

A417 Missing Link
TR010056

8.11 Response to Written Representations made at Deadline 1

Planning Act 2008

APFP Regulation
Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009

Volume 8

January 2022

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms
and Procedure) Regulations 2009**

A417 Missing Link

Development Consent Order 202[x]

Response to Written Representations made at Deadline 1

Regulation Number:	
Planning Inspectorate Scheme Reference	TR010056
Application Document Reference	8.11
Author:	A417 Missing Link

Version	Date	Status of Version
C01	January 2022	Deadline 2

Table of contents

	Pages	
1	Introduction	1
1.1	Purpose of this document	1
1.2	Structure of this document	1
2	Response to common themes raised in Written Representations	3
2.1	Introduction	3
2.2	Consultation with residents of Cowley village	3
2.3	Climate Emergency Policy and Planning (CEPP)	6
2.4	Data and surveys to inform assessments	8
2.5	Re-routing of the B4070	9
2.6	Safety at Shab Hill junction	10
2.7	Designated Funds	11
2.8	Leckhampton with Warden Hill Parish Council	12
2.9	Cultural heritage	14
2.10	Habitat mitigation strategy	15
2.11	Impact on veteran trees and ancient woodland	16
2.12	Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB) and policy compliance	17
2.13	Impacts on National Star College	18
2.14	Weather	20
2.15	Recreational pressures on the Crickley Hill and Barrow Wake SSSI	20
2.16	Biodiversity Net Gain	23
2.17	Impacts to the local road network during construction	25
2.18	Requests for commitments in the EMP	25
3	Response to Written Representations made by Affected Persons	28
3.1	Introduction	28
3.2	National Highways response to Written Representations submitted by Affected Persons	28
4	Response to Written Representations made by Interested Parties subject to a Statement of Common Ground	32
4.1	Introduction	32
4.2	National Highways response to Written Representations submitted by parties subject to an SoCG	33
	Appendices	xxxvi
	Appendix A Draft Position Statements	xxxvii

Table of Tables

Table 2-1	Summary of agreed revised or additional commitments at Deadline 2	26
Table 3-1	National Highways response to Written Representations submitted by Affected Persons	28
Table 4-1	National Highways response to Written Representations submitted by parties subject to an SoCG	33

1 Introduction

1.1 Purpose of this document

- 1.1.1 This document has been prepared by National Highways (the Applicant) for submission to the Examining Authority (ExA) under Deadline 2 of the Examination of the A417 Missing Link Development Consent Order (DCO) application.
- 1.1.2 This document provides the Applicant's response to Written Representations submitted to the ExA by Interested Parties at Deadline 1.
- 1.1.3 In total, 52 Written Representations were submitted to the ExA at Deadline 1 on 14 December 2021. However, since the 14 December 2021, 3 additional submissions have been accepted at the discretion of the ExA after this deadline had passed, including two submissions which supersede the previous representations made by an Interested Party at Deadline 1. These additional submissions have been considered by the Applicant in the same manner as Written Representations and for the purposes of this document. In total, therefore, 55 submissions (comprising of both Written Representations and additional submissions) have been received and considered by the Applicant.

1.2 Structure of this document

- 1.2.1 National Highways has reviewed the Written Representations submitted to the ExA. The second part of this document provides responses to some of the key matters or themes raised in Written Responses made by others.
- 1.2.2 In many instances, the matters and themes raised are similar in content to those already raised in Relevant Representations submitted by third parties on or before 2 September 2021. National Highways provided a response to such matters and themes in its submission 'Responses to Relevant Representations' (Document Reference 8.3, REP1-008) at Deadline 1.
- 1.2.3 In light of the above and to avoid unnecessary duplication, in this document National Highways has sought to respond only where it has identified matters that may benefit from new or further points of clarification or correction, where it may assist a stakeholder and/or the ExA. Therefore, this document generally does not seek to provide a detailed response to each individual Written Representation where National Highways considers that its existing submissions to the Examination address the matter in question. Failure to respond to a particular point should not therefore be inferred as National Highways accepting a matter on which its position is already clearly identified. National Highways would, however, be very willing to respond to any additional questions from the ExA arising from the Written Representations, where they consider it would be helpful for National Highways to further comment.
- 1.2.4 The third and fourth parts of this document then provide responses to some individual Written Representations made by Affected Persons and Interested Parties respectively, where it is considered that it would be helpful to the ExA to do so. In some instances, National Highways has provided a response to a Written Representation directly to the Interested Party prior to submission of this document. This has occurred through ongoing engagement and correspondence with such parties, for example through exchanges of Statements of Common Ground (SoCG) or Position Statements. Where relevant, appropriate cross references to information provided elsewhere are given.

1.2.5 Accordingly, this document is structured as follows:

- Chapter 2: Response on common themes raised in Written Representations
- Chapter 3: Response to Written Representations made by Affected Persons
- Chapter 4: Response to Written Representations made by Interested Parties subject to a Statement of Common Ground

2 Response to common themes raised in Written Representations

2.1 Introduction

- 2.1.1 This chapter provides National Highways' response to key themes or matters raised in the Written Representations for which it is considered the ExA may benefit from further clarification or where we consider a point needs correction.
- 2.1.2 For each theme, the sections below first provide a summary of the matter raised and the comments that were received, and then sets out the National Highways position on the matter at the time of writing.
- 2.1.3 The following themes are considered and addressed in the remainder of this Chapter:
1. Consultation with residents of Cowley village
 2. Climate Emergency Policy and Planning (CEPP)
 3. Data and surveys to inform assessments
 4. Re-routing of B4070
 5. Safety on Shab Hill junction
 6. Designated Funds
 7. Leckhampton and Warden Hill Parish Council
 8. Cultural heritage
 9. Habitat mitigation strategy
 10. Impact on veteran trees and ancient woodland
 11. Impacts on the Cotswolds AONB and policy compliance
 12. Impacts on National Star College
 13. Weather
 14. Recreational pressures on the Crickley Hill and Barrow Wake SSSI
 15. Biodiversity Net Gain
 16. Impacts to the local road network during construction
 17. Requests for commitments in the EMP

2.2 Consultation with residents of Cowley village

Summary of matters raised in Written Representations

- 2.2.1 Some Written Representations have expressed an opinion that the residents of Cowley village (and in some cases nearby settlements of Coberley and Stockwell) have not had sufficient engagement with National Highways during the development of the scheme design and DCO Application. Whilst comments of a similar theme were identified and responded to in the Responses to Relevant Representations (Document Reference 8.3, REP1-008) submitted at Deadline 1, National Highways recognises that the Written Representations submitted at Deadline 1 further elaborate on this matter and raise specific points or claims. This includes:
- National Highways did not engage with the Cowley community during the route selection/optionseering stage of the scheme.
 - National Highways specifically rejected a request for a public exhibition in Cowley during the 2019 consultation and has never held a consultation event in the village.
 - Cowley was not featured on maps provided at consultation events.

- National Highways has relied too heavily on engagement with members of Cowley and Birdlip Parish Council, within which there may be a conflict of interest due to the effects of the scheme on each village.
- That some residents in Cowley could not participate sufficiently in the digital-led 2020 statutory consultation, which did not feature in-person events due to the Covid-19 pandemic.

