

A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 8

8.2 Draft Statement of Common Ground with Historic England

Planning Act 2008

Rule 8(1)(e)

Infrastructure Planning (Examination Procedure) Rules
2010

December 2021

Infrastructure Planning

Planning Act 2008

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

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

8.2 Draft Statement of Common Ground with Historic England

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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) Historic England.

Signed.....

Anne-Marie Rogers

Senior Project Manager

on behalf of National Highways

Date: 14 December 2021

Signed.....

[NAME]

[POSITION]

on behalf of Historic England

Date: [DATE]

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the A428 Black Cat to Caxton Gibbet improvements Scheme (the Scheme) made by National Highways Company Limited (National Highways) to the Secretary of State for Transport (Secretary of State) for a Development Consent Order (the Order) under section 37 of the Planning Act 2008 (PA 2008).
- 1.1.2 The Order, if granted, would authorise National Highways to construct a new 10 mile (16km) dual 2-lane carriageway from the Black Cat roundabout to Caxton Gibbet roundabout and in addition approximately 1.8 miles (3km) of tie-in works. The Scheme includes the following components:
- a. A new three-level grade separated junction at Black Cat roundabout, with the A1 at the lower level, the new dual carriageway on the upper level and a roundabout between the two at approximately existing ground level. In addition to slip roads, a new free flowing link between the A421 eastbound carriageway and the A1 northbound carriageway will also be provided.
 - b. A new grade separated all movements junction will be constructed to the east of the existing Cambridge Road roundabout to provide access to the new dual carriageway and maintain access to the existing A428.
 - c. At the Caxton Gibbet roundabout, a new grade separated all movements junction will be constructed, incorporating the existing roundabout on the south side of the new dual carriageway and a new roundabout on the north side. The new dual carriageway will then tie-in to the existing A428 dual carriageway to the east of the new Caxton Gibbet junction.
 - d. In the vicinity of the new Black Cat junction, direct access onto the A1 from some local side roads and private premises will be closed for safety reasons, A new local road will provide an alternative route. The existing Roxton Road bridge will be demolished and replaced with a new structure to the west to accommodate the realigned A421.
 - e. New crossings will be constructed to enable the new dual carriageway to cross the River Great Ouse, East Coast Main Line railway, Barford Road, the B1046/Potton Road, Toseland Road and the existing A428 at Eltisley.
 - f. The existing A428 between St Neots and Caxton Gibbet will be de-trunked and retained for local traffic and public transport with maintenance responsibility transferred to the local highway authorities.
 - g. An alternative access will be provided to side roads at Chawston, Wyboston and Eltisley.

h. There will be safer routes for walkers, cyclists, and horse riders.

1.1.3 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the Examination.

1.2 Parties to this Statement of Common Ground

1.2.1 This SoCG has been prepared by (1) National Highways as the Applicant and (2) Historic England.

1.2.2 National Highways (formerly known as Highways England) became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of National Highways, including in respect of the Application, to be conferred upon or assumed by National Highways.

1.2.3 Historic England is a prescribed consultee for the Application under Sections 42(1)(a) and 56(2)(a) of the PA 2008.

1.2.4 Collectively National Highways and Historic England are referred to as 'the parties'.

1.3 Terminology

1.3.1 In Section 3 of this SoCG:

- a. "Agreed" indicates where the issue has been resolved.
- b. "Not Agreed" indicates a final position.
- c. "Under discussion" indicates points which are the subject of ongoing discussion to resolve, or refine, the extent of disagreement between the parties wherever possible.

1.3.2 It can be taken that any matters not specifically referred to in the Issues Raised chapter of this SoCG are not of material interest or relevance to Historic England's representation and therefore have not been considered in this document. It is recognised however that engagement between both parties will need to continue due to their joint vested interest in the area of the Scheme.

2 Record of Engagement

2.1.1 The parties have been engaged in consultation since the pre-application period for the Scheme. A summary of the meetings and correspondence that has taken place between National Highways and Historic England in relation to the Application is outlined in **Table 2-1**.

Table 2-1 – Record of Engagement

Record of Engagement Under Development

Date	Form of correspondence	Key topics discussed
21-04-2017	Email from Historic England to Highways England	Historic England's pre-application advice on the A428 Black Cat to Caxton Gibbet consultation
22-01-2018	Meeting between Highways England and Historic England	Key topics included: <ul style="list-style-type: none"> • Preferred route options. • Design option of Black Cat junction. • Initial assessment of Brook Cottages. • Potential impact on Tempsford Bridge. • Scope of the Cultural Heritage Chapter of the Environmental Statement (ES).
20-06-2018	Email from Highways England to Historic England	The Black Cat junction design options report for the A428 was shared with Historic England for review.
31-05-2019	Letter from Highways England	Notification of statutory consultation.
30-10-2019	Meeting between Highways England and Historic England	Key topics included: <ul style="list-style-type: none"> • A summary of the current status of the Scheme and explanation of the purpose and objectives of the Environment Technical Working Group. • Indicative Development Consent Order (DCO) application timeline. • Highways England's preferred route announcement. • Design fix for the purposes of assessment. • Brook Cottages would be lost to the Scheme and impact on a Grade II listed milepost would also occur as a consequence of the Scheme. • Historic England commit to reviewing the Scoping Opinion, Preliminary Environmental Information

