for the sites where there is contention, to facilitate our reference back to the original data and any review of comments. We noted in our Written Representation that these plans would be of use (REP1 077bu and REP1 077cp). At this stage however we would recommend the Applicant and the Local Authorities seek to resolve matters to the satisfaction of the ExA.</p> <p>We have one detailed comment, regarding our advice on employment of a range of techniques to contribute to chronological understanding, set out in our REP1 077bv (Archaeomagnetism, OSL, Dendro etc). We advise that a further update on this point should be added to Section 9 of the AMS, which relates to excavation and sampling strategy, to complement that added to section 10.3.2 concerning geoarchaeological work.</p>
Applicant's comment	<p>The Applicant notes the response from Historic England. The requested figures will be submitted at Deadline 6.</p> <p>With reference to scientific dating techniques, please see the response to REP4-069h above.</p>

REP4-073 – Transport Action Network

Response to the Examining Authority's request for views on the RIS2 High Court Judgement and other issues

Reference Number	Interested Parties Submission/Applicant's Comments
Introduction	
REP4-073a	<p>1.1 Transport Action Network (TAN) briefly appeared at the Issue Specific Hearing (ISH) 3 held on Friday, 24 September 2021 to speak on the following:</p> <p><i>9. Sustainability effects, in particular economic effects</i></p> <p><i>a. Consideration of the lifetime greenhouse gas emissions of the Proposed Development. What are the implications of the Proposed Development for net zero carbon emissions by 2050?</i></p> <p><i>b. Consideration of commuting routes that would inform consumer user benefits</i></p> <p><i>c. Implications for the Proposed Development of the announcement of the cancellation of the Oxford Cambridge Expressway in March 2021. How is the evidence that informed that decision different from the evidence supporting the Proposed Development?</i></p> <p>1.2 In the event, only 9a was discussed and then only briefly, focussing mostly on the outcome in the High Court of the legal action on the second Roads Investment Strategy. TAN agreed to follow up its appearance with a note addressing the points raised by it and others under 9a, setting out the reasons why it felt that the significance of the carbon emissions arising from the new road were being wrongly dismissed. Also, that the requirements of the Environmental Impact Assessment (EIA) Regulations have not been fulfilled and that this needs to be done to give a greater understanding as to the true impact of the new road.</p> <p>1.3 TAN is awaiting National Highways submissions on 9b and 9c before commenting on these</p>
Applicant's comment	<p>The Applicant notes this summary, and has set out below the submissions on 9a, 9b and 9c.</p> <p>a) Transport Action Network prepared a note addressing the points raised under 9a in their report "Deadline 4 Submission - Response to the Examining Authority's request for views on the RIS2 High Court Judgement and other issues" [REP4-073].</p>

Reference Number	Interested Parties Submission/Applicant's Comments																		
	<p>b) Commuter trips in the A428 Traffic model are represented within one of 5 separate user classes. These are defined in the main Combined Modelling and Appraisal (ComMA) report [APP-250] at section 3.3.12 as:</p> <table border="1" data-bbox="481 411 1240 815"> <thead> <tr> <th>User Class</th> <th>Vehicle Class</th> <th>Purpose</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1</td> <td>Car Employer's Business</td> </tr> <tr> <td>2</td> <td>1</td> <td>Car Commuting</td> </tr> <tr> <td>3</td> <td>1</td> <td>Car Other Purposes</td> </tr> <tr> <td>4</td> <td>2</td> <td>Light Goods Vehicles</td> </tr> <tr> <td>5</td> <td>3</td> <td>Heavy Goods Vehicles</td> </tr> </tbody> </table> <p><i>Table 1: Model User Classes and Vehicle Classes</i></p> <p>Traffic routes for each user class are determined through assigning traffic on to the model network based on 'minimum cost.' The calculation of trip cost is a combination of travel time and distance, referred to as generalised cost. The assignment is an iterative process allowing all traffic, encompassing all user classes, to interact as happens in the real world.</p> <p>The time and distance parameters, referred to as route choice coefficients, were determined based on monetary values given in WebTAG and published in the WebTAG Data Book. These are given in Table 3-2 of [APP-250]. In this way, trips are assigned to routes which reflect drivers' perceptions of costs depending on journey purpose.</p> <p>The geographical coverage of the strategic traffic model was defined so as to cover all potential re-routing effects as a result of the Scheme. Checks were undertaken to verify that assigned routes were realistic for selected origin-destination pairs and validation against observed traffic levels by vehicle type and journey times.</p> <p>The Transport User Benefits Appraisal (TUBA) program assesses benefits arising from cost changes between a Do-Minimum Scenario (without Scheme) and a Do-Something Scenario (with Scheme). This takes account of changes in traffic routing which would occur as a result of the Scheme. The assessment is undertaken for each origin-destination pair using trip matrices and time and distance skims from the model assignment.</p>	User Class	Vehicle Class	Purpose	1	1	Car Employer's Business	2	1	Car Commuting	3	1	Car Other Purposes	4	2	Light Goods Vehicles	5	3	Heavy Goods Vehicles
User Class	Vehicle Class	Purpose																	
1	1	Car Employer's Business																	
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Reference Number	Interested Parties Submission/Applicant's Comments																				
	<p>Cost changes include vehicle journey times, vehicle operating costs and indirect tax revenues and are calculated separately for Business Users and Consumer Users. Consumer Users include:</p> <ul style="list-style-type: none"> a. People travelling for "other" purposes (i.e., not business or commuting). b. Commuters, who are also classed as consumers as they are travelling in their own time, not that of their employers. <p>Total road user benefits were reported in Table 5-5 of the Combined Modelling and Appraisal Report as follows:</p> <table border="1" data-bbox="483 587 969 1326"> <thead> <tr> <th data-bbox="483 587 801 655">Road User</th> <th data-bbox="801 587 969 655">Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="483 655 801 724">Consumer User:</td> <td data-bbox="801 655 969 724"></td> </tr> <tr> <td data-bbox="483 724 801 793">Commuting</td> <td data-bbox="801 724 969 793">134,167</td> </tr> <tr> <td data-bbox="483 793 801 861">Other</td> <td data-bbox="801 793 969 861">264,693</td> </tr> <tr> <td data-bbox="483 861 801 930">Net Consumer</td> <td data-bbox="801 861 969 930">398,860</td> </tr> <tr> <td data-bbox="483 930 801 999">Business User:</td> <td data-bbox="801 930 969 999"></td> </tr> <tr> <td data-bbox="483 999 801 1067">Personal</td> <td data-bbox="801 999 969 1067">133,699</td> </tr> <tr> <td data-bbox="483 1067 801 1136">Freight</td> <td data-bbox="801 1067 969 1136">139,926</td> </tr> <tr> <td data-bbox="483 1136 801 1204">Net Business</td> <td data-bbox="801 1136 969 1204">273,625</td> </tr> <tr> <td data-bbox="483 1204 801 1326">Present Value of Transport Economic Efficiency Benefits</td> <td data-bbox="801 1204 969 1326">672,485</td> </tr> </tbody> </table> <p data-bbox="483 1342 1599 1382"><i>Table 2- Transport Economic Efficiency Benefits (£000s Discounted and Deflated to 2010)</i></p>	Road User	Total	Consumer User:		Commuting	134,167	Other	264,693	Net Consumer	398,860	Business User:		Personal	133,699	Freight	139,926	Net Business	273,625	Present Value of Transport Economic Efficiency Benefits	672,485
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Reference Number	Interested Parties Submission/Applicant's Comments										
	<p>In relation to the Examiners specific question, commuter trips fall within the consumer user classification. For this, the benefit to commuter traffic was assessed as £134.167 million and represents about 20% of the total net transport economic efficiency benefits of £672.485 million.</p> <p>Chapter 4 of [APP-250] identified some of the main changes in traffic flows predicted as a result of the Scheme. In particular, within the immediate vicinity of the Scheme, Figure 4-8 of [APP-250] compared predicted daily flow changes at 2040 between the Do-Minimum (without Scheme) and Do-Something (with Scheme) scenarios. This showed substantial decreases predicted in traffic for the Do-Something scenario on a number of key routes between main conurbations including:</p> <ul style="list-style-type: none"> • The existing A428 between St Neots and Caxton Gibbet. • A603/B1042 between Sandy and Cambridge. • B1040 and minor roads between Biggleswade and Caxton Gibbet. • A603 and minor roads between Bedford and St Neots & Sandy. <p>Since the TUBA assessment is undertaken at matrix level, i.e., calculated for each origin-destination pair, it is possible to determine the spatial distribution of benefits. The Economic Appraisal Report [APP-254] presented the spatial distribution of benefits aggregated to a 21-sector system as Table 4-8. This approach has been adopted to extract commuter benefits for sector-to-sector movements which would broadly include the routes identified above. These are assessed as follows:</p> <table border="1" data-bbox="483 1002 1597 1342"> <thead> <tr> <th data-bbox="483 1002 1218 1070">Routes:</th> <th data-bbox="1218 1002 1597 1070">Benefit to Commuters</th> </tr> </thead> <tbody> <tr> <td data-bbox="483 1070 1218 1139">Between Cambridge (Sector 1) & St Neots (Sector 4)</td> <td data-bbox="1218 1070 1597 1139">£14.388M</td> </tr> <tr> <td data-bbox="483 1139 1218 1208">Between Cambridge (Sector 1) & Bedford (Sector 7)</td> <td data-bbox="1218 1139 1597 1208">£10.096M</td> </tr> <tr> <td data-bbox="483 1208 1218 1276">Between St Neots (Sector 4) & Bedford (Sector 7)</td> <td data-bbox="1218 1208 1597 1276">£9.093M</td> </tr> <tr> <td data-bbox="483 1276 1218 1342">Total</td> <td data-bbox="1218 1276 1597 1342">£33.576M</td> </tr> </tbody> </table> <p><i>Table 3- Benefits to Commuters for Selected Routes (£000s Discounted and Deflated to 2010)</i></p>	Routes:	Benefit to Commuters	Between Cambridge (Sector 1) & St Neots (Sector 4)	£14.388M	Between Cambridge (Sector 1) & Bedford (Sector 7)	£10.096M	Between St Neots (Sector 4) & Bedford (Sector 7)	£9.093M	Total	£33.576M
Routes:	Benefit to Commuters										
Between Cambridge (Sector 1) & St Neots (Sector 4)	£14.388M										
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Between St Neots (Sector 4) & Bedford (Sector 7)	£9.093M										
Total	£33.576M										

