

A417 Missing Link DCO

Joint Councils comments on the Deadline 1 submissions made by National Highways and Interested Parties

Gloucestershire County Council, Cotswold District Council,
Tewkesbury Borough Council

13 January 2022

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1. Introduction

- 1.1.1. Gloucestershire County Council (GCC), Cotswold District Council (CDC), and Tewkesbury Borough Council (TBC) 'the Joint Councils' are the three host authorities for the National Highways' (NH) A417 Missing Link DCO Scheme 'the Scheme'.
- 1.1.2. This document is the Joint Councils Response to the submissions made at Deadline1 on the 14 December 2021 by National Highways (NH) and Interested Parties (IPs).
- 1.1.3. This document is structured in the following way:
- Chapter 2 – Response to NH and IPs responses to the ExAs Written Questions
 - Chapter 3 – Response to IPs Written Representations
 - Chapter 4 – Response to NH Relevant Representation response

2. Response to NH and IPs responses to the ExAs Written Questions

Table 2.1 – Joint Councils response to NH and IPs responses to the ExAs Written Questions

Table ref	Author	ExA WQ1 Ref	Question	Author Response at Deadline 1	Joint Councils Response at Deadline 2
National Highways (NH)					
2.1.1	National Highways	1.1.18	<p>Approach to Mitigation</p> <p>The Applicant's approach relies heavily on those identified issues and a series of statement commitments to mitigation contained in the Register of Environmental Assessment Commitments (REAC) set out in section 3 of the Environmental Management Plan (EMP) [APP-317], however much of these mitigation approaches are set in appendices to detail such mitigation.</p> <p>However, the EMP also relies on Construction Management Plans (at section 4.3) and Construction Environmental Method statements (4.4) that it will prepare for certain environmental topics which shall be inserted into the EMP [APP-317].</p> <p>The EMP [APP-317] is presently considered light in detail and heavily reliant on matters being resolved at the detailed stages including mitigation-specific management plans after consent would have been Granted.</p> <p>The ExA is concerned that the approach fails to provide adequate details of how the Applicant intends to mitigate the impacts of the Proposed Development, and the ExA cannot be certain at this stage that mitigation measures or practices would be adequate. The Applicant is required to take note of the ExA's initial view and either provide a statement/ response here justifying the approach and explaining how the ExA's concern can be addressed, and/ or submit the additional documents required.</p>	<p>The Applicant would respectfully suggest that there is a significant volume of information included within the Environmental Statement (ES) Appendix 2.1 Environmental Management Plan (EMP) (Document Reference 6.4, APP-317) and accompanying annexes. Design Manual for Roads and Bridges (DMRB) LA120 Environmental Management Plans provide a consistent approach for all National Highways projects, and this standard was adopted when preparing the EMP (Document Reference 6.4, APP-317).</p> <p>The EMP has been produced with an appropriate level of detail for the preliminary design stage. As per DMRB LA120 Environmental Management Plans, the EMP shall provide sufficient and proportionate level of detail on the measures to mitigate and manage the environmental effects. In line with DMRB LA120, "Table A.1 EMP content and structure - First iteration (design stage)", National Highways has produced the following specific management plans in outline format at this stage:</p> <ul style="list-style-type: none"> • Annex A Environmental Constraints Plan • Annex B Construction Traffic Management Plan • Annex C Detailed Archaeological Mitigation Strategy and Overarching Written Schemes of Investigation • Annex D Landscape and Ecological Management Plan • Annex E Materials Management Plan • Annex F Public Rights of Way Management Plan • Annex G Ground and Surface Water Management Plan • Annex H Site Waste Management Plan <p>These were developed on the basis that they would address known stakeholder concerns on the scheme to reassure consultees and the Examining Authority.</p> <p>The EMP would be developed into a more detailed EMP (construction stage) by the contractor once the scheme's detailed design has been finalised, subject to the DCO being granted. This is in line with DMRB LA120 "Table A.2 EMP content and structure - Second iteration (construction stage)" which states it is standard practice that relevant management plans and environmental method statements would be produced or refined, as applicable, in response to the statutory process stage and changes in actions.</p> <p>Commitment GP5 Management Plans requires the contractor to prepare in consultation with the relevant regulatory organisation, relevant planning authority and the local highway authority, the following management plans as a minimum (in addition to updated versions of those management plans listed above):</p> <ul style="list-style-type: none"> • Emergency Preparedness and Response Plan. 	<p>The Joint Councils see that further mitigation details, where required, are to be submitted by National Highways (NH) or its Contractor(s) to the Secretary of State for approval. The full range of proposed Management Plans would be finally prepared in consultation with relevant parties including the local highway authority and local planning authorities. The LEMP is a key document of interest to many and will require some input from the Joint Councils and other interested parties. The matter of appropriate confirmed detailed designs, aftercare measures and timescales for landscape and habitat features could be reasonably dealt with in the manner proposed by NH or its Contractor(s).</p>