National Highways response

2.2.2 National Highways has previously provided a response to the matter of consultation and engagement with Cowley village in section 2.11 of the Responses to Relevant Representations (Document Reference 8.3, REP1-008), which sets out that the statutory requirements for pre-application consultation have been met. National Highways also refers the ExA and Interested Parties to the letters from Local Planning Authorities in June 2021 (AoC-001 to AoC-012) confirming the adequacy of consultation following submission of the DCO Application. A response to the more specific points raised is provided below.

Engagement during the route selection process

2.2.3 The Route Options Consultation Report (Document Reference 7.5, APP-421) identifies the ways that National Highways (then Highways England) engaged with the local community as part of the route options consultation between 15 February 2018 and 29 March 2018. Appendices A and C of that document identifies that Cowley and Birdlip Parish Council, and individual councillors, were notified of the non-statutory route options consultation.

2.2.4 In addition, Appendix F of that document sets out that flyers advertised the consultation and were distributed at locations throughout the area, including 120 at the Green Dragon Inn in Cowley. Cowley and Birdlip Parish Council formally responded to the consultation, as set out in Appendix M of that document.

2.2.5 Their response refers to previous engagement held with National Highways (then Highways England) in 2017, as well as their own Parish event held in 2018, which had attendance from over 100 residents. This is corroborated by the Technical Appraisal Report (Document Reference 7.9, APP-425) which documents at paragraphs 13.6.5 to 13.6.7 the feedback provided at both of those meetings.

2.2.6 National Highways therefore considers that the community of Cowley had the opportunity to engage with the options selection process and feedback received from the Parish council and local residents was taken into account when selecting a preferred route.

Consultation exhibition events not extending to Cowley village

2.2.7 The Written Representations are correct that a public exhibition event was not held in Cowley village during the 2018 non-statutory or 2019 statutory consultations. This decision was made by National Highways after carefully considering available and suitable venues, alongside the need to ensure as many people as possible could access an event. Whilst the disappointment from Cowley residents that a venue within Cowley was not selected is acknowledged, National Highways considers the provisions made were entirely appropriate and adequate given the range of locations, deposit points and public information points that were made available.

Cowley village not being shown on consultation materials

- 2.2.8 National Highways received feedback on the consultation materials at both the 2019 and 2020 statutory consultations, as set out in the Consultation Report Appendices - Part 2 of 2 (Document Reference 5.2, APP-029). National Highways has explained, in response to this feedback, that Cowley village is not shown on the main scheme map due to the scale required to show the full extent of the red line boundary of the scheme. Cowley village was shown on the route drawings for the 2018 route options consultation, as the less detailed aspect of the scheme design at that point (i.e. simple route alignments) enabled the scale of the drawings to be smaller and therefore include more of the wider area.
- 2.2.9 However, Cowley village does appear on some figures of the Environmental Statement (ES) where the study area for particular topics extends to Cowley, e.g. ES Figure 12.1 Population and Human Health Study Area (Document Reference 6.3, APP-252). In addition, in some instances the study area for assessment was extended to include Cowley village as a direct result of feedback received during consultation, such as the noise assessment. This has previously been highlighted in paragraph 2.15.5 of the Response to Relevant Representations (Document Reference 8.3, REP1-008).

Virtual consultation

- 2.2.10 As documented in the Consultation Report (Document Reference 5.1, APP-027), National Highways had to adapt its approach to statutory consultation in 2020 due to the ongoing COVID-19 pandemic.
- 2.2.11 As set out in that document, the consultation was carried out in accordance with all statutory requirements, some of which themselves had been amended in response to the pandemic through the (then temporary and now permanent) Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020.
- 2.2.12 Chapter 9 of the Consultation Report (Document Reference 5.1, APP-027) sets out how National Highways sought to ensure a digital-led consultation enabled all members of the community to participate. This included through carrying out a dedicated awareness-raising campaign ('Have Your Say') prior to starting the consultation; engaging with hard-to-reach groups and Parish Councils prior to the consultation to identify if hard copies of materials may be required and could be distributed; and, providing a telephone call-back service and live web-chat service. This approach is considered to be entirely appropriate and adequate. This is partly evidenced through the contact made via telephone, email and live web-chat, for example National Highways carried out 15 telephone call-backs with members of the local community to answer queries or discuss the scheme, including with some residents of Cowley.
- 2.2.13 Figure 7.1 and Figure 10.1 of the Consultation Report (Document Reference 5.1, APP-027) provide a 'heat map' showing the distribution of online questionnaire responses to the 2019 and 2020 consultations respectively. These evidence that there were submissions made by residents of Cowley village at both consultations at a level that is similar to that of Birdlip village and other comparable small settlements in the vicinity of the scheme. It also shows that in 2020, there was a higher rate of online submissions from all surrounding settlements, reflecting that participation was primarily virtual due to COVID-19.

Cowley and Birdlip Parish Council

- 2.2.14 National Highways notes that some Written Representations have referred to concerns about the representation of local residents by Cowley and Birdlip Parish Council and potential 'conflicts of interests' amongst its elected members. It is not National Highways place to comment on such matters. However, National Highways has sought feedback from residents of all local communities, including both Cowley and Birdlip village. As demonstrated in the Consultation Report (Document Reference 5.1, APP-027) engagement has taken place or been sought through a variety of sources and not solely through correspondence with the Parish Council. The heat maps referred to in the previous paragraph indicate that many local residents have been able to engage with the project directly.
- 2.2.15 In particular, National Highways considers it helpful to acknowledge that National Highways amended the design following the 2019 statutory consultation, directly in response to feedback from many local residents, including those in Cowley. For example, the design and access arrangements for Cowley junction were amended in response to concerns raised about safety and the potential for rat-running through the village. This design change is set out in section 7.4 of that report, and it subsequently underwent further public consultation in 2020. As set out above, National Highways also amended the study area of some of the environment assessment (such as noise) following the 2019 statutory consultation, to address concerns that effects on the village were not being identified.

Summary

- 2.2.16 National Highways recognises that some residents in the Cowley area continue to express disappointment about and object to the scheme. However, National Highways does not accept the claim that residents of Cowley have not been engaged with fairly and considers that the DCO Application evidences how both non-statutory and statutory consultation and engagement has been carried out, including through the route selection process, adequately.

2.3 Climate Emergency Policy and Planning (CEPP)

Summary of matters raised in Written Representations

- 2.3.1 Claims have been made that the scheme's ES is unlawful due to the lack of assessment of the cumulative greenhouse gas (GHG) emissions, which is required by the EIA Regulations. Further, that the traffic modelling methodology produces an underestimate for the carbon emissions associated with the scheme.

National Highways response

- 2.3.2 ES Chapter 14 Climate (Document Reference 6.2, APP-045) has been prepared in accordance with DMRB LA 114 Climate, the National Policy Statement for National Networks (NPSNN) and the Climate Change Act (2008). The ES Updates and Errata (Document Reference 6.7, AS-051) provides additional information including consideration of subsequent legislation including reporting on the Sixth Carbon Budget.
- 2.3.3 The assessment of greenhouse gases across the lifecycle of the scheme has been used to inform mitigation to reduce carbon emissions. Mitigation measures include exploring the potential for low carbon solutions (including technologies,

materials and products) to minimise resource consumption and reusing and / or refurbish existing assets to reduce the extent of new construction. Minimising the effects of the scheme on climate change in this way includes applying the carbon reduction hierarchy: avoid/prevent, reduce and remediate. To fully embed the carbon reduction hierarchy in the project team's ways of working, National Highways has committed to look at ways to reduce carbon emissions across the whole life of the project. Further details of the proposed mitigation measures are provided in section 14.9 of ES Chapter 14 Climate (Document Reference 6.2, APP-045).