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>Thus, consideration of these sector-to-sector movements alone, for which the Scheme is predicted to provide substantial relief along key routes identified above, accounts for a benefit to commuters of £33.576M. This represents about 25% of the total net benefit to commuters of £134.167M. There would also be benefits to longer distance movements e.g., between Milton Keynes and Cambridge for which an improved A428 would afford an improvement on journey times.</p> <p>Total net commuter benefits are of course derived across the whole network for all origin-destination pairs, but this simply provides an example of benefits afforded to commuter traffic for specific sector to sector movements.</p> <p>It is considered that the specification of demand data disaggregated by 5 user classes and the assignment process by user class (referred to as a multi-user class assignment) provides a sound basis to inform on both consumer and non-consumer user benefits. The assessment is consistent with DfT TAG guidance.</p> <p>c) Definition of the Oxford to Cambridge Expressway</p> <p>Although referred to as the Oxford to Cambridge Expressway, the main deliverable of this scheme was a new high-quality road link between the A34 south of Oxford and the M1 near Milton Keynes. It was intended to improve transport connectivity within the Oxford to Cambridge Arc, which is designated by the Government as a key priority for economic growth and investment.</p> <p>Reason for Cancellation</p> <p>National Highways developed and assessed the costs and benefits of a number of route options for a high-quality road link between Oxford and Milton Keynes. The project was cancelled following extensive analysis and local engagement that was unable to identify options for the route that would be cost-effective for the taxpayer.</p> <p>At the time of cancellation the Department for Transport stated that it would investigate the need for more targeted road interventions in the area, recognising the vital role that transport investment has to support sustainable growth in the Oxford to Cambridge Arc, as noted by the National Infrastructure Commission.</p> <p>Implications for the A428 Scheme</p> <p>The Scheme and the Oxford to Cambridge Expressway have separate business cases and the cancellation of the proposed Expressway has no bearing on the need, or the economic case, for the Scheme. The Government remains committed to the Scheme for reasons of safety, connectivity, community and economic growth benefits.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>For traffic modelling and economic assessment purposes, proposed transport schemes require a specified degree of certainty in proceeding to be included within the forecasting process. As the Expressway did not meet that certainty criteria it was not included in the Scheme forecasting.</p> <p>The economic benefits calculated for the Scheme are therefore not dependent upon completion of the Oxford to Cambridge Expressway and are unaffected by cancellation of that project.</p> <p>Relevance of evidence informing decision to cancel to supporting need for the Scheme</p> <p>The decision to cancel the Oxford to Cambridge Expressway was driven primarily by consideration of value for money, as noted in the Secretary of State's announcement (https://www.gov.uk/government/news/oxford-to-cambridge-expressway-project-cancelled-as-transport-secretary-looks-to-alternative-plans-for-improving-transport-in-the-region). The evidence used to inform the decision to cancel comprised the cost benefit analysis to determine the Benefit to Cost Ratio and hence value for money of the project.</p> <p>The main difference between the Scheme and the Oxford to Cambridge Expressway is that the Scheme is targeted to solving local traffic congestion and capacity problems at Black Cat and along the A428 corridor. By contrast one of the main objectives of the Expressway was to support new housing development.</p> <p>It should be noted that at the time of the announcement of cancellation of the Oxford to Cambridge Expressway, the Government re-affirmed it is committed to the A428 Black Cat to Caxton Gibbet Scheme that offers safety, connectivity, community and facilitates economic growth.</p>
Implications of legal judgement on RIS2	
REP4-073b	<p>2.1 At ISH3 the Examining Authority (ExA) asked whether it was sustainable to maintain that the carbon emissions could be described as having no significance. National Highways replied that it was and used the judgement in our court case on the second Roads Investment Programme (RIS2) that was heard in June 2021 to justify their position. They claim that the judge had ruled that the emissions of the whole roads programme were indeed insignificant and therefore that must apply to any road scheme within the programme. This we argue is a misinterpretation of the judgement and the assertions by National Highways are wrong on several counts.</p>
Applicant's comment	<p>The Applicant notes that in the recent case of R (Transport Action Network Limited) v Secretary of State for Transport and Highways England Company Limited (2021) EWHC 2095 (Admin), the Court found that in relation to the judgment reached regarding the entirety of the carbon emissions from all schemes within RIS2:</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p><i>"I see no reason to question the judgment reached by the DfT that the various measures of carbon emissions from RIS 2 were legally insignificant, or de minimis, when related to appropriate comparators for assessing the effect on climate change objectives."</i> (paragraph 159).</p> <p>The Court therefore accepted the conclusion of the Secretary of State that the amount of carbon emissions from the schemes listed in the RIS2 programme is legally insignificant in the context of appropriate comparators for assessing the effect on climate change objectives. We note the Court's judgment and see no reason to question the legal ruling.</p>
REP4-073c	<p>2.2 First, on 16 August 2021, TAN submitted an application to the Court of Appeal for permission to appeal the RIS2 judgment. The key grounds of appeal are that the Court: (i) took a flawed approach to the Secretary of State's analysis of greenhouse gas (GHG) emissions and its de minimis conclusion (an almost identical argument relied on here by the Applicant); (ii) misdirected itself as to, and/or unlawfully failed to apply, the meaning and requirements of s.3(5) of the Infrastructure Act 2015 in assessing whether the Secretary of State had discharged his statutory duty to have regard to the effect on the environment of (what he was approving in) RIS2, including that: (a) the Court had wrongly held that the Secretary of State was not required to consider the overall effect of RIS2 on climate change targets; and (b) the Court simply failed to address the pressing nature of the carbon budgets in deciding whether they were material to that exercise; and (ii) took a flawed approach to the materiality of the Paris Agreement, specifically that it had erred in its analysis of the Supreme Court's decision in the Heathrow third runway litigation, and its effect on the Court of Appeal's finding about the obvious materiality of the Paris Agreement to the designation of the Airports National Policy Statement.</p>
Applicant's comment	<p>The Applicant understands that an application for permission to appeal the High Court judgment has been made but that the Court of Appeal has not yet decided whether permission to appeal should be granted. Under current Court timetables, the application for permission is unlikely to be heard until early 2022 and if permission to appeal is granted, any subsequent hearing is unlikely to be held before the end of the examination period for the Scheme. The judgment of the High Court therefore remains the legal view of the Court at this time and it would be inappropriate to consider further what view the Court of Appeal might take on the application for permission to appeal.</p>
REP4-073d	<p>2.3 Second, the ExA's role during a public inquiry is to assess the merits of the application. This must, of course, be conducted in a lawful manner. However, it should be noted that such a role is distinctly different to that of an Administrative Court applying the principles of judicial review.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Applicant agrees that the ExA's role is to consider the Scheme on its merits. The ExA's recommendation should be made in accordance with Section 104 of the Planning Act 2008, which provides that in deciding an application for development consent the Secretary of State must have regard to and must decide the application in accordance with the relevant National Policy Statement, in this case the National Policy Statement for National Networks (NPSNN), except to the limited extent that the matters set out at Section 104(4) to (8) apply.</p>
REP4-073e	<p>2.4 Third, the case turned on the carbon targets in place at the time of the decision to "set" RIS2 in March 2020 [even if post-decision facts were relevant to what could be considered de minimis]. That was before the decisions to increase national carbon reduction targets to 68% by 2030 and 78% by 2035, effectively halving the time to reach the previous 80% by 2050 target. Indeed, the national emissions forecasts for 2040 that RIS1 was assessed against are no longer lawful. Decisions taken on road schemes now are taken against different and far more challenging medium-term carbon targets.</p>
Applicant's comment	<p>NPSNN Paragraph 5.17 states:</p> <p>"It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets."</p> <p>The 6th carbon budget is the first budget to align with the UK's net zero 2050 carbon target. At the time the Environmental Statement was produced the 6th, and most recent carbon budget, for the period 2033-2037 had not been legislated for. An assessment of GHG emissions from the Scheme has since been undertaken and the results published at Deadline 1 (9.2, Q1.4.1.1d TR010044 [REP-022]). The assessment against the 6th carbon budget has not changed the outcome of the GHG assessment which concluded that the Scheme will not have a material impact on the UK meeting its carbon reduction targets.</p>
REP4-073f	<p>2.5 Finally, in any event, the DfT's Transport Decarbonisation Plan acknowledges both the uncertainty and difficulty in meeting net zero by 2050, in particular as its core and high bound projections for land transport (let alone aviation or shipping) are too high for this target:</p> <p><i>"In our decarbonising transport projections, lower bound emissions for land transport reach zero by 2050. This could be driven by a natural decline in petrol and diesel vehicle use as those markets, and associated infrastructure provision, decline over time. However, reaching the point of actual zero emissions may require additional measures beyond those identified here to support the final transition to fully zero emission surface transport."</i> (p44)</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>2.6 Crucially though, it fails to consider whether the measures set out are adequate to meet the more challenging medium-term targets. Moreover, these projections ignore wider carbon impacts of transport, ignoring the construction of larger roads and manufacture of electric cars, and assume that lower carbon fuels are zero carbon.</p>
<p>Applicant's comment</p>	<p>The Transport Decarbonisation Plan (TDP) sets out Government's pathway to net zero transport and the actions needed to decarbonise transport. The TDP recognises the uncertainty in projected emissions reductions and identifies that progress will need to be continually reviewed with additional measures potentially required if the scale of carbon emissions reductions are not being realised as anticipated:</p> <p><i>"Given the rate of technological advancement and uncertainty in the precise mix of future zero emission solutions, and the probability of significant changes in travel behaviour over the years ahead, this plan cannot precisely plot each individual step to fully decarbonising transport modes over the next 30 years. It does however set out a series of actions and timings that will decarbonise transport by 2050 and deliver against carbon budgets along the way. The Government has committed to stretching carbon reduction targets up to the end of the Sixth Carbon Budget in 2037 and by 2050. As the largest emitting sector, transport will need to make a sizeable contribution if these targets are to be met. Depending on progress in the sector at some points this may require additional targeted action (such as steps to reduce use of the most polluting cars and tackle urban congestion) to enable these targets to be met. We will regularly review progress against our targets, continue to adapt and take further action if needed to decarbonise transport. We will publish our progress and review our pathway at least every five years."</i> (page 17 – emphasis added)</p> <p><i>"Projecting emissions out to 2050 is inherently uncertain, and technology, behaviour and policy development will continue to evolve. This is why we have committed to the next transport decarbonisation plan within five years, to ensure transport is on the correct pathway to achieve net zero. As can be seen in the chart there is a wide range of uncertainty around our current projections. Over time, we will continue to develop and refine the range of policies and proposals set out in this plan to ensure that the transport sector fulfils its contribution to our legally binding climate targets"</i> (page 44 – emphasis added)</p> <p>"The Government has committed to stretching carbon reduction targets up to the end of the Sixth Carbon Budget in 2037 and by 2050. As the largest emitting sector transport will need to make a sizeable contribution if these targets are to be met. And emissions from car and van use is the largest component of total transport emissions. <i>Depending on progress in the sector at some points this may require additional targeted action (such as steps to reduce use of the most polluting cars and tackle urban congestion) to enable these targets to be</i></p>