Table ref	Author	ExA WQ1 Ref	Question	Author Response at Deadline 1	Joint Councils Response at Deadline 2
				<ul style="list-style-type: none"> • Pollution Prevention and Control. • Air Quality Management Plan (including dust) • Noise and Vibration Management Plan. • Soils Management Plan. • Woodland Management Plan. <p>These would be submitted to and approved in writing by the Secretary of State. A brief outline of the minimum requirements that need to be included in these additional management plans is in Section 4.3 EMP (construction) Management Plans of ES Appendix 2.1 EMP (Document Reference 6.4, APP-317).</p> <p>The contractor, once appointed, will develop the EMP (construction stage) “substantially in accordance with the environmental management plan (design stage) certified under article 46 (certification of plans etc.)” This is secured by Requirement 3 of the draft Development Consent Order (dDCO) (Document Reference 3.1, APP-022).</p> <p>It should also be noted that Requirement 3 of the dDCO specifies that “No part of the authorised development is to commence until an EMP (construction stage) for that part has been prepared, in consultation with the relevant planning authority and the local highway authority, and submitted to and approved in writing by the Secretary of State.”</p>	
2.1.2	National Highways	1.1.31	<p>Drawings</p> <p>No structural engineering drawings have been provided for the various crossings, overbridges and overpasses, only engineering section drawings. Provide details of each of the crossings in plan, section and elevation drawing form</p>	<p>National Highways does not propose to submit detailed structural information on crossings, overbridges and overpasses as part of the Examination on the basis that these structures will be developed during detailed design in consultation with key stakeholders. National Highways considers that the information provided on the General Arrangement Plans (Document Reference 2.6a (Rev 1), AS-040) and Engineering Section Drawings A417 Mainline (Document Reference 2.6b, APP-011) is adequate to address the requirements of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) 6(2) and 5(2)(o). The Design Summary Report (Document Reference 7.7, APP-423) describes the principles of the structural design and sets out the approach that the contractor must take at the detailed design and construction phase to ensure the principles of high architectural quality and landscape led solution are implemented. Commitment L21 of ES Appendix 2.1 Environmental Management Plan (Document Reference 6.4, APP-317) secures the high architectural quality required at detailed design “Bridges and structures to be of high architectural quality, finished in locally sourced material and other materials suitable to the local vernacular”.</p>	<p>The Joint Councils consider that this question relates to the general lack of design detail within the application in relation to all proposed structures. The Joint Councils are concerned by the response provided by NH.</p> <p>At Deadline 1 the Joint Councils submitted its position on the lack of preliminary design detail and the absence of a securing mechanism in the DCO for the consultation and approval of detailed design. This is available in section 2.10 of the Joint Councils Written Representation [REP1-135].</p> <p>In its response to question ExAQ 1.1.31, NH refers to an adequate level of detail being provided on General Arrangement Plans [AS-040], Engineering Section Drawings A417 Mainline [APP-011], design principles set out in the Design Summary Report [APP-423], and a commitment to securing high architectural quality in the Environmental Management Plan [APP317]. The Joint Councils disagree. Schedule 2 Requirement 11 of the dDCO states:</p> <p><i>‘The authorised development must be designed in detail and carried out so that it is compatible with the preliminary scheme design shown on the works plans and the general arrangement plans, unless otherwise agreed in writing by...’</i></p> <p>The General Arrangement Plans and Works Plans do not and arguably cannot provide a sufficient level of preliminary design information in relation to structures, as plans alone cannot provide preliminary details of the structural engineering and external appearance of structures including scale, massing, materials and surface treatment.</p>