- 2.3.4 National Highways' approach to assessment is in line with NPSNN. The NPSNN, Paragraph 5.17 states that applicants should provide evidence of the carbon impact of the project and an assessment against the UK Government's carbon budgets. While noting that "*it is very unlikely that the impact of a road project will, in isolation, affect the ability of Government to meet the targets of its carbon reduction plan targets*", Paragraph 5.18 goes on to state that "*any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets*".
- 2.3.5 As explained in section 14.10.13 of ES Chapter 14 Climate (Document Reference 6.2, APP-045) and updated in ES Updates and Errata (Document Reference 6.7, AS-051), the assessment makes a comparison with national carbon budgets and shows that: Construction of the scheme is estimated to contribute approximately 0.00380% of the fourth carbon budget. Operation of the scheme is estimated to contribute approximately 0.00114% of the fourth carbon budget, 0.00355% of the fifth carbon budget and 0.00717% of the sixth carbon budget. It is considered that this magnitude of emissions from the scheme in isolation would not have a material impact on the ability of the UK Government to meet its carbon budgets, and therefore is not anticipated to give rise to a significant effect on climate, in line with the position set out within paragraph 5.18 of the NPSNN.
- 2.3.6 It should be noted that this assessment is conservative. Given current policy commitments within the DfT's Transport Decarbonisation Plan (published July 2021), it is considered to be an overestimate as the uptake of new electric vehicles in future years would be expected to be higher than the proportions used in the national projections included in Defra's Emissions Factor Toolkit (v10) used for the scheme assessment. Within the Emissions Factor Toolkit account (v10) is not taken for the increase of electric vehicles beyond 2030.
- 2.3.7 Local and regional carbon budgets are not defined in the relevant NPSNN, nor in the Climate Change Act or any secondary legislation, therefore an assessment against them cannot be undertaken. This is therefore not considered relevant when it comes to examining the suitability of the scheme for its impact on ability to reduce carbon emissions.
- 2.3.8 The assessment of greenhouse gases in the Climate chapter is inherently cumulative because:
- it considers embedded construction and maintenance, and user tailpipe emissions
 - the cumulative assessment of different projects (together with the project being assessed) is inherent within the climate methodology through:

- inclusion of the project and other locally committed development within the traffic model; and
 - consideration of the project against the UK carbon budgets, which are inherently cumulative as they consider and report on the carbon contributions across all sectors.
- 2.3.9 The traffic modelling has been undertaken in line with the current Transport Analysis Guidance (TAG) and the scheme traffic model achieve the required criteria set out in TAG in relation to the calibration and validation of the base year model and the development of the forecast models. This is set out in the Combined Modelling and Appraisal (ComMA) Report (Document Reference 7.6, APP-422).
- 2.3.10 The GHG assessment has been undertaken in line with the Design Manual for Roads and Bridges (DMRB) LA 114 Climate. The cumulative assessment has been undertaken in line with DMRB LA 104 Environmental assessment and monitoring.
- 2.3.11 The assessment of this and other projects on greenhouse gases should recognise that the spatial boundary of this receptor / resource is global but that our assessment should be considered at the national level as this is the basis of UK Government carbon budgets.
- 2.3.12 The assessment aligns to DMRB LA 104, and:
- the point that the ‘single project’ cumulative assessment is inherent within the DMRB LA 114 Climate methodology as it considers embedded construction and maintenance, and user tailpipe emissions;
 - the cumulative assessment of ‘different projects (together with the project being assessed)’ is inherently within the climate methodology through:
 - inclusion of the project and other locally committed development within the traffic model; and
 - consideration of the project against the UK carbon budgets, which are inherently cumulative as they consider and report on the carbon contributions across all sectors.
- 2.3.13 In relation to paragraph 30 of the CEPP Written Representation (REP1-027) and the request for further information on data relating to the freight traffic, airport and seaport traffic growth. More details on freight and airport traffic growth is provided in Section 10.5 of the ComMA Report (Document Reference 7.6, APP-422).
- 2.3.14 An explanation of how the scheme traffic models provide the required information for the environmental assessment is provided in Section 10.7 of the ComMA Report (Document Reference 7.6, APP-422).

2.4 Data and surveys to inform assessments

Summary of matters raised in Written Representations

- 2.4.1 Some Written Representations have raised concern or suggested that ecological surveys have not been carried out to support the DCO application.
- 2.4.2 It has also been stated that up-to-date road traffic accident (RTA) data has not been used by the Applicant in assessing the impacts of the scheme in relation to road safety.

National Highways response

Ecology surveys

- 2.4.3 Both the design of the scheme and the assessment of its effects on biodiversity have been informed by the data gathered through undertaking comprehensive ecological surveys for, amongst other matters, legally protected species and priority habitats. These are set out in Table 8-6 of ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039). That table also identifies where in the DCO Application the results of these surveys can be found.
- 2.4.4 Desk study records, incidental sightings, and knowledge of the presence of suitable habitat gathered during surveys was used to inform professional judgement as to the likelihood of other notable Species of Principle Importance (SPI) occurring within the scheme boundaries which require consideration. Dedicated surveys were therefore not undertaken for the remaining SPIs.

Road safety

- 2.4.5 One Written Representation (REP1-077) has stated that the Applicant has made claims regarding the safety of the A417 Missing Link based on data from 1998-2013. National Highways wishes to clarify that the statement quoted in that Written Representation is not attribute to National Highways but may be sourced from a historic Gloucestershire County Council hosted website (see [REDACTED]).
- 2.4.6 National Highways can confirm that the accident data used in the various aspects of the scheme assessment has been based on the period July 2015 to June 2019, which was the most up to date data available at the time of assessment. A summary of the analysis of the relevant data is provided in Section 3.5 of the Transport Report (Document Reference 7.10, APP-426).
- 2.4.7 Information in relation to the accident assessment undertaken by National Highways, the data behind the assessment, the process and the results are all provided in Section 8.4 of the Transport Report (Document Reference 7.10, APP-426).

2.5 Re-routing of the B4070

Summary of matters raised in Written Representations

- 2.5.1 Some Written Representations have questioned how the decision to reroute the B4070 was made with the landscape or wider environment in mind. It is suggested by some that this aspect of the design would have detrimental impacts to ecological habitats beyond those predicted.

National Highways response

- 2.5.2 As set out in paragraphs 7.4.33 to 7.4.35 of the Consultation Report (Document Reference 5.1, APP-027), the rerouting of the B4070 to Birdlip via Barrow Wake was made after the 2019 statutory consultation, taking into account feedback received on the matter.
- 2.5.3 ES Chapter 3 Assessment of Alternatives (Document Reference 6.2, APP-034) explains how the design decision was made to reroute the B4070 to Birdlip via the

entrance of Barrow Wake to re-use the existing underbridge. This sought to provide an improved design that avoids new infrastructure in the landscape.

2.5.4 ES Chapter 3 sets out how:

The route of the proposed B4070 link road between Shab Hill junction and Birdlip has been refined via the entrance of Barrow Wake, using the existing highway and underbridge. A roundabout is incorporated (replacing the existing T-junction), which would provide improved speed controls to traffic. The car park at Barrow Wake would be resurfaced and new Cotswold drystone walls would be built along the edge of the car park to minimise light pollution from cars at night and reduce the impact on the Crickley Hill and Barrow Wake SSSI.