Date	Form of correspondence	Key topics discussed
		Report (PEI Report) and the Heritage Assessment for Brook Cottages.
30-10-2019	Email from Highways England to Historic England	<p>The following project information and documentation was shared with Historic England for review:</p> <ul style="list-style-type: none"> • Environmental Impact Assessment (EIA) Scoping Report. • EIA Scoping Opinion. • PEI Report. • Section 42 letter notifying Historic England of the statutory consultation exercise. • Copies of emails and letters previously issued to Historic England by Highways England relating to the statutory consultation, including the published notice.
30-10-2019	Email from Highways England to Historic England	The Brook Cottages Heritage Appraisal report for the A428 was shared with Historic England for review.
31-10-2019	Email from Highways England to Historic England	Minutes from meeting on 30-10-19 issued to Historic England.
11-11-2019	Email from Highways England to Historic England	Email requesting a second meeting with Historic England.
13-11-2019	Email from Historic England to Highways England	Email from Inspector of Historic Buildings requesting enquires are directed to him, and that he needs time to get up to speed on the project.
18-11-2019	Email from Highways England to Historic England	Email to Inspector of Historic Buildings requesting a further call.
19-11-2019	Email from Historic England to Highways England	Request for all documents produced to date.
08-01-2020	Meeting between Highways England and Historic England	<p>Key topics included:</p> <ul style="list-style-type: none"> • Identifying the main contacts at Historic England for the Scheme. • Background and statutory consultation. • The potential for design modifications. • Indicative timeline for DCO application.

Date	Form of correspondence	Key topics discussed
		<ul style="list-style-type: none"> • Written Scheme of Investigation (WSI) - Delay to planned archaeological trial trenching works due to land access issues. • Scheduling of geophysical surveys. • Landscaping changes associated with amended Order Limits. • Built heritage study area adopted and potential to extend resulting from Zone of Theoretical Visibility and noise assessments. • Historic England concern over potential impacts on Wintringham and Tempsford Bridge. • Explanation for milepost relocation. • Requirement for detailed physical survey and inspection of Brook Cottages. • Approach to presentation of information on Brook Cottages in DCO application.
18-02-2020	Email from Highways England to Historic England	Email from Highways England Archaeologist offering a site visit to the Scientific Officer at Historic England, and to introduce the Scheme.
18-02-2020	Email from Historic England to Highways England	Response from the Scientific Officer at Historic England confirming she would like a site visit, and that she is awaiting the trenching WSI.
26-02-2020	Letter from Historic England to Highways England (Pre-Application Advice)	Key topics included: <ul style="list-style-type: none"> • Assessment methodology. • Heritage assets and impacts on them. • Archaeology including advice on surveys and how impacts are assessed.
16-03-2020	Email from Historic England to Highways England	The Scientific Officer at Historic England asked if it would be possible to see the WSI and any geophysics reports produced so far.
19-03-2020	Email from Highways England to Historic England	Results of the Phase 1 and 2 Geophysical Survey issued to Historic England for information.
31-03-2020	Meeting between Highways England and Historic England	Meeting regarding the Principles of Archaeological Mitigation: <ul style="list-style-type: none"> • Lessons learnt from the A14 project.

Date	Form of correspondence	Key topics discussed
		<ul style="list-style-type: none"> • Highways England approach for the archaeological mitigation. • Identification of sites for early archaeological excavation. • Heritage crime (illegal metal detecting). • Academic advisory panel. • Skills shortages for archaeological works in the region. • Borrow pits. • Potential to reduce size of junctions.
31-03-2020	Email from Highways England to Historic England	Email to Inspector of Ancient Monuments sending links to PEI Report and consultation responses received from Historic England to date.
14-04-2020	Archaeology meeting	<p>Key topics included:</p> <ul style="list-style-type: none"> • Archaeologist resources/capacity in context of major growth in the region. • Challenges of remote monitoring of archaeological fieldwork. • Level of archaeological information required to support the DCO application. CCC raised concerns over the potential for delay in the decision making if PINS do not have sufficient information should the further phases of trenching be delayed by Covid-19. • Update on Phase 1 fieldwork. • Archaeological potential and land access for advance works. • Approach to undertaking Phase 2 fieldwork. • Updates on post-excavation reporting. • Potential for borrow pit relocation. • Proposed trenching density. • Scale of archaeological works in Phase 2 and Phase 3.
22-04-2020	Email from Highways England to Historic England	Email from Inspector of Ancient Monuments confirming that they were not considering designating the site at F44.

Date	Form of correspondence	Key topics discussed
21-05-2020	Archaeology presentation on Phase 1 evaluation	Key topics included: <ul style="list-style-type: none"> • Presentation on Phase 1 results. • Potential for preservation insitu. • Submission of trenching results to inform DCO application.
21-05-2020	Email from Highways England to Historic England	The Scientific Officer at Historic England offered scientific advice regarding Field 9 excavations and asked if there would be a meeting about the built heritage.
27-05-2020	Email from Highways England to Historic England	Email to the Scientific Officer at Historic England requesting email address of the Inspector of Historic Buildings. Stated that no built heritage specific meeting was planned to date.
24-06-2020	Letter from Highways England	Notification of supplementary consultation.
24-06-2020	Email from Highways England to Historic England	Link for online consultation forwarded to Historic England.
25-06-2020	Environmental Technical Working Group supplementary consultation briefing	Meeting attended by Highways England and Bedford Borough Council. Key topics included: <ul style="list-style-type: none"> • Methodology for supplementary consultation. • Overview of changes to the Scheme following statutory consultation, including: <ul style="list-style-type: none"> - Borrow pits. - Mitigation bunds. - Utility diversions. - Order Limits. • EIA methodologies and consideration of design changes. • Update on environmental mitigation.
25-06-2020	Meeting between Historic England, Highways England, and Bedford Borough Council (BBC), Central Bedfordshire Council (CBC) and Cambridgeshire County Council (CCC) archaeology officers	Key topics included: <ul style="list-style-type: none"> • Programme of advance works. • Principles in developing mitigation strategies.