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	<p><i>met. We will regularly review progress against our targets, and continue to adapt and take further action if needed.</i>" (page 92 – emphasis added)</p> <p>In addition to the TDP, National Highways has also published its own 2030/2040/2050 net zero highways plan (Plan) that includes a 2030 target for net zero National Highways operations by 2030; 2040 target for net zero emissions from maintenance and construction activities; and net zero road user emissions by 2050. These targets are supported by a number of actions detailed in the Plan including 100% electric traffic officer vehicles, zero carbon HGVs, support for EV charging services, and integration of a modal shift into the Road Period 3 programme.</p>
<p>Significance of carbon emissions</p>	
<p>REP4-073g</p>	<p>3.1 National Highways continue to point to paragraph 5.18 in the National Policy Statement for National Networks (NPSNN) as additional justification for their position to disregard carbon emissions or label them as insignificant. However, what they fail to highlight is that the NPSNN also says the following:</p> <p>Paragraph 4.15:</p> <p><i>"The Directive specifically requires an environmental impact assessment to identify, describe and assess effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 sets out the information that should be included in the environmental statement including a description of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the project, and also the measures envisaged for avoiding or mitigating significant adverse effects." [our emphasis]</i></p> <p>Paragraph 4.17</p> <p><i>"The Examining Authority should consider how significant cumulative effects and the interrelationship between effects might as a whole affect the environment, even though they may be acceptable when considered on an individual basis with mitigation measures in place."</i></p> <p>In paragraph 5.17 states:</p> <p><i>"Where the development is subject to EIA, any Environmental Statement will need to describe an assessment of any likely significant climate factors in accordance with the requirements in the EIA directive."</i> [our emphasis]</p>

