



## Planning Act 2008 – section 91

### Application by National Highways (formerly Highways England) for an Order granting Development Consent for the A417 Missing Link project

#### Agenda for Issue Specific Hearing 2 (ISH2) on Environmental Matters

In its letter dated 17 December 2021, the Examining Authority (ExA) notified Interested Parties (IP) of its decision to hold an Issue Specific Hearing into the above matters on the following date:

Hearing	Date and time	Location
<b>Issue Specific Hearing 2 (ISH2)</b> Environmental Matters	<b>Thursday 27 January 2022 (and Friday 28 January 2022, if required)</b> <b>10.00am</b> (Arrangements Conference starts at 09.30am*)	Virtually via Microsoft Teams <sup>1</sup>

\*Participants must join the Arrangements Conference in order to register and be permitted access to the Hearing.

#### About ISH2 on Environmental Matters

The main purpose of ISH2 is to undertake an examination of various environmental matters. In particular, to review environmental impact considerations, including matters arising from the application documentation and representations relating to:

- Assessment of Alternatives;
- Biodiversity, ecology and the natural environment;
- Climate change;
- Cultural heritage;
- Landscape Quality; and
- Transport.

The ExA will endeavour to hear all participants. If the ISH2, or parts of it, is unable to complete or proceed, for example for technical reasons, then the ExA may adjourn

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<sup>1</sup> Further information is available in Advice Note 8.6, available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>



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incomplete business to reserved hearings later in the Examination Timetable. Friday 28 January 2022 is already preliminarily programmed. Notice of any further adjournments will be provided on the [project webpage of the Planning Inspectorate's National Infrastructure Planning website](#).

## Attendance at the Hearing

The ExA is conducting this Hearing virtually in light of Government restrictions relating to Coronavirus (COVID-19), in particular the Omicron variant, using digital and telephone technology only.

Anyone wishing to attend the Hearing who has not already advised the Case Team of this should do so as soon as possible (and by **Monday 17 January 2022 at the latest**), as you will need to be issued with joining instructions to access the Hearing virtually. Please email: [A417MissingLink@planninginspectorate.gov.uk](mailto:A417MissingLink@planninginspectorate.gov.uk).

Parties can join using a computer, laptop, tablet, mobile phone or landline telephone. Invitees will receive full instructions on how to join online or by phone in a separate email shortly before the Hearing, including a joining link or telephone number through which you can join the Arrangements Conference. The joining link and telephone number are for your own personal use and **should not be shared with any other party**.

Please join the Arrangements Conference at the appointed time for the Hearing you have been invited to. The Case Team will admit you from the lobby and register your attendance. The Arrangements Conference allows procedures to be explained and will enable the Hearing to start promptly.

It is the Applicant's intention to livestream the Hearing, and a link to watch the livestream will be posted on the [project webpage of the National Infrastructure Planning website](#) closer to the event date. A recording of the Hearing will also be made available on the project webpage shortly after the event.

## Participation, conduct and management of Hearing

The ExA invites all IPs, who are entitled to make oral representations at the Hearing, subject to the ExA's power to control the Hearing. The ExA would particularly like to hear from the following IPs during this Hearing:

- The Applicant;
- The Joint Councils (Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council);
- Cotswold Conservation Board;
- Cowley and Birdlip Parish Council (Chair and Vice Chair);



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- Daglingworth Parish Council;
- Environment Agency;
- Gloucestershire Wildlife Trust;
- National Trust;
- Natural England;
- Woodland Trust;
- Historic England
- Climate Emergency Policy and Planning consultancy;
- Council for British Archaeology; and
- Gateley Hamer on behalf of National Star Foundation.

The named parties have been invited because they are:

- public bodies or other parties that are named in the draft provisions in the draft DCO;
- public bodies with policy and regulatory responsibilities associated with the subject matter;
- national and local authorities for the affected area; or
- persons or organisations with another related and relevant special interest.

Participation in the Hearing is subject to the ExA's power to control the Hearing. IPs may be invited to make oral representations at the Hearing<sup>2</sup> (subject to the ExA's power to control the Hearing). Oral representations should be informed by the Relevant Representations and Written Representations made by the person by whom (or on whose behalf) the oral representations are made.

However, representations made at the Hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation and evidential corroboration to help inform the ExA.

The ExA may ask questions about representations or ask the Applicant or other parties to comment or respond. The ExA will probe, test and assess the evidence through direct questioning of persons making oral representations. Questioning at the Hearing will therefore be led by a member of the Panel, supported by other Panel members.