Date	Form of correspondence	Key topics discussed
23-07-2020	Meeting between Highways England and Historic England	Key topics included: <ul style="list-style-type: none"> • Programme of advance works. • Agreement on principles of the mitigation strategy. • Principles of SoCG.
27-07-2020	Email from Highways England to Historic England	Black Cat Junctions options report and Assessment of Significance and Initial Survey Method Statement regarding Brook Cottages shared with Historic England. Stated that this was previously sent to Natalie Gates (June 2018) and Clare Campbell (October 2019).
28-07-2020	Joint meeting with Historic England, Highways England and Bedford Borough Council heritage archaeology officers	Key topics included: <ul style="list-style-type: none"> • Scheme and programme update. • Update provided on engagement of stakeholders, including previous meeting with Bedfordshire Borough Council conservation and archaeology officers, and with Historic England. • Update on progress with archaeological trial trenching. • Advance works. • Brook Cottages and listed milestones; and • Forward plan and meeting dates discussed with a view to enabling closer and more frequent dialogue between all parties on archaeology and built heritage, and sharing key information and updates to enable comments and views to be reviewed and incorporated into the cultural heritage assessment.
28-07-2020	Email from Historic England to Highways England	Confirmation of receipt of Black Cat Options report.
29-07-2020	Email from Highways England to Historic England	Aerial photographs and LiDAR report issued to Historic England for information.
03-08-2020	Email from Highways England to Historic England	Draft methodology for Brook Cottages intrusive survey issued to Historic England for comment.
11-08-2020	Email from Highways England to Historic England	Email to the Scientific Officer at Historic England requesting advice on geochemical analysis.
11-08-2020	Email from Historic England to Highways England	Response from the Scientific Officer at Historic England providing advice on geochemical analysis.

Date	Form of correspondence	Key topics discussed
11-08-2020	Email from Highways England to Historic England	Chased comments from Historic England on Brook Cottages methodology.
12-08-2020	Email from Historic England to Highways England	Comments from Historic England on Brook Cottages methodology.
17-08-2020	Email from Highways England to Historic England, BBC, CBC, and CCC.	Meeting notes for the meeting on 25-06-2020 were issued.
18-09-2020	Meeting between Highways England, Historic England, BBC, CBC, CCC, and Museum of London Archaeology (MoLA)	Meeting regarding results of Phase 2 trenching; presentation by MoLA. A wider discussion on the evaluations was held, along with an update on the advance works.
22-09-2020	Email from Highways England to Historic England, BBC, CBC, and CCC	Slides of Phase 2 trenching presentation were shared.
23-09-2020	Email from Highways England to Historic England, BBC, CBC, and CCC	Provision of current draft of the archaeological strategy document prepared by Christopher Evans in advance of the meeting on 24-09-2020.
24-09-2020	Joint meeting between Highways England, Historic England, BBC, CBC, CCC, and MoLA	A428 Archaeology Rationale, Strategy and Mitigation. The meeting included: <ul style="list-style-type: none"> • Presentation by Chris Evans on the Rationale and Strategy. • Information on the form of the mitigation strategy. • A wider discussion regarding the mitigation strategy.
30-09-2020	Email from Highways England to Historic England, BBC, CBC, and CCC	Minutes of the meeting on the Rational, Strategy and Mitigation were shared.
30-09-2020	Email from Highways England to Historic England, BBC, CBC, and CCC	Minutes of the meeting on the Rational, Strategy and Mitigation were shared.
07-10-2020	Email from Highways England to Historic England	Email from to the Scientific Officer at Historic England requesting any comments on the research strategy.
13-10-2020	Email from Historic England to Highways England	Comments on the research strategy from the Scientific Officer at Historic England.

Date	Form of correspondence	Key topics discussed
13-10-2020	File transfer from Highways England to Historic England	Phase 1 and 2 Evaluation reports issued to Historic England for information.
13-10-2020	Email from Historic England to Highways England	Confirmation that the Phase 1 and 2 reports were received.
16-10-2020	Joint meeting with Historic England, BBC, CBC, CCC, and MoLA	Meeting regarding results of Phase 3 trenching; presentation by MoLA. A discussion on the results of the evaluation was held. A programme for the review of final reporting was discussed.
04-11-2020	Email from Highways England to Historic England	Email to the Scientific Officer at Historic England requesting advice regarding phosphate and geochemical analysis.
04-11-2020	Email from Historic England to Highways England	Email from the Scientific Officer at Historic England providing advice on phosphate and geochemical analysis.
20-11-2020	Email from Highways England to Historic England	Download link for the Phase 3 report was sent to Historic England.
25-11-2020	Email from Historic England to Highways England	Confirmation from Historic England that the Phase 3 report was downloaded.
04-02-2021	Joint meeting with Historic England, Highways England and BBC	<p>Approach taken to Brook Cottages in the DCO application, including the following:</p> <ul style="list-style-type: none"> • Update on situation regarding the survey. • Run through of the key documents in the application relating to Brook Cottages. • Sharing of the draft Requirement in relation to Brook Cottages.
23-03-2021	Email from Highways England to Historic England and BBC	Informing that the DCO application documents were on the Planning Inspectorate website ahead of acceptance.
21-04-2021	Email from Highways England to Historic England.	Email informing Historic England the A428 Scheme has been accepted by PINSs. Highways England asks as we enter the examination period would Historic England like a meeting to discuss Brook Cottages.
23-04-2021	Letter from Highways England to Historic England	Providing printed copies of the relevant parts of the DCO application.