Reference Number	Interested Parties Submission/Applicant's Comments
	<p>3.2 It should be noted that the EIA regulations do not define significance for climate or indeed anything else as shown from the EIA guidance reproduced here:</p> <p><i>“1.4.1 Legal framework of significant effects</i></p> <p><i>The EIA Directive stipulates that ‘significant’ effects must be considered when it comes to assessing the effects (or impacts) on the environment. The concept of significance considers whether or not a Project’s impact could be determined to be unacceptable in its environmental and social contexts. The assessment of significance relies on informed, expert judgement about what is important, desirable or acceptable with regards to changes triggered by the Project in question.</i></p> <p><i>This limits the assessment to those impacts that are likely to have a significant or important enough impact on the environment to merit the costs of assessment, review, and decision-making. While the concept of significant effects is referred to several times throughout the EIA Directive (see the box below), no clear definition is provided, and significance has to be assessed in light of the Project’s specific circumstances...” [our emphasis]</i></p> <p>3.3 It is also worth noting that the guidance also states:</p> <p><i>“At the same time, significance determinations should not be the exclusive prerogative of ‘experts’ or ‘specialists’: significance should be defined in a way that reflects what is valued in the environment by regulators and by public and private stakeholders. A common approach used in EIA is the application of a multi-criteria analysis. Common criteria used to evaluate significance include the magnitude of the predicted effect and the sensitivity of the receiving environment.” [our emphasis]</i></p> <p>3.4 This would indicate that an issue of great public concern, such as climate change, should be considered as a significant impact, regardless of any arguments about numerical magnitude.</p> <p>3.5 Additionally, the guidance does not say that carbon emissions, or indeed any other metric, should only be assessed against the UK’s (or any other national) budgets or inventories. That would be highly inappropriate as it would rule out considering most things as having significant impact on any rational basis. It is also worth stressing that carbon emissions are the only metric to be evaluated in this way in the NPSNN or indeed anywhere else as far as we are aware. As we showed in our response to the written questions [REP1-097], if you assess the economic benefits in this way, these come out at an even smaller percentage compared to UK GDP. On that basis the economic benefits of the scheme should be dismissed as insignificant which would severely undermine the case for the new road.</p>

Reference Number	Interested Parties Submission/Applicant's Comments
Applicant's comment	<p>The Applicant has undertaken an evaluation of the significance of the carbon dioxide (CO₂e) impacts associated with the Scheme in line with advice set out in the Design Manual for Roads and Bridges (DMRB) Climate (LA 114)¹.</p> <p>Paragraphs 3.18 to 3.20 in DMRB LA114, under the heading "Significance Criteria" clearly sets out the approach to presenting and evaluating the changes in CO₂e emissions from a scheme to inform a judgement of significant effects.</p> <p>The advice in LA 114 fully aligns with the requirements of the planning policy on climate as set out by Government in the National Policy Statement for National Networks (NPSNN)².</p> <p>Paragraph 5.17 of the NPSNN provides the context for the evaluation of significance,</p> <p><i>"...for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets."</i></p> <p>Paragraph 5.18 of the NPSNN provides the following advice for decision makers,</p> <p><i>"...The Government is legally required to meet this plan [Carbon Plan 2011]. Therefore, any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets."</i></p> <p>Chapter 14 (Climate) of the Environmental Statement [APP-083] provides evidence in support of evaluation significance as specified in paragraph 5.17 of the NPSNN. Paragraphs 14.9.24 to 14.9.28 in Chapter 14 of the Environmental Statement clearly sets out evaluation of significant effects on climate from CO₂e impacts as per the requirement of the NPSNN paragraph 5.18 i.e. the change in CO₂e emissions would not have a material impact on the Government to meet its carbon reduction targets, as set out in the carbon budgets.</p> <p>Paragraphs 3.36 to 3.42 in the DMRB LA 114, under the heading "Significance criteria" sets out the approach to presenting and evaluating the potential climate impacts to the Scheme itself. The Applicant has also followed this approach to evaluate the significance of climate impacts as presented in Chapter 14 (Climate) of the Environmental Statement [APP-033].</p>

¹ <https://www.standardsforhighways.co.uk/prod/attachments/d1ec82f3-834b-4d5f-89c6-d7d7d299dce0?inline=true>

² National Policy Statement for National Networks, December 2014

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REP4-073h	<p>3.6 Finally, it is worth pointing out that paragraph 5.18 of the NPSNN does not rule out carbon emissions being significant. Its wording states that: "...unless the increase in carbon emissions resulting from the proposed scheme are so significant..." [our emphasis].</p> <p>3.7 Not only does this allow for carbon emissions associated with a new road to be described as significant, it even suggests that it expects that to be the case by the use of the word 'so'. From this it is clear that National Highways have misunderstood the wording in the NPSNN and its higher test of 'so significant'.</p>
Applicant's comment	<p>TAN in their submission (paragraphs 3.6 and 3.7) suggest that paragraph 5.18 of the NPS NN should only be read in part and not in full to undertake an evaluation of significant effects, "...unless the increase in carbon emissions resulting from the proposed scheme are so significant..."</p> <p>This is not a reasonable or robust interpretation of the advice provided for decision makers by the NPSNN. The ending of the last sentence of paragraph 5.18 of the NPSNN is critically important to properly understanding and evaluating the significance of the change in carbon emissions from schemes.</p> <p>The last sentence from paragraph 5.18 of the NPSNN reads as follows [in emphasis], "<i>Therefore, any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets.</i>"</p> <p>The evaluation of significance is to be undertaken to understand whether the contribution from a scheme, in this case the A428 Scheme, would not have a material impact on the ability to meet its carbon reduction targets, as specified by the carbon budgets, as described in Chapter 14, Paragraphs 14.9.24 to 14.9.28 of the Environmental Statement [APP-083] .</p>
Missing indirect greenhouse gas emissions	
REP4-073i	<p>4.1 The EIA guidance also has a specific section on climate change mitigation³ which states: <i>"The EIA should include an assessment of the direct and indirect greenhouse gas emissions of the Project..."</i></p> <p>4.2 Clearly National Highways have failed to fully assess the direct and indirect emissions from the new road as we outlined in REP1-097. This is likely to have caused an underestimate of the emissions in the short – medium term.</p>