Table ref	Author	ExA WQ1 Ref	Question	Author Response at Deadline 1	Joint Councils Response at Deadline 2
					<p>The current drafting of Schedule 2 Requirement 11 would not require NHs' detailed design for the scheme to be compatible with preliminary design shown on engineering section drawings, the design principles in the Design Summary Report or any other plan, drawing or document in the application.</p> <p>Even if Schedule 2 Requirement 11 were amended to secure the details in the documents and plans, the preliminary design information provided in the Design Summary Report in relation to structures is not of sufficient detail on which an assessment of compatibility with the detailed design can be based.</p> <p>For example, in relation to the proposed Cotswold Way Crossing, two incomplete visualisations are provided alongside a written narrative including approximate dimensions [page 57 of APP-423]. Examples of the vague narrative include <i>'the structure would be elegant, slender and set as low as possible within the landscape'</i>. This cannot be considered a sufficient level of information on which to assess whether the detailed design is compatible with the preliminary design. It also does not provide sufficient assurances that the design of the Scheme would not lead to unacceptable impacts.</p> <p>The location of these structures in the AONB means the designs must be of the highest quality as NH recognises throughout the Design Summary Report. On this basis there must be a clear process for consulting stakeholders - including the local planning authority and highway authority - on the detailed design secured in the DCO.</p> <p>The Joint Councils request:</p> <ul style="list-style-type: none"> • Scaled drawings of structures are submitted into examination for assessment and then secured through the DCO. The drawings should illustrate the preliminary design information for: <ul style="list-style-type: none"> - Grove Farm Underpass - Cotswold Way Crossing - Gloucestershire Way Crossing - Cowley Overbridge - Stockwell Overbridge - Air Balloon Way • Requirement 11 should be amended to refer specifically to these new design drawings. • A new requirement securing the submission to the SoS for approval following consultation with prescribed consultees of the detailed design of structures.
2.1.3	National Highways	1.2.11	<p>Mitigation</p> <p>a) Whilst paragraph 5.10.12 of ES Chapter 5 [APP-036] predicts no new exceedances of annual mean NO₂, receptors 50 and 51 would see a 0.5yg/m³ increase on top of the existing exceedance of 43.7yg/m³. What</p>	<p>a) No bespoke mitigation has been recommended at this location due to the temporary nature of the effect, and there is no suitable mitigation that could be applied. Annex B Construction Traffic Management Plan (CTMP) of Environmental Statement (ES) Appendix 2.1 Environmental Management Plan (EMP) (Document Reference 6.4, APP-319) seeks to maintain free flowing traffic at the</p>	<p>In the Draft Statement of Common Ground with the Joint Councils submitted at Deadline 1 (Appendix A of REP1-006), NH noted at section 5.1 of Table 5.1 that construction traffic routing would be diverted to avoid the Air Balloon roundabout as soon as practicable, once haul routes are established to move construction traffic away from the cottages. NH advised that the details would be provided in the EMP and the Joint Councils</p>

Table ref	Author	ExA WQ1 Ref	Question	Author Response at Deadline 1	Joint Councils Response at Deadline 2
			<p>bespoke mitigation measures could be implemented to reduce the worsening of air quality for these residents?</p> <p>b) For what duration is construction predicted in the locality of these receptors?</p>	<p>existing Air Balloon roundabout during construction to reduce the worsening of air quality for these residents.</p> <p>Pessimistic assumptions were included in the model set up to derive the change in NO2 concentrations at receptors 50 and 51 (the Air Balloon Cottages) such as using 2016 emission factors which are higher than would be expected in the year construction starts. Further assumptions are discussed in section 5.5 of the Environmental Statement Chapter 5 Air Quality and model setup parameters are discussed in Appendix 5.2 Air Quality Operational Assessment Methodology.</p> <p>This is because, based on national projections, pollutant emissions from road vehicles are expected to improve between 2015 and the first construction year. The greatest annual mean NO2 concentration (43.7µg/m3) at these receptors is already above the air quality objective. Receptors 50 and 51 are the only receptors predicted to be exceeding the annual mean NO2 air quality objective during the construction phase. The change predicted is 0.1ug/m3 above the threshold which would be considered a negligible change (0.4ug/m3).</p> <p>Based on the CTMP, National Highways believes that traffic would be expected to reduce at the existing Air Balloon roundabout during the construction phase (something which was not accounted for in the air quality assessment).</p> <p>b) Construction work in the locality of receptors 50 and 51 will last approximately 24 months. After that, traffic passing the cottages will be at free flowing conditions and will be significantly reduced. It is likely emissions and therefore concentrations at this location would also reduce after this period.</p>	<p>would like to seek reassurance that these measures will still be put in place, and would like to confirm when NH plans to update the CTMP and EMP.</p>
2.1.4	National Highways	1.3.1	<p>Biodiversity Metric</p> <p>The ExA cannot locate a figure or appendix setting out the Applicant's assessment against the Biodiversity Metric 2.0 calculations. In this regard, can the Applicant:</p> <p>a) Present the calculation in full and set out the results (or direct the ExA to where the calculation exists).</p> <p>b) Detail how the results have influenced the approach to biodiversity net gain and mitigation.</p> <p>c) What effect, if any, would the repurposing of the car park at the Barrow Wake viewpoint have on the Biodiversity Metric 2.0 calculations and, as a result, would that justify compulsory acquisition of the car park or would CA be necessary if retained by GCC and alternative management secured?</p> <p>d) Natural England released Biodiversity Metric 3.0 on 7 July 2021. Explain whether or not a calculation using this new metric should (or should not) be provided for this DCO application and, if so, how the Proposed Development performs against it</p>	<p>The applicant has provided a detailed response to this question and has provided biodiversity metric calculations (Deadline 1 (D1) Submission - 8.10 Biodiversity Net Gain Calculation: REP1-015).</p>	<p>The Joint Councils note, with some disappointment, the biodiversity metric of Area-based habitat change of -29.66% (-251.34 units) but are pleased also to note the positive change in relation to hedgerow units (+60.4%; 28.19 units) which is outlined in the Biodiversity Net Gain Calculation (BNG) document [REP1-015].</p> <p>The Joint Councils note and broadly agree with NHs response in relation to part b) of the question and how the mitigation hierarchy, EIA process, Design Manual for Roads and Bridges, LA104 and CIEEM Ecological Impact Assessment (EclA) guidelines have been applied to the design.</p> <p>The Joint Councils also note and agree with NHs assertion that the particular characteristics of the project tend towards an adverse biodiversity metric score for the project. In particular the calculations are skewed by the necessary target to create calcareous grassland for biodiversity and landscape character reasons. This new priority habitat type gets a low score in the BNG metric because it is deemed difficult to recreate in certain circumstances and no value is attributed to it being important for conserving/enhancing landscape character. The Joint Councils feel that in the instance of this project, there is opportunity for favourable conditions for calcareous grassland creation. However, suitable long-term management is important and agreeing of a good LEMP is key to this. The Joint Councils</p>