Date	Form of correspondence	Key topics discussed
13-05-2021	Email from Highways England to Historic England	Email explaining the hard copies of the Application, as requested, have been sent to Historic England. Email asks for a meeting to discuss the application, particularly Brook Cottages.
14-05-2021	Email from Historic England to Highways England	Email confirming the meeting on the planning application would be the week after next and asks for the Bedford Council's Case Officer to attend the next meeting
17-05-2021	Email from Highways England to Historic England	Email explaining Highways England are having a separate meeting to discuss the SoCG with the Council and advised our next meeting would focus on Brook Cottages and comments coming from the application documents for this meeting.
17-05-2021	Email from Historic England to Highways England	Email explaining in the next meeting Historic England would like to cover the SoCG issues on Brook Cottages and to reflect on the agreement on the setting of other assets and the archaeological strategy.
15-06-2021	Email from Highways England to Historic England	Email confirming no formal notes have been written up regarding Croxton Park due to being denied access for a site visit. Highways England confirmed they did do a map regression to establish the historic development of the park. Email asked Historic England to send the relevant reps to prior to PINS releasing them to aid in the discussions at the next meeting.
23-06-2021	Joint meeting with Historic England, Highways England and BBC	Discussion on the DCO application in terms of: <ul style="list-style-type: none"> • Brook Cottages • Built Heritage (listed milestones, Croxton Park) • Archaeology
11-08-2021	Email from Highways England to Historic England	Provision of further clarification details on designated assets. This included photographs and map extracts where relevant.
12-08-2021	Email from Highways England to Historic England	Email from Highways England to Historic England issuing the first draft of the SOCG for Historic England's review.
18-08-2021	Email from Historic England to Highways England	Confirmation of receipt of additional information. Request for information to be submitted to PINS.

Date	Form of correspondence	Key topics discussed
23-08-2021	Email from Historic England to National Highways	Email from Historic England to National Highways advising that the review of the SOCG will likely be delayed until after completion of the Written Representations and responses to the ExAs first written questions.
07-09-2021	Email from National Highways to Historic England	Email from National Highways to Historic England with an update on Brook Cottages survey and methodology. The revised methodology for the survey was issued to Historic England for review.
08-09-2021	Email from Historic England to National Highways	Email from Historic England to National Highways with comments on the survey for Brook Cottages which are detailed in Historic England's Written Representations.
15-09-2021	Email from Historic England to National Highways	Email from Historic England to National Highways requesting a meeting to discuss the wording within the SOCG.
16-09-2021	SOCG meeting with Historic England and National Highways	First draft review of the SOCG between Historic England and National Highways via Microsoft Teams.
16-09-2021	Email from National Highways to Historic England	Email from National Highways to Historic England detailing the location of the Brook Cottages Technical Note and Historic England and Bedford Borough Council Clarification Note submitted at Deadline 2 of the Examination.
17-09-2021	Email from National Highways to Historic England	Email from National Highways to Historic England summarising the outcomes of the meeting held on 16.09.2021 and the next steps.
21-09-2021	Email from Historic England to National Highways	Email from Historic England to National Highways requesting that the 'embedded and essential mitigation' for archaeology remains 'under discussion.'
28-10-2021	Meeting with National Highways and Historic England	Meeting to review Requirement 16 – Brook Cottages
01-11-2021	Email from Historic England to National Highways	Email from Historic England to National Highways issuing the review of the SOCG for deadline 4 of the Examination.
01-11-2021 and 08-11-2021	Email from National Highways to Historic England and Bedford Borough Council	Email from National Highways to Historic England and Bedford Borough Council issuing the scope for the second stage survey of Brook Cottages for review.

Date	Form of correspondence	Key topics discussed
05-11-2021	Email from National Highways to Historic England	Email from National Highways to Historic England issuing the version of the SOCG that was submitted to the ExA at deadline 4.
16-11-2021	Email from National Highways to Historic England	Email from National Highways to Historic England issuing alterations to Requirement 16 of the dDCO for review.
29-11-2021	Email from National Highways to Historic England	Email from National Highways to Historic England issuing the next version of the SOCG for comment
06-12-2021	Email from Historic England to National Highways	Email from Historic England to National Highways issuing the reviewed SOCG.
14-12-2021	Meeting with National Highways and Historic England	Meeting to discuss the intrusive survey scope and Requirement 16.

- 2.1.2 It is agreed that this is an accurate record of the key engagement and consultation undertaken between (1) National Highways and (2) Historic England in relation to the issues addressed in this SoCG.
- 2.1.3 The issues and matters highlighted in Section 3 of this SoCG summarise the key issues that have been identified in relation to a number of key areas of the DCO application.