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	<p>They claim that cumulative emissions are accommodated in their transport modelling but that only goes so far to address cumulative emissions.</p> <p>4.3 It does not address the missing indirect emissions and wider cumulative emissions that this road will help generate.</p>
Applicant's comment	<p>The TAN submission does not specifically explain what indirect emissions it considers should be assessed. The Applicant uses the following definitions for direct and indirect emissions and cumulative effects of the Scheme,</p> <ul style="list-style-type: none"> • Direct emissions - direct emissions to the atmosphere from relevant activities (e.g. tailpipe emissions from road users or construction vehicles). • Indirect emissions - indirect emissions resulting from the purchase of electricity (e.g. for infrastructure operation) and/or any relevant downstream activities by third parties within the supply chain (e.g. embedded carbon from the manufacturing of construction products such as concrete). • Cumulative effects of the scheme - The consideration of the GHG emissions impact of the scheme with other relevant committed developments included within the traffic model for the scheme. <p>The assessment completed in Chapter 14, Climate [APP-083] of the Environmental Statement sets out the direct CO₂e emissions attributed to the Scheme (see section 14.9).</p> <p>The consideration of the cumulative effects of the Scheme with other existing and/or approved projects is inherent within the methodology followed in the Environmental Statement through the inclusion of the Scheme and other locally committed developments within the traffic model (see Sections 3 and 4). This is in line with the Department for Transport (DfT) Transport Appraisal Guidance which specifies how external developments are to be incorporated in traffic models. The modelled core scenario assumes growth in line with the latest TEMPRO v7.2 forecasts for the Do Minimum (DM) and Do Something (DS) scenarios. This clearly demonstrates that a reasonable and robust assessment of the cumulative effects of the Scheme has been undertaken, and is in line with Government's published advice.</p> <p>The Court of Appeal in <i>Preston New Road Action Group v Secretary of State for Communities and Local Government</i> [2018] Env. L.R. 18, sets out in paragraph 67 a consideration of indirect emissions,</p> <p><i>"67. A principle well established in both European and domestic authority is that the existence and nature of "indirect", "secondary" or "cumulative" effects will always depend on the particular facts and circumstances of the project under consideration (see Sullivan L.J.'s judgment in Brown v Carlisle City Council, at para. 21, and Laws</i></p>

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	<p><i>L.J.'s judgment in Bowen-West v Secretary of State for Communities and Local Government [2012] Env. L.R. 22, at para. 28). An equally robust principle is that an environmental statement is not expected to include more information than is reasonably required to assess the likely significant environmental effects of the development proposed, in the light of current knowledge (see, for example, the judgment of Patterson J. in Khan [R. (on the application of Khan) v Sutton LBC [2014] 11 W.L.U.K. 151), at paras. 121 to 134)." [our emphasis].</i></p> <p>On this basis, it is not reasonable for the Scheme to try and account for any or all carbon emissions generated by others beyond those already assessed within the Environmental Statement and its consideration of the traffic model, e.g. power stations in the production of materials that are required as part of large scale production of the same, or the journeys made by the various suppliers and hauliers prior to the required products being delivered to site for the construction of the Scheme.</p> <p>The assessment of changes in CO₂e emissions, road users, operation and construction, provides an assessment of what is reasonably required to make an evaluation of the impacts of the Scheme.</p>
<p><i>The missing local and regional context</i></p>	
<p>REP4-073j</p>	<p>5.1 Introduction</p> <p>5.1.1 The EIA guidance also has a specific section on climate change mitigation which states:</p> <p><i>"The assessment should take relevant greenhouse gas reduction targets at the national, regional, and local levels into account, where available."</i></p> <p>5.1.2 Slightly more detail was given in earlier EIA guidance which states:</p> <p><i>"The complexity of climate change and biodiversity should not deter you from analysing direct and indirect impacts the proposed project could have on trends in key issues."</i></p> <p>and</p> <p><i>"Judging an impact's magnitude and significance must be context-specific. For an individual project — e.g. a road project — the contribution to GHGs may be insignificant on the global scale, but may well be significant on the local/regional scale, in terms of its contribution to set GHG-reduction targets."</i> [our emphasis]</p> <p>5.1.3 National Highways have failed to provide any assessments as to how the new road's emissions will impact on any local and regional targets. They have only estimated some of the carbon emissions linked to the new road and</p>

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	<p>then only assessed these totals at a UK level. The guidance clearly states that they should do more than this, but this aspect of the assessment appears to be completely missing.</p>
Applicant's comment	<p>The legal duty to attain carbon budget targets/net zero arises at a National level. However, there are no sectoral targets for road transport or any other sector at any of the carbon budget periods. There is also no duty on the road transport sector to attain net zero itself.</p> <p>Emissions in one sector may be balanced against better performance in others, and this is managed from within the Government's overall strategy for meeting carbon budgets and net zero as part of an economy wide transition.</p> <p>It can be assumed that the Government, via the review process identified in TDP will exercise its powers outside the planning system to deliver relevant reductions in carbon emissions from road transport that it anticipates will be achieved.</p> <p>Only Government is in the position to identify cumulative targets so the only targets available to the Applicant are the national targets set out in the carbon budgets.</p> <p>NPSNN paragraph 5.15 states that <i>"Emission reductions will be delivered through a system of five-year carbon budgets that set a trajectory to 2050. Carbon budgets and plans will include policies to reduce transport emissions, taking into account the impact of the Government's overall programme of new infrastructure as part of that."</i></p> <p>NPSNN paragraph 5.17 states <i>"Where the development is subject to EIA, any Environmental Statement will need to describe an assessment of any likely significant climate factors in accordance with the requirements in the EIA Directive. It is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet its carbon reduction plan targets. However, for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets."</i></p>
REP4-073k	<p>5.2 The Geography</p> <p>5.2.1 This road scheme lies within four borough and district authorities: Bedford Borough Council, Central Bedfordshire Council, Huntingdonshire District Council, South Cambridgeshire District Council, which lie within the counties of Bedfordshire and Cambridgeshire and wholly within the area covered by England's Economic Heartland (EEH) shadow sub-national transport body.</p>
Applicant's comment	<p>The Applicant notes this comment.</p>

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	<p>It further notes that the England's Economic Heartland (EEH) Regional Transport Strategy: Connecting People, Transforming Journeys³, identifies the A428 as an "immediate priority" within the regions' investment pipeline. where required, in the Strategic Road Network (SRN) and the Major Road Network (MRN) to support all road users and future proof the network.</p> <p>Regarding local authorities, Bedford Borough Council, Central Bedfordshire Council, Huntingdonshire District Council and South Cambridgeshire District Council are part of the EEH that support the prioritisation of the Scheme. See response to 5.1.1 to 5.1.3 above on the requirement to consider a scheme in the context of local budgets.</p>
REP4-073I	<p>5.3 Regional context</p> <p>5.3.1 EEH has set itself the challenge of reaching net-zero for transport by 2040 and highlights that the region must: <i>"Address the carbon impact of our transport system, where emissions are currently higher and growing faster than the national average"</i> and <i>"Reduce reliance on the private car in a region where average journeys are longer, and car use higher than the national average."</i></p> <p>5.3.2 Going into more detail EEH gives an indication of the scale of the challenge: <i>"Transport-related emissions are a particular challenge, rising 10% between 2012- 2017, compared to 5% nationally. In 2017 transport emissions equated to 47% of the Heartland's total carbon dioxide emissions, compared with 37% nationally. And with transport emissions increasing at a faster rate than elsewhere (9.4% between 2012 and 2017 compared to the UK average of 4.9%) there is a clear need for action. More generally, the current approach to the delivery and management of the transport system is unsustainable, as demonstrated by the number of Air Quality Management Areas declared within the region. These figures reflect the fact that across the Heartland people are more likely to travel longer distances to work than the national average, and with over 67% of the workplace population travelling to work by car (compared to 60% nationally). They highlight the importance of seizing the opportunity created by changes arising from more flexible work patterns." [our emphasis]</i></p> <p>5.3.3 As far as we are aware, National Highways have not demonstrated how increasing car use along the A428 corridor is helping with any of the above objectives in a region that already suffers from excessive car use and has</p>

³ https://eeh-prod-media.s3.amazonaws.com/documents/Connecting_People_Transforming_Journeys_av.pdf