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					<p>therefore welcome NHs intention is to have a group of key stakeholders involved to influence the LEMP.</p> <p>The Joint Councils also note and broadly agree with, NHs response to Q1.3.3, a), in respect to compulsory acquisition not being currently sustained by BNG requirements.</p> <p>Finally, the Joint Councils acknowledge that BNG is not the complete driver of the restoration scheme which is 'landscape led' not just biodiversity conservation/ enhancement but that calcareous grassland is an important part of the landscape character restoration.</p>
2.1.5	National Highways	1.5.27	<p>Schedule 3</p> <p>a) Part 7 of Schedule 3 to the dDCO contains [X] to denote the date of when an Order comes into effect. What is the progress on the related Order?</p> <p>b) Should there be additional entries in Part 7 to reflect the revocation of clearways on the A436, as well as on the A417, with additional points added to sheet 2 of the Traffic Regulations Measures Clearways and Prohibitions Plans [APP-013]?</p>	<p>a) Confirmation on this matter is being sought from GCC. Once received this information will be provided as part of a future deadline.</p> <p>b) It is agreed that additional points need to be added to Sheet 2 of Traffic Regulations Measures Clearways and Prohibitions (Document Reference 2.7b, APP-013) to split the revocation of clearways on the A417 and a short section of the A436. The updated version will be issued at a future deadline. An additional entry will be added to Part 7 of the draft Development Consent Order (Document Reference 3.1, APP022) accordingly and included within the next iteration of the dDCO.</p>	<p>The Joint Councils understand that NH has confirmed when Orders listed in Schedule 3 of the dDCO will come into effect.</p>
2.1.6	National Highways	1.5.34	<p>Requirements – General</p> <p>a) Many of the requirements state that “no part” of the development is to commence until... Can the Applicant clarify what “a part” might be and whether this should be defined somewhere?</p> <p>b) In the absence of any explanation, it seems to the ExA that the development could be commenced in many different “parts” and that these “parts” could vary from requirement to requirement. This could generate uncertainty about what is approved. Can the LPAs also comment on the acceptability of this?</p>	<p>a) The Applicant does not consider that ‘part’ needs to be defined in the draft Development Consent Order (dDCO) (Document Reference 3.1, APP-022). The requirements are drafted such that, where an obligation is required to be discharged prior to commencement, the undertaker has the flexibility to discharge that obligation in stages. This is intended to avoid unnecessary delays to the delivery of the scheme. In this context, ‘part’ means any part of the scheme as identified by the Applicant in an application to discharge a requirement. In practice, parts of the scheme would be identified with reference to the relevant work numbers. It is not necessary to specify what ‘part’ means in this context. To do so would be unnecessarily restrictive.</p> <p>b) The reference to ‘parts’ of the scheme within the requirements reflects standard practice for the drafting of development consent orders. The Applicant has not found this to be an issue in practice.</p>	<p>In error, the Joint Councils omitted their response to this question at Deadline 1. The Joint Councils agree with NH response to this question.</p>
2.1.7	National Highways	1.9.12	<p>Road Surfacing</p> <p>Paragraph 11.5.10 of Chapter 11: Noise and Vibration [APP-042] states that a lower noise surface would be used on all new and altered roads in the Proposed Development.</p> <p>a) Can the Applicant confirm what further details regarding surfacing will be agreed with Gloucestershire County Council at the detailed design as stated in paragraph 2.6.40 of ES Chapter 2 [APP-033]?</p> <p>b) Would this be a thin surface course system or equivalent?</p>	<p>a) Paragraph 2.6.40 of Environmental Statement (ES) Chapter 2 The Project (Document Reference 6.2, APP-033) states that “<i>The details of surfacing, signage and other arrangements would be determined with GCC at detailed design.</i>” This is in relation to the repurposing of the existing A417.</p> <p>As per paragraph 3.4.14 of ES Appendix 2.1 Environmental Management Plan (EMP) Annex F Public Rights of Way Management Plan (Document Reference 6.4, APP-323), “<i>Details and specifications including maintenance agreements for substituted and new PRow, including scale, surface materials, access features/means of enclosure and signage would be agreed between Highways England and GCC prior to implementation.</i>”</p>	<p>a) GCC are happy that details of surfacing, signage and other arrangements for all elements of the scheme that will handed over will be determined at Detailed Design stage via Technical Design process that is to be agreed with National Highways.</p> <p>c) GCC are in agreement that the mainline of the A417 that will be retained as trunk road will be surfaced with a Thin Surface Course System (TSCS). However, GCC’s policy is that all county roads, in general, are not resurfaced using a TSCS due to the unreliable nature of the material and its tendency to need more frequent costly maintenance interventions. GCC endorses the use of Hot Rolled Asphalt and Chips due to it lower green credentials as it does not need to be replaced as often as a TSCS. GCC acknowledge that a TSCS is compliant with current standards. We will continue discussions with NH during the</p>