2.5.5 ES Chapter 3 further explains that:

Feedback was received at the 2019 statutory consultation relating to the potential opportunity to improve facilities, parking and access at Barrow Wake. Concern was also raised over the safety of the proposed design of the B4070 for users of the 'Air Balloon Way'. The rerouting of the B4070 to Birdlip via Barrow Wake removes the need for a crossing on the 'Air Balloon Way' and introduces natural surveillance to the Barrow Wake car park to help manage anti-social behaviour. The changes would mean that the B4070 would no longer cross the repurposed A417, and the new roundabout would help slow traffic, increase the natural surveillance of the area and make Barrow Wake a more welcoming place to visit.

2.5.6 Paragraph 8.10.17 in the ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) assesses the ecological impacts of the re-routed B4070 on the Crickley Hill and Barrow Wake SSSI. As mentioned above the decision to use this existing road was to reduce further loss of arable land and existing habitat. The creation of a roundabout on the B4070 Barrow Wake Road would not result in the loss of any calcareous grassland, the main qualifying feature of the Barrow Wake SSSI unit. There would however be a small loss of road verge habitat either side of the current underpass structure that comprises young to semi-mature trees, such as ash, hazel, willow and hawthorn, with ruderal species. This habitat is not considered to be high value habitat within the designated area. Impact to mature trees has been avoided where possible, although where ash trees are present the management of ash die back will need to be considered with regard to retention of these trees. Similarly, a limited area of up to 1m wide on the western edge of the B4070 Barrow Wake Road adjacent to the proposed roundabout would be impacted to provide a working area for the building of a stone wall required to mitigate for light spill from traffic. Vegetation in these locations is scrub and broadleaved trees. The impact of these works on mature trees would be minimised wherever possible.

2.6 Safety at Shab Hill junction

Summary of matters raised in Written Representations

2.6.1 A Written Representation (REP1-077) has raised concern that the design of Shab Hill junction, namely the A436 slip road design, is not safe. It is questioned how this design will perform in adverse weather conditions and whether it is safer than the existing Air Balloon roundabout.

National Highways response

- 2.6.2 National Highways has responded to concerns regarding the Shab Hill junction and the related slip road design in paragraphs 7.4.28 and 7.4.29 of the Consultation Report (Document Reference 5.1, APP-029).
- 2.6.3 The existing Air Balloon roundabout is an at-grade roundabout with all through-traffic and local traffic converging at this location. Shab Hill junction would separate through-traffic and local traffic via a grade separated junction designed to modern standards. The existing roundabout connects roads that do not meet current standards and have a poor accident record. The new A417 mainline and connector roads' geometry would be designed to modern standards, improving the safety of the roads and the junction.
- 2.6.4 The merge and diverge arrangements at Shab Hill junction are consistent with the traffic flows predicted to be using the junction.
- 2.6.5 The proposed westbound diverge would incorporate an auxiliary lane which would provide vehicles with additional distance to leave the mainline safely before slowing down.
- 2.6.6 The merges would also incorporate auxiliary lanes which would comply with the requirements of the relevant standards and to enable vehicles to reach an appropriate speed before merging safely.
- 2.6.7 As stated in the Transport Report (Document Reference 7.1, APP-426) '*the scheme is forecast to lead to a large reduction in the number of killed or seriously injured (KSI) casualties, with 66 fewer fatalities forecast over the 60-year appraisal period.*'

2.7 Designated Funds

Summary of matters raised in Written Representations

- 2.7.1 Some Written Representations have referred to National Highways' Designated Funds. This has included a request for clarity over the selection process of requests for Designated Funds.

National Highways response

- 2.7.2 National Highways Designated Funds programme is separate to the core work of operating, maintaining and improving England's strategic road network. They provide ring-fenced funding that is used to invest in and support initiatives that deliver lasting benefits for road users, the environment and communities across England.
- 2.7.3 Through four designated funding streams, focus is on making improvements that make the biggest difference and National Highways works flexibly with customers and stakeholders to invest the funds where they are needed most over the course of the road period.
- 2.7.4 From 2020 to 2025 National Highways will be investing £936 million in designated funds across the country. The four funding streams for this period are:
- • Safety and congestion
 - • Environment and wellbeing
 - • Users and communities

- Innovation and modernization

- 2.7.5 A multi-stakeholder partnership panel has been established, including Cotswold National Landscape, Gloucestershire Wildlife Trust, Gloucestershire County Council and the National Trust, with National Highways facilitating and guiding the group to bring forward successful and impactful Designated Funds applications, focussed in the area around the A417 scheme.
- 2.7.6 The group has developed a vision around which to base future funding applications; these applications collectively seek to build the resilience of the unique Cotswolds landscape, enhance biodiversity, cultural heritage including archaeology, environmental legacy and benefit local communities.
- 2.7.7 So far, a long list of 147 potential projects has been developed through workshop sessions with 27 different interested parties, mostly relating to the “Users and Communities” and “Environment and Wellbeing” funding themes. Of these, 6 applications (each with multiple projects) are currently being progressed to feasibility stage funding, and work is underway to bring forward further applications in early 2022.
- 2.7.8 A separate proposal is also underway focussed entirely on Biodiversity Net Gain, seeking to deliver around 437 BNG units to help NH achieve its strategic target in the areas around the A417 scheme and more widely. This overarching BNG project will be delivered across many sites, over several years, and will utilise the expertise and practical capabilities of the partnership panel organisations. Those BNG units would be in addition to any matters reported in the Biodiversity Net Gain Calculation (Document Reference 8.10, REP1-015) submitted at Deadline 1.

2.8 Leckhampton with Warden Hill Parish Council

Summary of matters raised in Written Representations

- 2.8.1 Leckhampton with Warden Hill Parish Council has set out a number of concerns in relation to the scheme, specifically in relation to traffic and transport (largely accident data); air quality; biodiversity; cultural heritage; and landscape.

National Highways response

- 2.8.2 As set out in the Consultation Report Appendices (Document Reference 5.2, APP-028/29), Leckhampton with Warden Hill Parish Council was notified of statutory consultation in 2019 and 2020. A response from the Parish Council to these consultations was not received. Leckhampton with Warden Hill Parish Council did not submit a Relevant Representation and therefore National Highways has not been aware of the current views of the Parish Council until Deadline 1.
- 2.8.3 As part of a wider invite to local Parish Councils, partly in response to the submissions made at or around Procedural Deadline A, National Highways invited Leckhampton with Warden Hill Parish Council to a meeting held on 9 December 2021, in order to facilitate discussion about any concerns or questions about the scheme and the DCO Examination. Unfortunately, there was no representation from Leckhampton with Warden Hill Parish Council at the meeting.
- 2.8.4 National Highways has since reviewed the Parish Council’s Written Representation and considers that the majority of the points raised are

considered and addressed in documents already submitted as part of the DCO Application or through the Examination to date.

- 2.8.5 Therefore, National Highways will write to the Council to direct them to the relevant information available in the published documents and offer to engage further on the matters raised. For example, National Highways has offered and will seek to arrange circa monthly meetings during the Examination with local Parish Councils, to help continue to discuss the scheme and help address any concerns or questions in the future.
- 2.8.6 National Highways considers that a response to some matters raised in their Written Representation, about accident data and air quality, could be helpful to both the Parish Council and the ExA. These are set out below.