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	<p>ambitious carbon reduction targets. As EEH have highlighted, the current approach to transport provision is unsustainable and we would include road building within that.</p> <p>5.3.4 Furthermore, the first policy of EEH's Transport Strategy is:</p> <p><i>"In identifying future investment requirements we will prioritise those which contribute to a reduction in car journeys in line with the recommendations delivered by the UK Climate Assembly: to facilitate a reduction in the number of private car journeys by a minimum of 5% per decade (of total traffic flow compared with 2019)"</i></p> <p>5.3.5 Again, we have not come across any explanation as to how this road will contribute to this traffic reduction target. Indeed, in a region already challenged by higher than average car use, increasing car use, as this road will do, will make things worse. This will make the situation even more challenging and undermine the ability of the region to achieve its traffic reduction target and to achieving net-zero by 2040.</p> <p>5.3.6 Additionally, with traffic reduction a key target, this undermines the economic case for this road, which is already marginal. Without traffic growth, much of the basis for the road falls away. Given that traffic levels are closely linked to user carbon emissions, this is a relevant consideration here.</p> <p>5.3.7 Finally, if traffic reduction is a key aim of the region, then this should have been modelled as part of the baseline. Not only will that affect the economic case for the road, potentially it would also significantly increase the emissions from the new road, especially if traffic is as predicted, meaning that induced traffic would be much higher than currently acknowledged.</p>
Applicant's comment	<p>The main impact of the Scheme results from drivers changing their destination as the Scheme reduces travel times between the A1 and Caxton Gibbet and also due to drivers using different routes to make their journey, such as using the Scheme rather than travelling through Toseland. This results in additional kilometres travelled.</p> <p>A comparison of the total vehicle distance with and without the Scheme for each modelled time period is presented in Tables 6-4 and 6-5 of [APP-253]. This shows that the increase in vehicle kilometers as a result of the Scheme is very small, ranging between 0.4% to 0.5%.</p> <p>Chapter 4 of the Combined Modelling and Appraisal Report [APP-250] provides details of the forecast traffic flows and a comprehensive assessment of the impacts of the Scheme on the strategic and local road network. This also demonstrates that there is significant relief to the local road network as a result of transfer to the Scheme. Details of the roads that are relieved by the Scheme are shown in Figures 4.7 and 4.8 of the Combined Modelling and Appraisal Report [APP-250].</p>

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	<p>Defra's Emissions Factors Toolkit (EFT) used to calculate road user emissions only accounts for traffic fleet projections to 2030 and therefore no consideration has been given in the model to the targets presented in the Transport Decarbonisation Plan (TDP) such as the end of the sale of new petrol and diesel cars by 2030 and the associated uptake of electric vehicles. This means that the GHG emissions from road users presented represents a conservative estimate of carbon emissions. It is anticipated that road user emissions from the Scheme will decarbonise by 2050 in line with the TDP. The same approach to the calculation of emissions is undertaken for emissions of particulates (in the baseline year) and oxides of nitrogen (in the baseline year and opening year).</p> <p>A further aim of the TDP is to tackle road congestion, particularly in urban areas, and a number of solutions are presented including increasing the share of trips taken by public transport, cycling and walking, increasing car occupancy and shifting more freight transportation from road to rail. It should be noted however, that options for improving public transport, cycling and walking were considered and assessed as part of the option identification and option selection stages of the Scheme development. This demonstrated that an alternative mode solution would not contribute to solving the problems experienced on the A428 between the A1 and Caxton Gibbet and at the Black Cat junction. The alternatives therefore would not meet the Scheme objectives. Details of this assessment are presented in the 'Assessment of Alternative Modes' at Appendix Q1.1.1.1.</p> <p>The TDP also recognises the importance of road improvements as part of the solution to reduce congestion. Page 103 of the TDP states: 'Continued high investment in our roads is therefore, and will remain, as necessary as ever to ensure the functioning of the nation and to reduce the congestion which is a major source of carbon.' 'In the coming years, our ambitious and accelerating plans to decarbonise all road traffic, described elsewhere in this document (the TDP), will transform roads' impact on greenhouse gas emissions.'</p>
REP4-073m	<p>5.4 Local context</p> <p>5.4.1 Both Bedford Borough Council¹⁰ and South Cambridgeshire District Council¹¹ have declared a climate emergency and set targets, while Cambridgeshire County Council has accepted there is a climate emergency. The other two councils don't appear to have declared a climate emergency or set any targets.</p> <p>5.4.2 Bedford Borough Council wants to become carbon neutral by 2030, which is an incredibly challenging target and one likely to be undermined by building this road. Approximately a quarter of the road lies within Bedford, so around a quarter of the emissions generated by it should be allocated to the borough. These then need to be looked at in the context of the local carbon emissions and how they will affect the borough's ability to meet its target.</p> <p>5.4.3 South Cambridgeshire District Council declared a climate emergency in November 2019 and in May 2020 announced it wanted to halve carbon emissions by 50% by 2030 and to net-zero by 2050. Similar to Bedford above,</p>

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	National Highways needs to assess emissions generated by the road within South Cambridgeshire and how these might be affects its local targets.
Applicant's comment	See response to 5.1.1 to 5.1.3 above on the requirement to consider a scheme in the context of local budgets. Road user GHG emissions presented in the ES are a conservative estimate that do not take into account the impact of DfT's Transport Decarbonisation Plan. Further explanation on the anticipated impact of this plan on road user emissions were presented in the Applicant's responses to the ExA's First Written Questions [REP1-022] in response to Q1.2.1.3.
REP4-073n	5.5 Need for more environmental assessment 5.5.1 The Environmental Statement clearly does not fulfil the EU EIA guidance as set out above and therefore National Highways needs to properly assess this project's climate emissions against local and regional targets.
Applicant's comment	See response to 5.1.1 to 5.1.3 above on the requirement to consider a scheme in the context of local budgets.
Other significant assessments	
REP4-073o	<p>6.1 As we raised at ISH3, in the summary of significant environmental effects [APP-085], Table 16-1, pages 2 & 3, during construction the impact on cultural heritage is deemed to be moderate adverse on two Grade II listed milestones and one Grade II listed milepost and large adverse on a grade II listed building. In England, there are around 400,000 listed buildings, meaning that the number of listed buildings affected by this scheme is 0.001% of all England's total. Therefore, as a proportion of the UK's listed built heritage it will be even smaller.</p> <p>6.2 As a reminder, from APP-083, additional carbon dioxide emissions from the road's construction and use represent 0.012% on the UK's 4th carbon budget, 0.012% in the 5 th carbon budget and 0.023% in the 6th carbon budget and these are all likely underestimates as explained in our previous response to the ExA's first round of written questions [REP1-097]. These are at least an order of magnitude more than the heritage impact or indeed the economic benefit.</p> <p>6.3 We know National Highways didn't like this comparison, because it shows up how ridiculous the carbon test is. However, they do have a small point in that these are specific assets that are being impacted, whereas carbon is not. It is a universal pollutant, not geographically defined, and more like money in that sense. A better comparison might be landscape impact or soil loss, which are both defined as suffering significant impacts from the project.</p>