3 Issues Raised

Table 3-1 – Cultural Heritage Matters

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
Cultural Heritage Legislation and policy	Chapter 6, Cultural heritage [APP-075]	National Highways considers that the Environmental Statement (ES) has identified and appropriately considered all applicable legislation and national policy pertaining to the following assessments undertaken as part of the Environmental Impact Assessment (EIA) of the Scheme: <ul style="list-style-type: none"> • Cultural heritage. • Assessment of cumulative effects (as related to the topics and subject of interest to Historic England). 	Historic England is content that these assessments have considered all relevant legislation and national policy.	Agreed	16.09.2021
Cultural heritage Study area definition and extents	Chapter 6, Cultural heritage [APP-075] Chapter 15, Assessment of cumulative effects [APP-084]	The study areas adopted by National Highways within the following assessments are considered to reflect current best practice and standards: <ul style="list-style-type: none"> • Cultural heritage [APP-075] – in relation to designated sites and features, historic landscapes, archaeology (known and potential), and built heritage. 	Historic England is content that the geographical extents of the adopted study areas cover the area over which direct and indirect effects of the Scheme are likely to occur.	Agreed	16.09.2021

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
		<ul style="list-style-type: none"> Assessment of cumulative effects [APP-084] – in relation to in-combination and cumulative effects. <p>National Highways considers that the geographical extents of the adopted study areas are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.</p>			
<p>Cultural heritage</p> <p>Expert/professional judgements</p>	<p>Chapter 6, Cultural heritage [APP-075]</p> <p>Chapter 15, Assessment of cumulative effects [APP-084]</p>	<p>The identification of likely significant effects on sensitive features and receptors has been informed by professional judgement and the views of relevant technical specialists, where necessary.</p> <p>National Highways considers the application of professional judgement by its specialists within the following assessments to be appropriate and robust:</p> <ul style="list-style-type: none"> Cultural heritage [APP-075]. Assessment of cumulative effects [APP-084]. 	<p>Historic England is content with how National Highways has applied professional judgement in the assessments of effects on sensitive features and receptors undertaken and reported with the exception of Brook Cottages (refer to Table 3-2).</p>	<p>Agreed</p>	<p>16.09.2021</p>

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
<p>Cultural Heritage</p> <p>Assessment assumptions and limitations</p>	<p>Chapter 6, Cultural heritage [APP-075]</p> <p>Chapter 15, Assessment of cumulative effects [APP-084]</p>	<p>The following assessments record the assumptions applied and the approaches taken by National Highways to reduce any uncertainty resulting from any limitations encountered:</p> <ul style="list-style-type: none"> • Cultural heritage [APP-075]. • Assessment of cumulative effects [APP-084]. <p>National Highways considers the assumptions adopted in these assessments to be reasonable and appropriate.</p>	<p>Historic England is content that the assumptions recorded within these assessments are reasonable and accepts that the limitations encountered do not impact upon the validity of the reported findings.</p>	<p>Agreed</p>	<p>16.09.2021</p>
<p>Cultural heritage</p> <p>Worst-case scenario: limits of deviation</p>	<p>Works Plans [APP-009] [APP-010]</p> <p>Engineering Sections [APP-017 to APP 022]</p> <p>Chapter 6, Cultural heritage [APP-075]</p> <p>Chapter 15, Assessment of cumulative effects [APP-084]</p>	<p>The following assessments have taken into account the lateral limits of deviation forming part of the Scheme design, as defined on the Works Plans [APP-009] [APP-010], and the vertical limits of deviation defined on the Engineering Sections [APP-017 to APP 022]:</p> <ul style="list-style-type: none"> • Cultural heritage [APP-075]. • Assessment of cumulative effects [APP-084]. 	<p>Historic England is content that these assessments have appropriately considered the worst-case scenario in relation to the potential for the Scheme design and/or its construction to deviate within the lateral and vertical extents defined on the Works Plans and Engineering Sections.</p>	<p>Agreed</p>	<p>16.09.2021</p>

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
		National Highways considers that the maximum extents of possible deviation accounted for in these assessments represent the realistic worst-case assessment scenario.			
Cultural heritage Presentation of results	Chapter 6, Cultural heritage [APP-075] Chapter 15, Assessment of cumulative effects [APP-084]	The following application documents present the approaches to, and outcomes of, assessments undertaken to identify the likely significant effects of the construction, operational and (where relevant) the maintenance phases of the Scheme: <ul style="list-style-type: none"> • Cultural heritage [APP-075]. • Assessment of cumulative effects [APP-084]. National Highways considers that the format and methods used to present the assessments undertaken are clear and unambiguous.	Historic England is content with the formats and styles adopted by National Highways in presenting the details of the assessments undertaken with the exception of Brook Cottages (refer to Table 3-2).	Agreed	16.09.2021
Scheme Design Route / junction design selection	Chapter 2, The Scheme [APP-071] Chapter 3, Assessment of alternatives [APP-072]	National Highways has undertaken thorough and comprehensive route studies, junction appraisals and optioneering studies during the design-development of the Scheme, in pursuit of establishing its preferred design solution, as described in Chapter 2,	Historic England is content that the studies, optioneering exercises and appraisals undertaken by National Highways are appropriate from a design perspective.	Agreed	16.09.2021