Table ref	Author	ExA WQ1 Ref	Question	Author Response at Deadline 1	Joint Councils Response at Deadline 2
			<p>c) Would this be for the entire length of the new A417 including slip roads and roundabouts? d) What other options are there for road surfacing and how do they compare in terms of noise reduction performance (tabulate if necessary)?</p>	<p>This is also set out in Appendix H Draft Statement of Common Ground with the Walking, Cycling and Horse riding Technical Working Group, as part of the Statement of Commonality (Document Reference 7.3, APP-419).</p> <p>b) Please refer to part a.</p> <p>c) With regards to the surface of the new A417, as detailed within 11.5.10 of the ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042), lower noise surface (LNS) road material, would be used for both the entire length of the 'new' A417, and along sections of 'altered' highway adjoining the mainline (including roundabouts).</p> <p>d) The noise performance of a road surface is characterised by its RSI value. There are a range of noise performances for different LNS materials which are categorised from 0 to 3 in Interim Advice Note (IAN) 154/12 (issued by National Highways, 2012) (Table NG 9/30: Road/Tyre Noise Levels). The RSI values are as low as -3.5 dB(A) describing the noise performance relative to traditional surfacing materials. There are now proprietary LNS with even lower RSIs than the above range shown in IAN 154/12, based on a revised specification for Thin Surface Course System (TSCS). The specific type of LNS to be provided as part of the scheme has not yet been identified. The exact specification of the type of LNS road surface will impact the durability and longevity of the material, and these factors must be taken into account.</p>	<p>detailed design stage as what the specification of the surfacing on the local roads would be.</p>

Cotswold Conservation Board (CCB)

	Cotswold Conservation Board	1.3.14	<p>Barrow Wake Car Park</p> <p>What would be the effects of closing the Barrow Wake car park, taking into account the need to manage recreational pressure within the Crickley Hill and Barrow Wake SSSI and for recreational use in the area generally?</p>	<p>It was our understanding that this was not to be part of the DCO/ examination process. We are involved in the review of Barrow Wake Car Park (which is being led by Gloucestershire County Council). As with many components related to the scheme there will, undoubtedly need to be a balance – in this case it will be between the potentially positive outcome of closure (i.e. for habitats, nature and the SSSI) against the possible adverse impact on users of the car park for recreational use (including local residents), notwithstanding the improved connectivity to Crickley Hill (Air Balloon crossing) and also the additional parking at the Golden Heart pub (although we haven't had the opportunity to review this in detail) which may lessen the need for a car park of this scale at Barrow Wake.</p>	<p>Refer to reference 3.1.1 in Table 3.1 of this document, in which the Joint Councils provide their response to the Deadline 1 Written Representation of Gloucestershire Wildlife Trust [REP1-065].</p>
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Gloucestershire Wildlife Trust (GWT)