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	<p>However, neither of these two metrics are assessed, then compared to a national quantity before being dismissed as insignificant because they are only a very tiny percentage of the UK total. If they were, then it would be very likely that the development would be classified as having no significant impact on any environmental asset. That cannot have been the intention of the EIA regulations. Given it is only the NPSNN that has brought this ridiculous test forward, to dismiss the carbon emissions as insignificant, as NH has done, means that the ES is not compliant with the EIA regulations.</p> <p>6.4 As can be seen from the extracts of the NPSNN listed above (paras 4.15 and 4.17) there is a need to fully consider all of the various impacts arising from the development, indirect and cumulative, local, regional and national and that together these might become significant when considered together, compared to when considered in isolation. We have already highlighted in our response to the written questions [REP1-097], how there are various aspects of the current carbon emissions assessment that are unclear, missing or wrong and are likely an underestimate in the short – medium term.</p> <p>6.5 As we have already set out in our response to Q 1.4.1.2 [REP1-097], the NPSNN is accepted as being out of date and in need of review on need and climate grounds. Significant changes have happened since 2014 when the NPSNN was published: • May 2019 - a climate emergency was declared by Parliament • December 2020 - UK's Nationally Determined Contribution (NDC) of a 68% reduction in emissions by 2030 on 1990 levels as part of the UK's contribution to the Paris Agreement was set • June 2021 - the new and much tougher targets set by the adoption of the 6th carbon budget in June 2021 (78% reduction in emissions by 2035 on 1990 levels)</p> <p>6.6 It would appear irrational to dismiss carbon emissions of any substantial magnitude as having no significance as NH maintains in table 16-1, page 9, APP-085. The additional emissions at over 200,000 ktCO₂e for each of the 4th, 5th and 6th carbon budgets, which are likely to be an underestimate, are equivalent to the annual carbon emissions from a small town of 20,000 people. This is not an amount of carbon dioxide of 'no significance', regardless of whether it is felt that on its own it is enough to "materially impact on the ability of Government to meet its carbon reduction targets".</p>
Applicant's comment	The Applicant notes the comments made by TAN, but considers that the merits of the policy outlined above are not a matter for the Examination into the A428 Scheme.
National Highways response to written questions	
REP4-073p	7.1 Q1.4.1.1a – National Highways have not answered this question about the cumulative impact of the RIS2 schemes in terms of Greenhouse Gas (GHG) emissions. Instead they have just talked about local cumulative

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	<p>impacts. They say they have satisfied consideration of the cumulative effects under the EIA regulations but they do not assess a lot of indirect emissions associated with the road as we set out in REP1-097.</p> <p>7.2 Q1.4.1.1b – National Highways doesn't answer this question, talking of RIS in the singular, rather than the plural as the question states.</p> <p>7.3 Q1.4.1.1c – This answer assumes that the calculated emissions during the 6th carbon budget are accurate or an overestimate. As we've stated in REP1-097 they are likely to be an underestimate as many aspects are not assessed. Another factor is that no consideration is given to the regional target for traffic reduction and how this might play into the baseline traffic and hence emissions projections. If this traffic reduction target was incorporated in the baseline scenario, and traffic on the new A428 was as predicted then the induced traffic from the new road would be considerably higher than being acknowledged currently.</p> <p>7.4 Q1.4.1.1e – National Highways do not appear to have considered any demand management measures to lower emissions or to support the regional traffic reduction target. Given user emissions make up a considerable part of overall emissions, this would seem to be a considerable oversight.</p> <p>7.5 Q1.4.1.2b – We are not convinced by National Highways statement that it has conformed to approved practice when calculating construction emissions. These should include clearance and land use change emissions as they are effectively part of construction but there is nowhere showing how they have been calculated. They will result in significant emissions at the start of the process and shouldn't be hidden by being displayed as an overall negative amount due to future claimed sequestration. We make this point in REP1-097 and request that the modelling showing how this has been calculated is put before the examination.</p> <p>7.6 Q1.4.1.2c – The DfT's Transport Decarbonisation Plan might be ambitious but it is far from actually enabling the change it talks about, notwithstanding there are questions as to whether it goes far enough, quickly enough. As Lord Deben, chair of the Committee on Climate Change has said in the same speech that he also challenged the spending on RIS2:</p> <p><i>"the Government must be congratulated on its targets and attacked on the basis it has not delivered on the mechanisms for delivering those targets."</i></p> <p>7.7 Therefore, to rely upon the TDP delivering the change required is problematic.</p>

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Applicant's comment	<p>The Applicant has reviewed TAN's comments on the Applicant's responses to the ExA's first written questions. The Applicant maintains its position as previously stated in those responses and to the extent that new issues have been raised by TAN, these are responded to above.</p> <p>In relation to section 7.5 (Q1.4.1.2b), a FOIA request was made by TAN to provide information on this topic. A Construction Phase Greenhouse Gas Emissions Technical Note [REP4-042] was issued by the Applicant to TAN and this has been submitted at Deadline 4.</p>
Conclusions	
REP4-073v	<p>8.1 There is no doubt that this project will increase carbon emissions at the very time we need to be taking urgent action to reduce them. These are significant, even if they don't on their own derail the Government's ability to meet the UK's carbon budgets. However, there is a substantial amount of information missing from the Environmental Statement which needs to be addressed and which potentially has significant implications for the need for the development.</p> <p>8.2 The key issues are summarised below:</p> <ol style="list-style-type: none"> 1. National Highways is wrong to try and use a legal ruling on procedure to dismiss significant environmental impacts 2. National Highways has misread the NPSNN which allows for new roads to have significant carbon emissions. Indeed, it would be hard for it to rule out carbon as never being significant, especially as EIA guidance does not define significance but also says that it should not be just in the gift of experts. 3. Many indirect carbon emissions are missing from the Environmental Statement. Even if deemed less significant than user emissions, the cumulative impact of the many emissions that are missed off could be significant when considered together and need to be assessed. 4. Contrary to EIA guidance, no assessment has been made on the impact of the road scheme on local and regional targets and this needs to be done. 5. National Highways has not fully answered the questions posed to it on carbon emissions. 6. The baseline traffic model doesn't appear to take into account the regional target to reduce car traffic by 5% per decade.

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	7. Clearance and land-use emissions are wrong as stated in REP1-097 and no detail is provided as to how they are calculated. This should be put before the examination.
Applicant's comment	TAN's conclusions summarise TAN's response as set out above. The Applicant has responded to each of TAN's points above and these are not therefore repeated here. However, the Applicant notes TAN's acknowledgement that the increase in carbon emissions as a result of the Scheme will not affect the Government's ability to meet the UK's carbon budgets.

REP4-075 – Wyboston, Chawston and Colesdon Parish Council

Comments on the Proposed Development

Reference Number	Interested Parties Submission/Applicant's Comments
REP4-075a	<p>Wyboston, Chawston & Colesden Parish Council (WCCPC) generally supports the proposals for the long-overdue grade-separated interchange at the A1/A428 Black Cat junction, however, this infrastructure project will have a serious impact on the health and well-being of local residents. WCCPC wishes to make the following representations on these following points:</p> <p>1: Noise (and air)</p> <p>Pollution Bearing in mind that the prevailing wind is from a South-westerly direction - In discussions with Highways England (HE) we were initially advised that on the 'elevated sections' there would be 'solid barriers' to reduce the noise levels. At a subsequent meeting HE advised that they could not use 'Solid' barriers on safety grounds and that they were considering 'tree-planting' to mitigate the noise levels on elevated sections although they 'were still looking into it with their computer modelling' - we were then advised that tree-planting has been ruled out due to the adjacent area being a designated water run-off holding area and their (HE) computer modelling did not require any other measures as the 2-3metre high 'earth bunds' would be sufficient. As this is a critical issue for the Residents of this Parish can we insist that if HE cannot provide a satisfactory solution to mitigate this issue then they undertake to make sufficient provision to retrospectively address this issue if their computer modelling proves to be inaccurate</p>
Applicant's comment	<p>Residential properties within the Wyboston, Chawston and Colesdon Parish are not predicted to experience significant adverse effects on air quality due to the proposed Scheme.</p> <p>The majority of receptors within this Parish considered within the air quality assessment presented in the Environmental Statement are predicted to experience improvements in air quality due to their proximity to the A1 between the current A428 and A421 junctions and the reduction in vehicle movements along this section with the Scheme in place as traffic no longer needs to drive along this section of the A1 to continue traveling east-west/west-east. A small increase in annual mean nitrogen dioxide concentrations is predicted at a small number of receptors. This includes properties located close on the A1 to the west at the corner of Nags Head Lane, due to the proximity of the proposed scheme at this location; one property located between the north and southbound A1 carriageways at Kelpie marina and properties to the east of the A421 on Bedford Road to the west of Roxton. Annual mean</p>