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
		<p>The Scheme [APP-071] and Chapter 3, Assessment of alternatives [APP-072] of the Environmental Statement.</p> <p>In considering, evaluating and balancing constraints and opportunities, National Highways considers that the preliminary design of the new dual carriageway represents the optimum solution to meet the Scheme objectives.</p>	<p><u>Historic England’s response to Written Questions</u></p> <p>Historic England are not in a position to assess the highways engineering arguments set out in the Design Options but have accepted the proposed alignment. Historic England have a number of reservations about the conservation of some of the listed building’s significance through relocation (refer to Section 3 of the Written Representations).</p>		
<p>Cultural heritage</p> <p>Data collection methods, baseline data and the identification and sensitivity of relevant features and receptors</p>	<p>Chapter 6, Cultural heritage [APP-075]</p>	<p>The baseline conditions have been collated using desk-based and field-based techniques, and through consultation with stakeholders.</p> <p>National Highways considers the scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in Chapter 6, Cultural heritage assessment [APP-075].</p>	<p>Historic England is content with the scope, coverage and findings of the data collection and surveys undertaken inform the assessment of effects on the identified sensitive features and receptors with the exception of Brook Cottages (refer to Table 3-2).</p> <p><u>Matters raised in Historic England’s Relevant Representation</u></p> <p>Historic England will comment on the assessment of and impact on the grade II* listed buildings, the scheduled monuments and the grade II* registered park where there is potential for impact on their setting,</p>	<p>Agreed</p>	<p>16.09.2021</p>

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
			and will defer advice on grade II listed buildings and conservation areas to the respective local planning authorities, the exception being four grade II listed buildings which would be physically affected by the Scheme (comprising three milestones on the existing A428, and Brook Cottages near Wyboston) which will be commented on specifically.		
<p>Cultural Heritage</p> <p>Assessment findings: construction</p>	Chapter 6, Cultural heritage [APP-075]	<p>The cultural heritage assessment has concluded that construction of the Scheme would result in significant adverse effects of either moderate or large significance on the assets listed in Table 6-6 of Chapter 6, Cultural heritage [APP-075].</p> <p>All other assets identified and assessed would experience either:</p> <ul style="list-style-type: none"> • Slight adverse effects (not significant). • Neutral effects (not significant). • Slight beneficial effects (not significant). <p>The cultural heritage assessment has concluded that, with the exception of</p>	<p>Historic England agrees that:</p> <ul style="list-style-type: none"> • Only those assets identified in Table 6-6 of Chapter 6, Cultural heritage [APP-075] would experience significant adverse effects as a result of Scheme construction. • The significance of effect ratings recorded for all assets identified and assessed accurately reflect the effects likely to occur as a result of Scheme construction. <p>Historic England agrees that, with the exception of Brook Cottages, Scheme construction would result in less than substantial harm on the assets</p>	Agreed	06.12.2021

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		<p>Brook Cottages (which is predicted to experience substantial harm), construction of the Scheme would result in less than substantial harm on all other assets listed in Table 6-6 of Chapter 6, Cultural heritage [APP-075].</p>	<p>identified in Table 6-6 of Chapter 6, Cultural Heritage [APP-075].</p> <p><u>Matters raised in Historic England’s Relevant Representation</u></p> <p>The development has the potential to harm archaeological deposits of interest, both directly and indirectly.</p>		
<p>Cultural Heritage</p> <p>Assessment findings: operation</p>	<p>Chapter 6, Cultural heritage [APP-075]</p>	<p>The cultural heritage assessment has concluded that operation of the Scheme would not result in any significant adverse effects on the assets identified within Chapter 6, Cultural heritage [APP-075].</p> <p>All assets identified and assessed would either experience:</p> <ul style="list-style-type: none"> • Slight adverse effects (not significant). • Neutral effects (not significant). • Slight beneficial effects (not significant). <p>The cultural heritage assessment has concluded that operation of the Scheme would result in less than substantial harm on all assets</p>	<p>Historic England agrees that:</p> <ul style="list-style-type: none"> • None of the assets identified in Chapter 6, Cultural heritage [APP-075] would experience significant adverse effects as a result of Scheme operation. • The significance of effect ratings recorded for all assets identified and assessed accurately reflect the effects likely to occur as a result of Scheme operation. <p>Historic England agrees that Scheme operation would result in less than substantial harm on the assets identified in Chapter 6, Cultural heritage [APP-075].</p>	<p>Agreed</p>	<p>November 2021</p>

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		identified within Chapter 6, Cultural heritage [APP-075].			
<p>Cultural Heritage</p> <p>Assessment findings: operation</p>	Chapter 6, Cultural heritage [APP-075]	<p>For Pastures Farm, as there is not a significant effect on this asset, it is not considered that further mitigation is required.</p> <p>Chapter 6, Cultural heritage [APP-075] of the Environmental Statement acknowledges that construction would result in the introduction of new road infrastructure into the rural surroundings of Croxton Park. It further states in paragraph 6.9.272 that <i>‘assets within the park are likely to experience no change as a result of the Scheme... the exception being the Registered Park itself...’</i>. This takes into consideration the impacts of the new carriageway. A conclusion of slight beneficial effect is presented due to the associated improvements due to the de-trunking of the existing A428. Less than substantial harm is concluded.</p> <p>The assessment of effects on the settlement at Roxton presented in Chapter 6, Cultural heritage [APP-075] of the Environmental Statement takes</p>	<p><u>Matters within Historic England’s Written Representation</u></p> <p>With reference to Written Representation REP1-077cg, Historic England would advise that additional information from the Applicant may provide further clarity on the specific visual impacts of the junction on Pastures Farm and enable consideration as to whether any offsetting mitigation may be appropriate.</p> <p>With reference to Written Representation REP1-077j, Historic England questions the conclusions of the ES that the heritage assets of Croxton Park would “<i>experience no change</i>”. Croxton park can still be experienced in views across the A428 from the area in which viewpoint 44 was taken and so it forms part of its setting. Historic England have questioned the significance of this part of the setting and the effect the development could have on its rural quality.</p>	Agreed	November 2021