Accident data

- 2.8.7 Leckhampton with Warden Hill Parish Council has queried how the accident assessment has been undertaken for the scheme, with concern raised that it has focused only on the single-carriageway section of the A417.
- 2.8.8 National Highways can confirm that the accident assessment (Cost and Benefit to Accidents) undertaken as part of the economic appraisal of the scheme covered Gloucestershire County Council and parts of the surrounding local authority areas. Figure 4-3 in the Combined Modelling and Appraisal (ComMA) Report (Document Reference 7.6, APP-422) shows the extent of accident data collated for the scheme accident assessment. Details on how the accident assessment is undertaken are presented in Section 8.4 of the Transport Report (Document Reference 7.10, APP-426).
- 2.8.9 National Highways can confirm that the forecast reduction in fatalities or seriously injured reported in Section 8.4 of the Transport Report (Document Reference 7.10, APP-426) covers Gloucestershire County Council and therefore Leckhampton Hill would be included in this assessment. Table 8-4 in the Transport Report (Document Reference 7.10, APP-426) provides a summary of the accident benefit results and the figures presented in this table would account for the impact of the scheme across the Gloucestershire area and therefore would not cover just the single carriageway section of the A417.
- 2.8.10 As stated in paragraph 8.4.9 of the Transport Report (Document Reference 7.10, APP-426) the majority of benefits are achieved from the removal of the existing single carriageway section of the A417 and providing a dual carriageway designed to the latest standards.
- 2.8.11 National Highways confirm that the sentence in paragraph 8.4.10 of the Transport Report (Document Reference 7.10, APP-426), as referred to in the Written Representation, is stating that on existing roads where there would be an increase in traffic, disbenefits would occur and there would most likely be an increase in the number of accidents over the 60 year appraisal period due to the increased traffic.
- 2.8.12 National Highways can confirm that Leckhampton Hill is included in the assessment and that the increase in traffic on Leckhampton Hill is accounted for in this assessment and is included in the results presented in Table 8-4 of the Transport Report (Document Reference 7.10, APP-422).

Air quality

- 2.8.13 Leckhampton with Warden Hill Parish Council has raised concern that their own air quality monitoring data suggests that forecast increases in NO₂ pollution are an underestimate.
- 2.8.14 The Parish Council also notes concerns raised by the National Star Foundation over the potential for adverse air quality effects on National Star College.
- 2.8.15 The assessment reported in ES Chapter 5 Air quality (Document Reference 6.2, APP-036) includes several receptors on Leckhampton Hill (H49, H98 and H100). Of these three receptor locations, the maximum predicted concentration in the opening year of the scheme is 16.8µg/m³ at H100 where a change in concentrations of 1.7µg/m³ is predicted. There is one receptor on Leckhampton Road H16 where the maximum predicted concentration in the opening year of the scheme is 15.9µg/m³ with a change in concentrations of 0.9µg/m³ being predicted. The total concentrations predicted in 2026 are well below the annual mean objective for NO₂ and the impact from the scheme is considered not to be significant.
- 2.8.16 National Highways note the local monitoring information provided is consistent with the baseline predicted concentrations, with all concentrations being well below the annual mean objective.
- 2.8.17 The Written Representation submitted by Leckhampton with Warden Hill Parish Council notes fluctuations throughout the year in terms of concentrations. This is a typical pattern of seasonal variation and it is worth noting the objective is based on the annual mean average.
- 2.8.18 PM_{2.5} was not assessed, as an assessment of this pollutant was scoped out of the assessment due to the already low PM_{2.5} annual mean concentrations, suggesting there was no risk of exceedance.

2.9 Cultural heritage

Summary of matters raised in Written Representations

- 2.9.1 Some Written Representations have expressed concerns about cultural heritage and its assessment (including the assessment of historic landscape) within the DCO Application. For example, relevant submissions have been made by the Council for British Archaeology, Historic England and the Joint Councils.
- 2.9.2 On 17 December 2021, the ExA published a request under Rule 17 of the of the Infrastructure Planning (Examination Procedures) Rules 2010, in which it asked the Applicant to respond to a number of points specifically in relation to the Historic England Written Representation.

National Highways response

- 2.9.3 In response to the ongoing concerns raised about cultural heritage and historic landscape matters, and considering the Rule 17 request made by the ExA, National Highways has produced a Response to Cultural Heritage Matters Raised (Document Reference 8.14), which is submitted at Deadline 2 for consideration by the ExA and the relevant Interested Parties.

- 2.9.4 National Highways also continues to engage with Historic England and the Joint Councils as part of intended future updates to their Statements of Common Ground.

2.10 Habitat mitigation strategy

Summary of matters raised in Written Representations

- 2.10.1 Gloucestershire Wildlife Trust (GWT) welcome the commitment to creating substantial new priority habitat, however, they have raised concerns over the assumption that delivery of habitat goals would be 100% successful and the factors affecting habitat creation success.
- 2.10.2 GWT objects to the estimated time lag between habitat destruction/degradation and compensatory habitat being established to sufficient quality, as well as the conclusion that this poses no significant risk to biodiversity. It is said that time lags have an important impact on species extinction risk, which is not currently assessed.

National Highways response

- 2.10.3 The scheme is assessed assuming 100% success of habitat establishment based on the commitment to monitor habitats and implement remedial action if required. Annex D Landscape and Ecological Management Plan (LEMP) of ES Appendix 2.1 Environmental Management Plan (EMP) (Document Reference 6.4, APP-321) sets out how the landscape design and ecology mitigation measures would be delivered and managed for the scheme to achieve success and target habitat condition for the proposed priority habitats of lowland mixed deciduous woodland, lowland calcareous grassland and species-rich hedgerows. National Highways will develop the LEMP as part of the evolution of the EMP and will do so collaboratively with the environmental stakeholders and landowners with Section 253 agreements to manage compensatory habitat ensuring that the target habitat condition is reached and maintained.
- 2.10.4 Upon completion of construction of the scheme the EMP (construction stage) must be converted into the EMP (end of construction stage), which is pursuant of Requirement 3 of the draft DCO (Document Reference 3.1, APP-022). Annex D LEMP of the EMP (end of construction stage) shall detail the accountability, funding, monitoring, management, triggers for remediation and remediation works. This will ensure the continued long-term effectiveness of the environmental mitigation measures and the prevention of unexpected environmental impacts during the operation of the scheme.
- 2.10.5 The scheme must be operated and maintained in accordance with the EMP (end of construction) which will contain the long-term commitments to aftercare, monitoring and maintenance activities.
- 2.10.6 As stated in response 1.3.4 (Document Reference 8.4, REP1-009), further work on habitat creation including soil testing and engagement with specialist contractors, preferably familiar with the Cotswolds, will commence at detailed design to inform the specific methods of habitat creation at sites across the scheme. It is acknowledged that this is critical to ensure the success of the habitat creation.

- 2.10.7 ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) acknowledges that the establishment of woodland and calcareous grassland to good condition is considered to take up to 30 years. Early planting of compensatory habitat, especially woodland, would be undertaken in the year prior to construction where possible to reduce the time lag between habitat loss and establishment.
- 2.10.8 The creation of priority habitats is not provided as mitigation for the significant effects on lowland mixed deciduous woodland, calcareous grassland or species-rich hedgerows and neutral grassland. The assessment acknowledges significant residual effects on these existing habitats without taking into account compensatory habitat, in accordance with DMRB. Habitat creation is provided as compensation and their provision, once established, provides beneficial effects.

2.11 Impact on veteran trees and ancient woodland

Summary of matters raised in Written Representations

- 2.11.1 The Woodland Trust have objected to the loss of veteran trees and have raised concerns the configuration of the A436 link road to ensure that a 50m buffer zone can be provided to Ullen Wood.