	Gloucestershire Wildlife Trust	1.3.1	<p>Biodiversity Metric</p> <p>The ExA cannot locate a figure or appendix setting out the Applicant's assessment against the Biodiversity Metric 2.0 calculations. In this regard, can the Applicant:</p> <p>a) Present the calculation in full and set out the results (or direct the ExA to where the calculation exists).</p> <p>b) Detail how the results have influenced the approach to biodiversity net gain and mitigation.</p>	<p>GWT concurs that the full metric calculations should be presented. The net change in biodiversity units is a much better reflection of biodiversity impacts than area of habitat alone. Ideally the calculations should be made using version 3.0 of the Defra metric.</p> <p>GWT wishes to highlight that providing additional biodiversity units is not the only benefit of reverting the Barrow Wake car park to calcareous grassland. This would also buffer and potentially expand a SSSI, improve the condition of a SSSI and strengthen the NRN.</p>	<p>Refer to reference 3.1.1 in Table 3.1 of this document, in which the Joint Councils provide their response to the Deadline 1 Written Representation of Gloucestershire Wildlife Trust [REP1-065].</p>
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Table ref	Author	ExA WQ1 Ref	Question	Author Response at Deadline 1	Joint Councils Response at Deadline 2
			<p>c) What effect, if any, would the repurposing of the car park at the Barrow Wake viewpoint have on the Biodiversity Metric 2.0 calculations and, as a result, would that justify compulsory acquisition of the car park or would CA be necessary if retained by GCC and alternative management secured?</p> <p>d) Natural England released Biodiversity Metric 3.0 on 7 July 2021. Explain whether or not a calculation using this new metric should (or should not) be provided for this DCO application and, if so, how the Proposed Development performs against it.</p>	<p>GWT would be willing to discuss incorporating management of the created habitat at Barrow Wake into that of its landholdings.</p>	
	Gloucestershire Wildlife Trust	1.3.14	<p>Barrow Wake Car Park</p> <p>What would be the effects of closing the Barrow Wake car park, taking into account the need to manage recreational pressure within the Crickley Hill and Barrow Wake SSSI and for recreational use in the area generally?</p>	<p>GWT is a key stakeholder in this discussion. GWT owns the surrounding land and deals with many of the consequences of anti-social behaviour. The NT should also be a stakeholder as they have a Farm Business Tenancy on GWT's land. The operations of both GWT and NT are directly affected by the issues associated with the car park.</p> <p>As stated in GWT's full written representation there are multiple biodiversity benefits to closing the car park (see section 2.6). GWT considers these benefits to be of national importance whereas the recreational benefits are of local importance.</p> <p>It is important that people can continue to access the landscape and experience nature, but wherever possible visitors must be drawn away from designated sites that are been degraded by excessive recreational pressure. New accessible nature-rich green spaces should be created, with design informed by a visitor insight survey.</p>	<p>Refer to reference 3.1.1 in Table 3.1 of this document, in which the Joint Councils provide their response to the Deadline 1 Written Representation of Gloucestershire Wildlife Trust [REP1-065].</p>

3. Response to IPs Written Representations

Table 3.1 – Joint Councils response IPs Written Representations

Table ref	Interested Party	Topic / paragraph / reference	Joint Councils Response at Deadline 2
Gloucestershire Wildlife Trust (GWT)			
3.1.1	Gloucestershire Wildlife Trust	<p>1.1 GWT requests that the following priorities are secured through DCO, further recommendations are made in the full response.</p> <ul style="list-style-type: none"> • Include the reversion of Barrow Wake car park to species-rich grassland in the scheme as an important opportunity to provide biodiversity benefits. 	<p>In its response to ExAQ 1.3.14 [REP1-134] the Joint Councils explained that the reduction, removal or relocation of the Barrow Wake Parking Area is being considered outside of the DCO process and therefore cannot be included in National Highways proposed Scheme. GCC has committed to lead the Barrow Wake Parking Area and Access Study, and is looking at possible options for the future of the parking area, one of which is to revert all or part of the current parking area to grassland. The issues are being treated as a separate project with a Working Group looking at potential solutions. This includes looking at how the displaced parking can be assessed, and then accommodated and/or increased, including options involving provision of additional facilities and encouraging other transport modes to improve access and reduce the parking pressure.</p> <p>The Joint Councils recognise the potential benefits on ecology from the removal of the parking area from the SSSI and creating grassland habitat. It would likely ease recreational pressures on the SSSI whilst also creating new habitat within a Scheme which does not currently provide biodiversity net gain.</p> <p>However, the parking area is popular as it offers motorists free parking with panoramic views over the Severn Vale to the Forest of Dean and beyond. It serves visitors to the AONB and users of the Cotswold Way, Gloucestershire Way and local public rights of way network. The parking area is very well used and closing it would undoubtedly have a wide range of impacts including:</p> <ul style="list-style-type: none"> • Impacts on access to the countryside, including the Cotswold Way National Trail, Gloucestershire Way long distance footpath and public rights of way in the area. • Highway safety implications from displaced motorists parking in dangerous and unsuitable locations on the local highway network or on adjacent grassland. • Lack of accessibility for mobility-impaired people. • Reduction in visitor numbers to the area could adversely affect businesses. • Displacing/relocating anti-social behaviour. <p>GCC has an overriding interest in the parking area as it is part of the public highway (The parking area is not under planning law designated as a car park but as a piece of highway land where cars currently park). However, Gloucestershire Wildlife Trust (GWT) owns the subsoil of the land, as well as the land on either side of the highway, and National Trust also has a vested interest in conservation grazing on the land across Crickley Hill and Barrow Wake SSSI. GCC, in its capacity as highway authority, has responsibility to ensure that all impacts that might arise as a result of changes to the parking area are fully considered and appropriately addressed. The appropriate process to investigate future options for the parking area will be a comprehensive appraisal of options.</p> <p>Barrow Wake Parking Area and Access Study</p> <p>The study is being informed and progressed via a Working Group which has representatives from a very wide range of interested organisations with a comprehensive range of different views and potential solutions which makes it very complex and difficult to come to a unanimous decision on any one agreed solution to the issues and problems. The study involves:</p> <ul style="list-style-type: none"> • Defining objectives • Assessing current usage and demand for the existing Barrow Wake parking area via surveys • Developing a range of different options, including hybrid options • Appraising/assessing options, e.g. do nothing, better management of security at existing parking area, relocation of parking area . <p>Issues relating to the parking area are complex and there are a range of options and interventions that vary in scale. All of these options must be fully and robustly appraised to ensure broad ranging impacts of each option are understood and the best possible solution is advanced.</p> <p>Due to the range of impacts and affected stakeholders with interest in the outcome, the study will likely require consultation with the public. The aim of the option assessment study is to evaluate and propose a maximum of four preferred options to take forward for informal consultation with the Working Group first, before formally consulting on</p>