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<sup>2</sup> s91 Planning Act 2008



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This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration. In particular, it is noted that this agenda has been compiled in advance of written submissions for Deadline 2. As such, matters may have progressed in the interim and any other information or updates provided at those Deadlines has not been taken into account. The detail of the agenda may be changed once these documents have been received.

Any lack of discussion of a particular issue at a Hearing does not preclude further examination of that issue, including through the inclusion of questions in the ExA's Further Written Questions (ExQ2) (if issued).

Should the consideration of the issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to. Some of the issues identified in the agenda are by their nature overlapping. It may be the case therefore that certain questions later on in the agenda are answered by earlier questions. If this is the case the ExA will acknowledge this at the time.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day or at a subsequent sitting. Friday 28 January has also been set aside for the continuation of this Hearing should it be necessary.

Breaks will be taken during the Hearing as directed by the ExA.

All parties should note that the agenda given below is to provide a framework for this Hearing and offer discussion points; it does not constrain the ExA to specific topics. The ExA may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussions which are not included in this agenda.

References in square brackets [] are to the unique document identification number in the Examination Library. This document is regularly updated and can be found on the project webpage of the National Infrastructure Planning website at:

<https://infrastructure.planninginspectorate.gov.uk/projects/South%20West/A417-Missing-Link/>

May we draw your attention to **Deadline 3** on the Examination Timetable (**Wednesday 2 February 2022**) and our request to receive full summaries of all oral submissions given at this Hearing by that date by those who made them. Note that any additional illustrative or supporting material that you wish to share must be submitted at Deadline 3, as it will not be possible for you to show it on screen during your contribution to the Hearing.



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Please contact the Case Team if you have any questions regarding the arrangements for the Hearing: [A417MissingLink@planninginspectorate.gov.uk](mailto:A417MissingLink@planninginspectorate.gov.uk)



# Agenda

<b>Project</b>	A417 Missing Link [TR010056]
<b>Title of meeting</b>	Issue Specific Hearing 2 (ISH2) on Environmental Matters
<b>Date</b>	Thursday 27 January 2022 (continued on Friday 28 January, if required)
<b>Time</b>	10.00am
<b>Venue</b>	Virtually via Microsoft Teams
<b>Attendees</b>	Invitees

## 1. Welcome, preliminary matters and introductions

## 2. Arrangements for the Issue Specific Hearing

## 3. Assessment of Alternatives

- 3.1 Do options need revisiting; has there been substantial change in circumstances?
- 3.2 Option 12: Explain why chosen over option 30 if this is 'landscape-led' scheme, and factors used appear to focus on cost and benefits?
- 3.3 Tunnelling options refer to bored twin tunnels. Were other cheaper options explored and discounted, and have circumstances changed that makes those assessments invalid?

## 4. Biodiversity, ecology and the natural environment:

- 4.1 Biodiversity Net Gain clarification.
- 4.2 Crickley Hill and Barrow Wake.
- 4.3 Ancient Woodland.
- 4.4 Habitats Regulation Assessment (HRA) and clarification relating to mitigation.
- 4.5 Other clarifications on HRA matters.

## 5. Climate change:

- 5.1 Quantification and Cumulative effects, Applicant's approach and compliance with EIA regs.
- 5.2 Effects of Greenhouse Gas emissions from the scheme with other existing and/or approved projects on a local, regional and national level on a consistent geographical scale (for example an assessment of the cumulative effects of the Road Investment Strategy RIS 1 and RIS 2 at a national level).
- 5.3 Implications of a recent High Court decision on a legal challenge to the Government's Road Investment Strategy 2 (RIS2).



**6. Cultural Heritage:**

- 6.1 Effects on archaeology and adequacy of surveys/ assessment.
- 6.2 Effects on designated and non-designated heritage assets (including Emma's Grove and Peak Camp).

**7. Landscape**

- 7.1 Holistic approach to Historic Landscape and Group Value.
- 7.2 Landscape strategy.

**8. Transport**

- 8.1 Whether assumptions and assessments are robust.
- 8.2 Transport management measures.
- 8.3 Effects on the local road network.

**9. Any other matters**

**10. Review of issues and actions arising:**

- 10.1 The Examining Authority will address how any actions placed on the Applicant are to be met.

**11. Close of the Hearing**