National Highways response

- 2.11.2 National Highways have engaged with the Woodland Trust throughout the development of the preliminary design of the scheme. As set out in paragraph 4.1.26 of the Consultation Report (Document Reference 5.1, APP-027), National Highways initially progressed a Statement of Common Ground (SoCG) with the Woodland Trust. Meetings were held with the Woodland Trust on the following dates:
- 24 June 2020
 - 7 August 2020
 - 5 October 2020
- 2.11.3 However, in November 2020 the Woodland Trust decided to opt out of an SoCG due to their organisation-wide position on participation in SoCGs and their continued objection in principle to the scheme. This was accepted by National Highways, and it was agreed that National Highways would continue to provide updates on the scheme to the Woodland Trust through focused meetings and other communications where relevant. National Highways provided a project update on 4 February 2021 and it was agreed that the trust should get in touch should they have any questions and/or meeting requests in the future.
- 2.11.4 A response to the loss of veteran trees is provided in section 2.12 of Responses to Relevant Representations (Document Reference 8.3, REP1-008). This acknowledges that, as stated in the Case for the Scheme (Document Reference 7.1, APP-417) submitted with the DCO application, every effort has been made to avoid veteran trees throughout the design process which has led to 18 trees being retained and protected. National Highways has avoided direct loss of any ancient woodland and avoided loss of the majority of the veteran trees within or adjacent to the scheme. Three veteran trees would be unavoidably lost due to their location directly beneath the scheme alignment.
- 2.11.5 Detailed consideration has been given to balancing the impacts of the scheme on competing environmental constraints, and for mitigation to alleviate the more

severe impacts wherever possible. A greater buffer than that proposed between the road and Ullen Wood would reduce the amount of woodland that experiences adverse effects, however, the road alignment and roundabout have been located as far south as possible from Ullen Wood. It is not possible to move the road any further south due to other ecological constraints, such as Emma's Grove woodland.

- 2.11.6 As stated in paragraph 8.10.55 of ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) mitigation to protect ancient woodland habitat includes the implementation of a buffer zone with protective fencing of at least 15m between the construction works and the edge of Ullen Wood canopy edge, in accordance with Natural England guidelines. For a small area where this buffer cannot be achieved, an arboricultural clerk of works will be present to oversee initial works and set up protection measures for trees on the woodland edge. Such protection measures are included in Annex D LEMP of ES Appendix 2.1 EMP (Document Reference 6.4, APP-321).

2.12 Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB) and policy compliance

Summary of matters raised in Written Representations

- 2.12.1 Some Written Representations have raised concerns over the impact of the scheme on the Cotswolds AONB, including with reference to the compliance of the scheme with national planning policy on development within an AONB. Some Written Representations have also referred to the route selection process, stating that an alternative route such as Option 12 would be less damaging to the AONB than the Option 30 route that was selected and progressed from 2018.

National Highways response

- 2.12.2 National Highways notes that similar points regarding impacts on the AONB and the route selection process were raised in Relevant Representations submitted following the acceptance of the DCO Application. National Highways provided a response to such comments in sections 2.3 and 2.8 of the Responses to Relevant Representations (Document Reference 8.3, REP1-008). That set out how National Highways has demonstrated in the Design Summary Report (Document Reference 7.7, APP-423) how it has worked hard to develop a landscape-led design in collaboration with key environmental stakeholders, which has sought to conserve and enhance the AONB.
- 2.12.3 Furthermore, National Highways has evidenced in the Case for the Scheme (Document Reference 7.1, APP-417) that the scheme is demonstrably compliant with the NPSNN, which requires exceptional circumstances for the grant of consent of a nationally significant road scheme within an AONB. This includes through demonstrating that there has been sufficient consideration of the scope and cost of alternatives.
- 2.12.4 National Highways considers that it is important to highlight that the statutory body for the Cotswolds AONB, Cotswolds Conservation Board (CCB), has confirmed in their Written Representation (REP1-030) that they overall consider that exceptional circumstances do apply in the case of this scheme; that it would be in the public interest; and that it does comply with the NPSNN. CCB has also stated in their Written Representation that National Highways has sufficiently

considered alternative options for the scheme, including those previously suggested by CCB. National Highways believes that the views of the statutory conservation board vindicate the landscape-led approach to the design of the scheme.

- 2.12.5 The Joint Councils, comprising of the three Local Planning Authorities for the area within which the scheme is located, have also confirmed in their Written Representation (REP1-135) that the optioneering process carried out by National Highways was robust and that the selection of Option 30 is considered '*the most appropriate solution to deliver the required highway solution within the sensitive environmental context*'. In their Local Impact Report (REP1-133), the Joint Councils further express their support for the landscape-led approach to the scheme and consider that the national policy exceptions for development in the AONB are well-detailed in the Case for the Scheme (Document Reference 7.1, APP-417).

2.13 Impacts on National Star College

Summary of matters raised in Written Representations

- 2.13.1 Concerns have been raised by the National Star Foundation (REP1-068) regarding the effects of the scheme on the National Star College (NSC) facility relating to: the Equality Impact Assessment (EqIA) carried out for the scheme; compulsory acquisition matters; traffic during construction and operation; noise impacts; air quality impacts; landscaping matters; and, potential detrimental effects to NSC's financial operating model. The concerns raised by the Foundation in relation to noise and air quality impacts have also been noted and reiterated by Leckhampton and Warden Hill Parish Council (REP1-146).

National Highways response

- 2.13.2 The National Star Foundation is an Affected Party and an updated position regarding ongoing discussions on land acquisition is provided in Chapter 3 of this document. This identifies that National Highways has developed a Position Statement with the National Star Foundation which covers the issues raised in their Written Representation and previous Relevant Representation. National Highways and National Star Foundation continue to positively progress these discussions.
- 2.13.3 Notwithstanding this, National Highways considers it would aid the ExA to provide an update on the following matters:

Equality Impact Assessment

- 2.13.4 Whilst recognising the concerns raised by the National Star Foundation, National Highways is confident that the submitted Equality Impact Assessment (EqIA) (Document Reference 7.8, APP-424) has considered groups with protected characteristics, including residents and users of NSC to the levels required under the Equality Act 2010. National Highways provided a detailed account of this position in its response to the ExA's written question 1.4.9 (see Document Reference 8.4, REP1-009).
- 2.13.5 The EqIA has taken NSC into account, however National Highways recognises that an administrative error means they were excluded from being listed in Table 8 and 9 of the EqIA, which specifies the hard-to-reach groups that were invited to

take part in the statutory consultations in 2019 and 2020. NSC were sent all the same information regarding the consultation as those identified in the EqIA received. This was essential as not only are they recognised as a hard-to-reach group, but they are a landowner directly impacted by the scheme. National Highways has engaged with NSC throughout the preparation of the DCO Application and will continue to do so throughout the lifetime of the scheme.

- 2.13.6 The EqIA will be updated at the detailed design stage of the scheme by the appointed contractor. National Highways will work with National Star Foundation to identify opportunities to refine the EqIA at that stage.