Table ref	Interested Party	Topic / paragraph / reference	Joint Councils Response at Deadline 2
			<p>these with a wider group of organisations referred to as the Wider Consultation Group, and then agreeing upon one preferred option for public consultation.</p> <p>This preferred option would then become the recommended option with actions for GCC (e.g. if a legal order is recommended), which then might have legislation implications with the statutory processes and public consultation to follow. Any changes that occur before the highway scheme is completed will be fully compatible with the signed-off highway design. The timescales for implementing any permanent changes to the parking area have not been agreed, but are not compatible with the statutory timeframes involved with this Examination.</p>
3.1.2	Gloucestershire Wildlife Trust	<p>2.6. Barrow Wake Car Park</p> <p>2.6.2 The biodiversity outcomes of the scheme could be improved by closing Barrow Wake car park and reverting it to species-rich calcareous grassland. This would provide some additional compensatory biodiversity units, as well as buffering the SSSI and enhancing a core area of the NRN.</p> <p>2.6.4 GWT considers that reversion of the Barrow Wake car park to calcareous grassland is a missed opportunity for the scheme to fulfill its objective to “maximise opportunities for natural environment enhancement”.</p> <p>2.6.5 GWT acknowledges that there is a conflict between the biodiversity benefits of removing Barrow Wake car park and the access benefits it currently provides. GWT argues that the access value is of local importance whilst the biodiversity value is of national importance, and therefore, should be prioritised.</p> <p>2.6.9 National Highways has also stated that removal of the car park is not possible because it is a designated highway, so ownership of the road surface and duties for closing it lie with Gloucestershire County Council. GWT acknowledges the duties of the County Council, and that consultation is required. However, National Highways could have initiated discussions with the County Council when GWT first proposed reversion of the car park when responding to the 2019 Statutory Consultation. At this point there was ample time to consult the County Council and stakeholders and integrate it into the scheme. However, discussions only began in November 2020 after being initiated by the environment stakeholders and the County Council.</p>	In regards to these paragraphs in GWTs WR [REP1-065], refer to the Joint Councils response above in row 3.1.1.
3.1.3	Gloucestershire Wildlife Trust	<p>GWT recommendation regarding Barrow Wake Car Park</p> <p>2.7.1 GWT recommends that the scheme delivers reversion of the Barrow Wake car park to species-rich calcareous grassland, should this outcome be supported by the consultation process being led by Gloucestershire County Council.</p>	In regards to this paragraph in GWTs WR [REP1-065], refer to the Joint Councils response above in row 3.1.1.

