

## **Application by Highways England for an Order Granting Development Consent for A428 Black Cat to Caxton Gibbet Improvements**

### **The Examining Authority's commentaries and proposed changes to the draft Development Consent Order (dDCO)**

**Issued on Friday 14 January 2022**

**Bedford Borough Council Response (Deadline 9 25<sup>th</sup> January).**

#### **Highways Comments**

From a highways point of view, we welcome the ExA's suggestion to amend Articles 13 and 14 which will increase the controls for the LHA to assess the assets they inherit in a timely manner.

The ExA's suggestion of the inclusion of a new requirement on Traffic Monitoring and Mitigation for the Proposed Development's operational phase and the subsequent impact on the LHA's ability to carry out the Traffic Management Duty is also welcome. Suggested wording from the LHAs has already been put forward for the new requirement in REP6-074.

In addition to a new requirement on the operational phase, BBC would welcome the inclusion of a new requirement on construction traffic and baseline monitoring. Suggested text for such is also included in REP6-074.

Bedford Borough Council endorse the position of Central Bedfordshire Council on this matter (to be submitted at deadline 9).

#### **Environmental Health**

Having reviewed comments by the ExA on articles 13, 14 and 18 we welcome the comments of the ExA but note that the issues raised in article 18 relate purely to operational noise and do not work to resolve concerns in relation to the working of the borrow pits during the construction phase. The applicant has still yet to supply information to satisfy the LA Environmental Health with respect to above noise and dust from the borrow pits.

These concerns were set out at examining question 3.6.2.1 and the Local Authorities response to it on deadline 8.

#### **Heritage and Archaeology**

Q4.8.1.5 – Requirement 16 – Brook Cottages

The Council support the ExA's intentions to introduce additional provisions relating to the Requirement to help provide greater clarity. The Authority have, alongside Historic England, been in discussions with the Applicant on this matter

and consider that the re-worded Requirement found in Annex A of the 'Joint Position Statement on methodology, practicalities and the value of relocating Brook Cottages' document [REP8-017] now provides sufficient clarity. The Requirement is also supported by the 'Brook Cottages Heritage Strategy' [REP8-021] which adds further detail including what might prevent reconstruction (see 5.1.2 which is agreed with). Both documents are mutually supportive and provide a clear pathway in terms of the discharge of the Requirement. The Authority consider the wording is robust enough to ensure the retention of the heritage asset if it is feasible and proportionate, and also a means for recourse if parties are in disagreement at the fundamental stage of considering future action.