Air quality impacts

- 2.13.7 National Highways has organised and facilitated a range of virtual and in-person meetings to explain that assessments completed to date do not anticipate a significant negative impact on air quality at NSC.
- 2.13.8 ES Chapter 5 Air Quality (Document Reference 6.2, APP-036) identifies there are no significant effects on human health during construction or operation of the scheme, this includes at NSC. For this reason, air quality monitoring is not required, however, National Highways is willing to commit to air quality monitoring at NSC, to alleviate their concerns.
- 2.13.9 National Highways appreciates NSC's caution and regard for the well-being of their students. The ES Appendix 2.1 EMP (Document Reference 6.4, Rev 1) contains measures to ensure air quality at NSC is not adversely affected. However, in recognition of the National Star Foundation's concerns regarding dust and air quality on NSC, air quality monitoring will be provided to manage dust, air pollution and exhaust emission during the construction works and actively manage the implementation of any additional mitigation requirements. The monitoring to be provided is typically used on construction projects where significant air quality impacts are expected in areas with poor existing air quality levels e.g. construction site in the centre of London. This monitoring will be provided throughout the construction of the scheme. This commitment (AQ13) is included in ES Appendix 2.1 EMP (Document Reference 6.4, Rev 1).

Noise impacts

- 2.13.10 ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042) states that there would not be a significant impact on noise at NSC arising from the scheme. National Highways recognises that the National Star Foundation remains concerned over the potential for impacts to students and other service users at NSC. National Highways has therefore engaged with the National Star Foundation on this matter, including through creating and presenting a virtual noise demonstration for the scheme construction noise created at NSC.
- 2.13.11 Best practice and specific means of noise mitigation would be employed throughout construction to ensure noise pollution impacts are reduced as much as possible. This includes the installation of mechanical ventilation in particularly noise sensitive rooms at NSC so that windows can be closed if construction noise is intrusive. Further noise mitigation would be developed in collaboration with NSC to help address their concerns. A commitment to construction noise monitoring specific to NSC has been included in the ES Appendix 2.1 Environmental Management Plan (EMP) (Document Reference 6.4, Rev 1).

2.14 Weather

Summary of matters raised in Written Representations

- 2.14.1 Some Written Representations have raised concern that the location of the scheme is vulnerable to extreme or localised weather events, including snow and fog, which may not have been sufficiently accounted for within the scheme design.

National Highways response

- 2.14.2 National Highways recognises that the existing A417's poor safety and reliability record is exacerbated during winter months by the road's exposed and elevated location at the top of the Cotswolds escarpment. Heavy snowfall has led to the road becoming impassable to vehicles and motorists being trapped. Significant risks are posed by vehicles losing traction both climbing and descending the multiple locations with steep gradients.
- 2.14.3 The section between the A46 Shurdington Road and Cowley roundabout is identified as a Vulnerable Location by National Highways, and the existing safety and resilience issues during severe winter weather are summarised in the Vulnerable Location Plan included in Appendix G in Annex B Construction Traffic Management Plan of ES Appendix 2.1 EMP (Document Reference 6.4, APP-319, Rev 1).
- 2.14.4 National Highways is aware of local concerns regarding the management and maintenance of the A417 during adverse weather conditions, as such points were raised during public consultation and is recorded in the Consultation Report (Document Reference 5.1, APP-027).
- 2.14.5 The scheme's design includes measures which will improve its safety in inclement weather. This includes an improved road geometry (in particular reduced maximum gradients) and extra lane capacity, including a climbing lane on the escarpment and grade separated junctions. This will deliver a more resilient, and free-flowing road which will not be disrupted as easily by snow or ice.
- 2.14.6 The South West Asset Delivery Team at National Highways have been notified of and acknowledged the additional new section of dual carriageway and appropriate planning will be made for winter maintenance. A new weather station is proposed which will supply meteorological information to the winter maintenance team. A Maintenance and Repair Strategy has been produced by National Highways which outlines proposals for dealing with inclement weather. This could be submitted to the ExA on request.

2.15 Recreational pressures on the Crickley Hill and Barrow Wake SSSI

Summary of matters raised in Written Representations

- 2.15.1 Some Written Representations have expressed concerns about the assessment of the ecological impacts of recreational visitor pressure upon Crickley Hill and Barrow Wake Site of Special Scientific Interest (SSSI). Relevant submissions have been made by Natural England, the National Trust and Gloucestershire Wildlife Trust.

- 2.15.2 The common theme of these submissions is a view that the scheme would result in increased use of the SSSI by walkers, cyclists and horse-riders (WCH), which would result in significant damage to the grassland and woodland habitats for which the SSSI is designated.
- 2.15.3 These concerns have previously been expressed and discussed between National Highways and the interested parties, with latest positions captured in the Statements of Common Ground with Natural England, the National Trust and Gloucestershire Wildlife Trust (Statement of Commonality) (Document Reference 7.3 Rev 1, REP1-006).

National Highways response

- 2.15.4 Notwithstanding the latest positions recorded in the Statements of Common Ground with Natural England, the National Trust and Gloucestershire Wildlife Trust (Statement of Commonality) (Document Reference 7.3 Rev 1, REP1-006) where they raise concerns about the potential effects of increased visitor pressure as a result of the scheme, National Highways provides further comments in response to the Written Representations here. For convenience the relevant references in the Statement of Commonality include:
- Matter outstanding 6.3 in Table 5-1 of Appendix C Draft Statement of Common Ground with Natural England;
 - Matter outstanding 11.2 in Table 5-1 of Appendix C Draft Statement of Common Ground with the National Trust; and
 - Matter outstanding 8.3 in Table 5-1 of Appendix C Draft Statement of Common Ground with the Gloucestershire Wildlife Trust.
- 2.15.5 ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) has taken into account the proposals for walking, cycling and horse riding (WCH) during construction and operation as set out in ES Chapter 12 Population and Human Health (Document Reference 6.2, APP-043) and Annex F Public Rights of Way (PRoW) Management Plan of ES Appendix 2.1 EMP (Document Reference 6.4, APP-322).
- 2.15.6 Recreational pressure is assessed within the ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039). The scheme introduces numerous improvements to the PRoW network, the design of which has considered and minimised the potential for impacts to the SSSI. In response to requests made by the stakeholders, design changes and commitments have been made to help address their concerns, for example:
- A previously proposed footpath from the Air Balloon Way and Barrow Wake Car park has been removed to avoid impact on SSSI habitat where musk orchids are known to occur.
 - The proposed Air Balloon Way has been revised to help reduce recreational activity through avoiding people navigating a direct route through the car park and SSSI.
 - Badgeworth footpath 89 is proposed to be stopped up so it can be removed from the SSSI to reduce recreational activity within the SSSI (notwithstanding access rights to the area of open access land).
 - Signage, enclosures and interpretation boards to promote routes away from areas of SSSI would be provided to educate people of the sensitivity of habitat, and help reduce or avoid potential adverse impacts.

- Areas of car parking including for disabled users and horse boxes are proposed near the Golden Heart Inn and Stockwell Lane junction to help redistribute people away from the SSSI habitat when using the proposed Air Balloon Way.
- Whilst the Cotswold Way already exists, a new grade separated crossing is proposed as essential mitigation for that route as part of the scheme and will make trips safer.
- Whilst the Cotswold Way already exists, a new grade separated crossing is proposed as essential mitigation for that route as part of the scheme and will make trips safer (not with a view to increase user activity).