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		<p>into consideration potential impacts from the Scheme in its entirety, with specific consideration of the potential for new visual effects resulting from the expansion of Black Cat Roundabout, including newly elevated roadways. This also includes consideration of associated impacts from the proposed lighting and resulting traffic noise. The assessment identifies a noticeable change in the agricultural landscape setting of the conservation area as a result of the Scheme, concluding that this represents less than substantial harm to the asset.</p>	<p>With reference to Written Representation REP1-077c, Historic England questions if the expansion of the Black Cat roundabout, including newly elevated roadways, might also have an impact at Roxton. Additional lighting and traffic noise from the elevated roadways might also increase the effect of the development within the setting of both village and church.</p> <p>As reflected in the Applicant's comment on the Written Reps (Volume 6 document 9.1 October 2021), Rep1 077e (Roxton), Rep1 077j (Croxtan) and Rep1 077q (Pastures Farm), we agree with the National Highways assessment of less than substantial harm. We note that National Highways is exploring the potential for further visualisation relating to Pastures Farm.</p>		
<p>Cultural Heritage Embedded and essential mitigation</p>	<p>Chapter 2, The Scheme [APP-071] Figure 2.4 Environmental Masterplan [APP-091]</p>	<p>National Highways considers that:</p> <ul style="list-style-type: none"> The embedded mitigation measures within Chapter 6, Cultural heritage [APP-075]. The essential mitigation measures set out in the First Iteration EMP [APP-234] and the Archaeological Mitigation Strategy [APP-238] are 	<p>Historic England is content that the approaches to mitigating adverse effects on archaeological and built heritage resources are appropriate, and that their form, extent and timing are acceptable, with the exception of Brook Cottages which is still under discussion.</p>	<p>Agreed for archaeology Agreed for built heritage with the exception of Brook Cottages</p>	<p>06.12.2021</p>

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
	<p>Archaeological Mitigation Strategy [APP-238]</p> <p>Updated Archaeological Mitigation Strategy (D3) [REP3-010]</p> <p>Updated Archaeological Mitigation Strategy (D4) (Tracked) [REP4-030]</p> <p>Updated Archaeological Mitigation Strategy (D4) (Clean) [REP4-031]</p>	<p>appropriate to avoid, prevent, reduce, manage, control and (where necessary) monitor the adverse effects of the Scheme during its construction and operation.</p> <p>National Highways' Archaeological Mitigation Strategy [APP-238] sets out the mitigation measures that would be implemented to reduce the adverse effects of the Scheme on archaeological and built heritage resources.</p> <p>The Updated Archaeological Mitigation Strategy was submitted at Deadline 3 and 4 of the Examination [REP3-010] [REP4-030] [REP4-031].</p>	<p><u>Matters raised in Historic England's Relevant Representation</u></p> <p>A mitigation strategy has been presented by National Highways, which includes a programme of archaeological works including geoarchaeological boreholes that will inform preservation strategies, either preserving remains in situ or by record. Historic England will comment on this strategy and associated documents to ensure that the significance of the impacted archaeological remains / deposits is not lost.</p>		
<p>Cumulative effects assessment</p> <p>Baseline data</p>	<p>Chapter 15, Assessment of Cumulative Effects [APP-084]</p> <p>Appendix 15.1 [APP-228]</p> <p>Appendix 15.2 [APP-229]</p>	<p>National Highways has undertaken an assessment of the likely significant cumulative effects of the Scheme on the environment resulting from the culmination of effects with other existing and/or approved developments and projects. The assessment has considered:</p> <ul style="list-style-type: none"> Existing completed projects. 	<p>Historic England is content with the developments and projects identified within both the long list and shortlist, and how these have been categorised within the assessment.</p>	<p>Agreed</p>	<p>16.09.2021</p>

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
		<ul style="list-style-type: none"> • Approved but uncompleted projects. • Ongoing activities. • Plans or projects for which an application has been made and which are under consideration by consenting authorities; and plans and projects which are reasonably foreseeable. <p>Cumulative developments and projects were initially identified through a long list [APP-228], with qualifying developments subsequently shortlisted [APP-229] for consideration in the assessment.</p> <p>National Highways considers that its approach to identifying other development projects, their shortlisting and subsequent inclusion in the cumulative effects assessment is robust and appropriate (as related to its topics and areas of interest to the Historic England).</p>			
Cumulative effects assessment	Chapter 15, Assessment of	The assessment has concluded that no significant adverse effects would arise on cultural heritage from the effects of the Scheme interacting	Historic England is content with the conclusions of the assessment and the significance of the reported effects in	Agreed	November 2021

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Construction and operational effects	cumulative effects [APP-084]	cumulatively with other planned projects and developments. National Highways considers that the outcomes of the cumulative effects assessment in relation to development interactions are accurate.	relation to cultural heritage, on the basis of current information.		
Interaction of disciplines	Chapter 6, Cultural heritage [APP-075]	The assessment presented in Chapter 6, Cultural heritage [APP-075] takes into consideration all aspect of the Scheme which have the potential to impact on the appreciation of the heritage assets, including noise, light and visual changes.	Historic England agree that all aspects of the Scheme which could potentially impact on the heritage assets have been assessed.	Agreed	November 2021