National Trust

3.2.1	National Trust	<p>5.2.3 Implications for statutorily and locally protected sites including Sites of Special Scientific Interest, Local Wildlife Reserves, Special Areas of Conservation, and Local Wildlife sites (including potential sites)</p> <p>Ecological fragmentation and connectivity between the Crickley Hill and Barrow Wake SSSI units...We request the Landscape and Ecology Management Plan (LEMP) is amended to include the following: formally establishing an ecological design Working Group; a requirement for detailed habitat creation methodologies to be developed and agreed with the Working Group; and a legally binding mechanism to manage new habitats for 30 years. See Section 5.2.8 for further details.</p>	<p>The Joint Councils reading of NHs LEMP [APP-321] is that paragraphs 1.2.2 to 1.2.4 include provision for establishing a working group “...key stakeholders including county and local authorities, district authorities, Cotswold Conservation Board, Natural England, National Trust, Gloucestershire Wildlife Trust, plus a range of other landscape, heritage wildlife and ecological stakeholders and representatives of affected landowners.”</p> <p>The Joint Councils agree that an explicit requirement to include detailed habitat creation methodologies with the Working Group would be helpful and that it is important that the Working Group is involved as early as possible in design decisions. The Joint Councils also agree with a mechanism to secure long term management of created (and retained) habitats.</p>
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Table ref	Interested Party	Topic / paragraph / reference	Joint Councils Response at Deadline 2
		<p>5.2.8 Other biodiversity effects (including; Mitigation / compensatory measures, timing of works and potential seasonal effects, need for Habitat Regulations Assessment / Appropriate Assessment)</p> <p>Successful habitat creation....The National Trust, and other stakeholders, are formally invited to form a Working Group with National Highways to support the detailed ecological design, construction and management of the scheme.</p>	
3.2.2	National Trust	<p>5.6.4 Effects of lighting</p> <p><i>'The National Trust agrees with the 'dark skies' approach taken by the Applicant.</i></p> <p><i>The ES states that, to respond to the AONB setting, the scheme would be unlit. The assessment of night-time landscape and visual impacts is based on unlit scheme.</i></p> <p><i>The Trust also notes the position of Gloucestershire County Council (GCC), as local highway authority, that it may have to retrospectively install street lighting at certain 'conflict zones' (e.g. proposed Ullenwood roundabout). We are therefore unclear whether an unlit scheme is deliverable in practice. We would like to further understand the need for such lighting, what type of lighting might be required, and how this affects the current assessment. We fully respect the need for safe driving conditions but would want light pollution to be minimised wherever possible.'</i></p>	<p>In section 2.8 of the Joint Councils Written Representation [REP1-135], the Joint Councils set out their positions in relation to highway lighting at the Ullenwood Junction and their understanding of the approach that has been agreed with NH.</p> <p>The Joint Councils and NH have set out their positions in Matters Agreed 19.19 and Matter Outstanding 19.1 in Appendix A of the Statement of Commonality submitted at Deadline 1 [REP1-006].</p> <p>In summary, GCC (as the local highway authority that will become responsible for the junction and with knowledge of the existing Air Balloon Roundabout's safety record):</p> <ul style="list-style-type: none"> • has concerns about the safety of the proposed roundabout if it is not lit. • respects the design development and road safety audit carried out by NH and the conclusion of this process that lighting is not required at the proposed junction. • recognises the sensitive environment in which the junction will sit. <p>On this basis, GCC as the local highway authority has accepted that the Scheme will proceed without highway lighting at Ullenwood Junction, on the understanding that - should monitoring by GCC of the junction's first years of operation indicate that highway lighting is required at the junction - this would be carried out by NH.</p> <p>Further, the design and construction of the below ground enabling infrastructure required to expedite the implementation of that lighting scheme should be secured in the DCO.</p> <p>NH has agreed to assess the impact of including highway lighting at the Ullenwood junction and submit this assessment for comment through the Examination. Subject to the outcome of that assessment, arrangements may be made to secure the enabling infrastructure for a potential future lighting Scheme within the DCO.</p> <p>The Joint Councils have not carried out their own assessment of lighting at the proposed Ullenwood Junction but consider that any highway lighting within the AONB must be designed to avoid any unacceptable adverse impacts on the special qualities of the AONB, dark skies and protected species. NH should explore innovative lighting solutions and best practice mitigation measures to minimise light spill beyond the junction.</p> <p>Whether or not the proposed junction would be lit in the long-term will depend on the safety record of the road in its first years of operation.</p>
3.2.3	<p>Cowley Residents:</p> <p>Amanda Naylor Andrew Dawson Cerys Mather Chris Mather Daniel Chesmore David Ayling-Smith Jason Pearce Joanna Pearce Megan Mather Alistair Miller Rahul Ahjua</p>	Effect on Local Roads during Construction	<p>GCC recognise that many residents in the village of Cowley have concerns over the impact that construction traffic will have on the local roads in and around Cowley Village.</p> <p>GCC has reviewed the submitted Construction Traffic Management Plan (Annex B of the EMP [APP-319]) and are happy with the principles set out for how NH will manage the impacts that the construction work will have on the local roads. Whilst it does not specifically identify construction traffic routes GCC will continue to work with NH and the affected Parish Councils to ensure that impacts are minimised as much as possible. In the Joint Councils Written Representation [REP1-135], the Joint Councils have requested that a legal agreement is drawn up and agreed with NH so that any extraordinary damage caused to the local highway network is addressed under section 59 of the Highways Act 1980 at the expense of NH (ref 2.1.3). GCC will also require that pre-construction inspections and surveys of all the local roads surrounding the scheme are carried out jointly with NH and the contractor.</p> <p>GCC also expect to be fully consulted and to agree with the construction traffic routes and restrictions prior to start of works.</p>

4. Response to NH Relevant Representation response

Table 4.1 – Joint Councils response to NH Relevant Representation response

Table ref	Author	Topic / paragraph / reference	Joint Councils Response at Deadline 2
4.1.1	National Highways	2.12 Impact on trees	<p>In the Draft Statement of Common Ground with the Joint Councils submitted at Deadline 1 [Appendix A of REP1-006], NHs noted at section 5.2 of Table 5.1 its agreement to undertake air quality monitoring at appropriate locations to determine the impact on Ullen Wood ancient woodland and veteran trees. Details would be provided in the next submission of the ES Appendix 2.1 – the EMP.</p> <p>The Joint Councils would like to seek reassurance that monitoring will still be put in place, as it is not mentioned in the relevant rep [REP1-008]. The Joint Councils would also like to know when the EMP will be updated.</p>

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