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	<p>concentrations here are predicted to be well below the objective value and therefore these effects are not significant. Away from the A1 and A421, imperceptible changes in pollutant concentrations are predicted, with pollutant concentrations well below the objective value.</p> <p>The majority of receptors within this Parish considered within the operational traffic noise assessment presented in the Environmental Statement are predicted to experience improvements in traffic noise levels due to their proximity to the A1 between the current A428 and A421 junctions and the reduction in vehicle movements along this section with the Scheme in place as traffic no longer need to drive along this section of the A1 to continue traveling east-west/west-east. A minor increase in traffic noise is predicted on Roxton Road to the north of the A421 due to the increase in traffic speed along this route.</p> <p>Planting is proposed along the proposed Scheme within the WCPPC boundary and is included on the Environmental Masterplan [REP4-047]. However, the benefits of vegetation in providing an effective sound 'barrier' are limited and are generally more in terms of a perceived benefit, due to either reducing/removing the view of the road and/ or a masking effect due to leaves rustling in the wind, rather than an actual reduction in traffic noise.</p> <p>A substantial depth, density and consistency of vegetation is required to achieve any reduction in levels. It is not possible to guarantee that any reductions in traffic noise levels from planting would be achieved or could be maintained throughout the seasons and over the longer term. Therefore, to ensure a conservative approach the standard UK traffic noise prediction methodology (Calculation of Road Traffic Noise) and the standard traffic noise assessment methodology set out in the 'Design Manual for Roads and Bridges' (DMRB), as adopted in the operational traffic noise assessment as presented within Chapter 11, Noise and Vibration [APP-080] of the Environmental Statement, does not include any barrier effect for vegetation.</p>
REP4-075b	<p>2: Light pollution</p> <p>As the middle and upper layers of the graded interchange will be visible to many of the residents can we insist that HE use environmentally friendly downward-facing and shielded lighting to mitigate the light pollution effects on both human and wildlife populations.</p>
Applicant's comment	<p>The extents of proposed road lighting are indicated on the General Arrangement Plans [APP-011] by 'orange' shading. The extent of road lighting has been determined on the basis of safety for all road users. Lighting of new and improved sections of highway within the Scheme has been confined to locations where road safety is a priority, in order to minimise the potential for light spill in night time views across the landscape. The lighting design has sought to minimise the potential for adverse effects on nocturnal wildlife.</p>

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	<p>The Applicant confirms that the proposed new road will not be lit as it passes over (i.e. the upper layer) the Black Cat junction. The design of the road lighting will be in accordance with the requirements of the Design Manual for Roads and Bridges (DMRB) which includes for the adoption of cut-off lighting to mitigate impacts of light pollution.</p>
REP4-075c	<p>3: Rat-running</p> <p>This is a serious issue within the parish and will only increase once construction starts so WCCPC insists that the HE proposed link-road from The Lane, Wyboston to Roxton Road, Chawston be constructed prior to commencement of the main project or at least as soon as construction starts, to enable the necessary A1 closures of Chawston Lane, Nags Head Lane and The Lane Wyboston to be closed off with immediate effect, thus reducing the ratrunning and improving the lives and safety of residents as apart from a small section of The Lane Wyboston, there are NO pedestrian footpaths/pavements within the Parish.</p>
Applicant's comment	<p>The Applicant confirms that the Roxton Road Link that connects The Lane, Chawston Lane and the Nags Head Lane to the Wyboston to Roxton Road will be constructed and opened as part of the first phase of the Black Cat Junction works [Ref APP 071 para 2.6.88]. When this new link road is opened to traffic the existing access points onto the A1 at The Lane, Chawston Lane and Nags Head Lane will be closed. The new link road includes a pedestrian cycle route which will improve this provision within the Parish.</p>
REP4-075d	<p>4: Lack of Pedestrian Paving</p> <p>WCCPC is concerned with the lack of pedestrian paving along the HE proposed Link road from The Lane, Wyboston to Roxton Road, Chawston as regards public safety. This road, predominantly for HGVs and heavy plant vehicles but also will be used by residents from the proposed new Dove Farm development which will access directly to and from the link road and further will most certainly be used by patients and carers from Lakeside/Accomplish Mental Health Residential hospital in The Lane Wyboston. It is a sensible and practical route for residents to walk and cycle to the Garden Centre at Roxton, so with this in mind WCCPC also insists that HE provides safe and suitable pedestrian and cycleways throughout the entire length of this link road and that it joins the foot/cycle way which HE plans to stop at the northern end of the newly built A421-Roxton Road bridge.</p>
Applicant's comment	<p>The Applicant confirms that a paved shared use footway/cycleway would be provided along the entire length of the Roxton Road Link which will connect between The Lane, Chawston Land, Bedford Road and the old School Lane</p>

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	<p>(via the Kelpie Marina access road). This is indicated on the General Arrangement Plans [APP-011] by the red line running alongside the proposed link road.</p>
<p>REP4-075e</p>	<p>5: Restricted Working Hours</p> <p>WCCPC appreciates the need for certain construction traffic movement on local roads but insists that all construction vehicles operating within 500 metres of any residential property be restricted to working hours of 8.00am to 5.00pm Monday to Friday and 8am to 4pm on Saturday with no working on Sundays.</p>
<p>Applicant's comment</p>	<p>The Applicant can confirm that the core construction hours are as those set out in Paragraph 2.6.244 within Chapter 2, The Scheme [APP-071] of the Environmental Statement. These are as follows:</p> <p>07:00-18:00 Monday to Friday</p> <p>07:00-13:00 on Saturdays</p> <p>The start-up and shut down periods would be either side of these times. During these periods, the Principal Contractor will be undertaking activities that cause minimal noise such as:</p> <ul style="list-style-type: none"> • Arrival of delivery vehicles to site • Arrival of vehicles to the works compounds • Plant and machinery checks • Arrival and departure of the works force at site • Site briefings • Site inspections • Site preparation – without the use of plant • Site clean up • Refuelling <p>The First Iteration Environmental Management Plan [APP-234] will set out these activities when it is updated at Deadline 6.</p>

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REP4-075f	<p>6: Water Levels</p> <p>As the A1 through the BlackCat junction will be sculpted at a lower elevation than at present, WCCPC has serious concerns about water levels and flash flooding in this section blocking the carriageway. Water removal is critical and any pumping equipment failing due to mechanical and or electrical supply issues is a serious concern. If there is a build-up of water then traffic will migrate to the slip-roads and higher levels of the interchange thus increasing the Noise, Air and Light pollution across the Parish.</p>
Applicant's comment	<p>The Applicant notes the comments and agrees that if the A1 lower drainage pumping equipment fails then traffic will be diverted away from any water using the slip roads. The level of flooding has been assessed to ensure road users can safely exit the A1 using the slip roads during an A1 pump failure event during extreme storm events such as a 1 in 30-year event. An A1 pump failure warning system will be implemented to ensure that disruption to road users and any increase in environmental factors such as noise, air and light pollution are minimised. This will be designed during the detailed design and will be discussed and agreed with National Highways Operation Directorate to ensure that the alarm system is integrated into National Highways monitoring systems.</p>