Table 3-2 – Brook Cottages

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
Brook Cottages Policy test	Chapter 6, Cultural heritage [APP-075] Case for the Scheme [APP-240]	In accordance with the requirements of the NPSNN, the Case for the Scheme [APP-240] demonstrates that the substantial public benefits of the Scheme outweigh the harm that would result to Brook Cottages as a consequence of its removal, and that exceptional circumstances exist that justify its loss.	Historic England acknowledges the substantial public benefits of the Scheme which outweigh the adverse effects and harm to Brook Cottages that would result from its removal, and that the exceptional circumstances pertaining to its loss are justifiable.	Agreed	06.12.2021
Brook Cottages Heritage significance	Chapter 6, Cultural heritage [APP-075] Appendix 6.10 [APP-178]	Based on the findings of a visual assessment undertaken as part of a heritage appraisal of Brook Cottages in 2018 [APP-178], National Highways has concluded that although the cottages are considered to be of special architectural and historic interest, the building is not rare and other examples survive both locally and nationally that are in equal, or better condition.	Historic England has requested further information relating to the National Highways' heritage appraisal of Brook Cottages [APP-178].	Under discussion	

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<p>Brook Cottages Assessment of harm</p>	<p>Chapter 6, Cultural heritage [APP-075]</p>	<p>As Brook Cottages are located within the Order Limits of the Scheme and would require removal, the cultural heritage assessment [APP-075] has identified that there would be a total loss of the significance of this asset.</p> <p>Accordingly, National Highways has concluded that the loss of Brook Cottages would amount to substantial harm to the asset.</p>	<p>Historic England are not in a position to judge the merits of the route options and therefore cannot comment on the justification for demolition.</p>	<p>Not Agreed</p>	
<p>Brook Cottages Retention in its existing location</p>	<p>Black Cat Junction Design Options [APP-247]</p>	<p>Based on the current design [APP-247], National Highways has demonstrated that there is no alternative to the removal of Brook Cottages to allow the proposed improvements to Black Cat roundabout.</p>	<p>Historic England are not in a position to judge the merits of the route options and therefore cannot comment on the justification for demolition.</p>	<p>Not Agreed</p>	

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
<p>Brook Cottages Relocation</p>	<p>Chapter 6, Cultural heritage [APP-075] Case for the Scheme [APP-240] Draft Development Consent Order [APP-025]</p>	<p>Based on the conclusion that the loss of Brook Cottages would result in substantial harm to the asset, Chapter 6, Cultural heritage [APP-075], National Highways has identified and evaluated options for relocating the building to an alternative location.</p> <p>Following evaluation of these options within the Case for the Scheme [APP-240], National Highways has concluded that the relocation of Brook Cottages would remain as substantial harm to the asset due to the loss of building's historic fabric (when moving the property) and the extent of change that would be necessary to ensure the building conforms to the prevailing building regulations.</p>	<p>Historic England agrees that the relocation of Brook Cottages would enable retention of historic fabric and is preferable to its complete loss.</p> <p>Historic England agree that there would probably be substantial harm to the asset through its relocation, although further study of the building and methodology is necessary to refine this position.</p>	<p>Agreed</p>	<p>08.12.2021</p>
<p>Brook Cottages Relocation Options</p>	<p>Chapter 6, Cultural heritage [APP-075] Case for the Scheme [APP-240] Draft Development Consent Order [APP-025]</p>	<p>Whilst the ES concludes that reconstructing the structural elements of Brook Cottages in a museum would not be sufficient to reduce the substantial harm of demolition to less than substantial harm, this outcome affords the greatest opportunity to retain more of the building's heritage significance. This option also presents a greater opportunity to secure the</p>	<p>The conclusions cannot be substantiated without further study.</p>	<p>Under discussion</p>	

Issue	Document Reference	National Highways Position	Historic England Position	Status	Date
		<p>building's future and provides additional public benefits.</p> <p>Requirement 16 of the DCO requires the structural elements of the building that are capable of being reconstructed to be relocated to a museum, should this be feasible. We are in discussions with possible receptors which may be willing to accept Brook Cottages, subject to:</p> <ul style="list-style-type: none"> • A structural survey concluding that this is feasible. • Further discussions and terms to be agreed. 			
Brook Cottages Relocation Options	Draft Development Consent Order [APP-025]	Requirement 16 of the dDCO [APP-025] requires further assessment of the building, including the survival of historic fabric and current condition. Should this survey conclude that the structural elements of the building that are capable of being reconstructed to be relocated to a suitable receptor willing to receive those structural elements e.g., a museum, Requirement 16 secures the future relocation of the structural elements of	Historic England will review this position following discussions on Requirement 16 in December 2021.	Under discussion	

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		Brook Cottages should this be feasible.			
Brook Cottages Intrusive Survey	Draft Development Consent Order [APP-025]	A reasonable assumption has been made within the application regarding the extent of building fabric which can be relocated [APP-240]. National Highways are progressing an intrusive survey at Brook Cottages to provide additional information.	Historic England require this position to be justified by evidence.	Not Agreed	
Brook Cottages Recording	Draft Development Consent Order [APP-025]	The Case for the Scheme [APP-240] also explains that in accordance with the NPSNN, National Highways would properly record the asset prior to its removal, as secured through Requirement 16 on the draft DCO [APP-025].	Historic England agree that recording of Brook Cottages is required prior to its removal.	Agreed	06.12.2021