- 2.15.7 In their Written Representations, both the National Trust and Gloucestershire Wildlife Trust have referenced a Crickley Hill Insight Study (2018) that they jointly commissioned to influence the future strategy for their management of Crickley Hill Country Park. Extracts of the Insight Study are included in Annex A of the National Trust Written Representation. The Insight Study indicated that 75% of visitors to Barrow Wake would use the new Cotswold Way crossing to access Crickley Hill. This finding is used in the Written Representations to infer that provision of the Cotswold Way crossing would result in an increase in visitor pressure to Crickley Hill, as a result of the additional visits from the users of Barrow Wake.
- 2.15.8 National Highways acknowledges that the provision of the Cotswold Way crossing could result in additional visits to Crickley Hill as a result of visitors to Barrow Wake utilising the new crossing. National Highways does not agree that this would result in a net increase in visitor pressure to Crickley Hill, because the proposals would seek to redistribute WCH activity rather than seek to result in induced travel. For example the same Insight Study identifies that 64% of visitors to Crickley Hill would use the Cotswold Way crossing to access Barrow Wake (noting that this study did not consider the additional recreational provision in the form of Air Balloon Way, which would provide further incentive for WCH to venture beyond Crickley Hill and Barrow Wake).
- 2.15.9 The Insight Study states that Crickley Hill receives around 250,000 visitors per year. Use of Barrow Wake is much reduced in comparison to Crickley Hill. The Insight Study does not quantify visits to Barrow Wake but states '*there are low levels of awareness and low levels of use*'. The substantial difference between use of these locations is also demonstrated by the WCH surveys, as reported within the Walking, Cycling and Horse Riding Review at Preliminary Design in ES Appendix 12.2 (Document Reference 6.4, APP-396). On a single day of WCH surveys (10 September 2017) a total of 343 users were recorded at a location within Crickley Hill Country Park in comparison to 48 WCH at a location within Barrow Wake.
- 2.15.10 The Insight Study shows that Crickley Hill is used most frequently for walking (83% of users). The views are a key factor in attracting visitors to the site, but there is '*remarkably wide use of Crickley Hill*', with all quarters of the site visited by the majority of people. This demonstrates that users of the site are interested in routes that take in the views but also include substantial sections of route that do not include panoramic views, such as those that would be provided along the Air Balloon Way.
- 2.15.11 The proposed improvements to the PRow network arising from the scheme will better connect Crickley Hill, Barrow Wake, the Gloucestershire Way, the Air

Balloon Way, and the Golden Heart Inn. This would provide alternative and accessible recreational provision for visitors currently using the Crickley Hill and Barrow Wake components of the SSSI. The Air Balloon Way and associated PRow improvements are not considered to provide a major destination in their own right, given the context of the proximity to the SSSI and its existing historical and natural assets. However, these new and improved features would provide alternative recreational provision to complement Barrow Wake and Crickley Hill. These are likely to be used by the majority of users who currently do not venture beyond the SSSI boundaries because of the poor connectivity across the existing A417.

- 2.15.12 The scheme provides better PRow connectivity to allow visitors to disperse from the already heavily used Crickley Hill Country Park, and provides substantial alternative recreational provision in the form of the Air Balloon Way. It is acknowledged that visits to the Air Balloon Way are likely to include taking in the views at Barrow Wake should users wish to take a diversion off the Air Balloon Way to access it. This impact and a commitment to appropriate mitigation measures to avoid a significant adverse effect upon the SSSI are included within ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039).
- 2.15.13 Overall, National Highways therefore does not agree that the changes to PRow arising from the scheme would result in a significant adverse effect upon the SSSI.
- 2.15.14 Although National Highways does not consider any changes to PRow are needed above and beyond what is proposed, the bodies can, at any time in the future, work with Gloucestershire County Council to amend or stop-up PRow where there is evidence that usage is damaging the SSSI.

2.16 Biodiversity Net Gain

Summary of matters raised in Written Representations

- 2.16.1 Some Written Representations have stated that the scheme should seek to achieve biodiversity net gain (BNG) and express concern that the scheme would result in a biodiversity net loss.

National Highways response

- 2.16.2 Similar concerns were raised within Relevant Representations and subsequently, National Highways has provided a response to this matter in the Responses to Relevant Representations (Document Reference 8.3, REP1-008) submitted at Deadline 1. National Highways has also provided further detail on the matter of BNG in the Responses to the Examining Authority's Written Questions (ExQ1) (Document Reference 8.4, REP1-009) and the associated submission of the Biodiversity Net Gain Calculation (Document Reference 8.10, REP1-015).
- 2.16.3 National Highways notes that in the current "Consultation on Biodiversity Net Gain Regulations and Implementation" launched by Defra on 11 January 2022, that the BNG requirement for Nationally Significant Infrastructure Projects (NSIPs) will not apply to projects that have been accepted for Examination. The requirement for mandatory BNG will be detailed within a 'biodiversity gain statement' or statements for all types of NSIPs that will be published by November 2023, two years before the requirement takes effect in November 2025.

- 2.16.4 The results of the current consultation will be used by Defra to determine if the BNG requirement is considered achievable sooner than November 2025. In that scenario, the biodiversity gain statements will be published by Defra at least two years before the requirement takes effect to *'give developers, planners, and ecologists sufficient time to plan to deliver biodiversity net gain on these projects'*. The current consultation closes in April 2022 and the responses will be used by Defra to shape the secondary legislation, policy and delivery plans for mandatory BNG under the Environment Act. The UK Government will consult again on the full draft approach (biodiversity gain statements) for NSIPs.
- 2.16.5 In summary, the mandatory BNG requirement is likely to apply to NSIPs that are accepted from November 2025 onwards, with some potential that it may apply to certain types of NSIP from late 2024 at the very earliest. Clearly, this demonstrates that there is no statutory basis for a mandatory BNG requirement for the scheme, which was accepted for Examination over 3.5 years before the earliest date that the requirement could possibly take effect.
- 2.16.6 Other relevant extracts from Defra's consultation document that support National Highways position that it is not reasonable to apply a biodiversity net gain requirement to this scheme, include:
- *'Mandatory biodiversity net gain policy and processes will fundamentally change the way that habitat losses are considered as part of development'*
 - *'The mandatory biodiversity net gain process is additional to existing requirements for Environmental Impact Assessment'*
- 2.16.7 The consultation document demonstrates that fundamental aspects of how BNG would be assessed in relation to NSIPs are yet to be determined and are subject to consultation, including:
- 'We have heard from stakeholders that NSIPs often need to incorporate significant areas for environmental mitigation or compensation within their development site boundaries. This may have the effect of making biodiversity net gain relatively more challenging than for development consented under the Town and Country Planning Act 1990. This is because the percentage gain would also apply to these mitigation areas and other development types may be able to exclude such areas from their development boundary and treat them as off-site enhancements (so that the percentage gain target does not apply). We are therefore considering whether a distinction should be made for NSIPs between on-site habitats in the development area and any dedicated mitigation areas'*
- 2.16.8 Defra are also consulting on fundamental aspects in relation to the delivery of BNG relevant to NSIPs. This includes consultation on the substantial further phases of work that Defra would need to complete to facilitate operation of the biodiversity unit market, including:
- *' setting clear regulations and providing guidance*
 - *arranging oversight functions to ensure consistent implementation across England*
 - *creating supporting systems if needed, such as the biodiversity gain site register*
 - *upholding probity rules and avoiding conflicts of interest in relation to the role of the UK Government and other public sector bodies*
 - *establishing an approach to statutory biodiversity credit pricing, sales, and investment which supports, and does not conflict with, the market'*

2.17 Impacts to the local road network during construction

Summary of matters raised in Written Representations

- 2.17.1 Some Written Representations have raised concern that traffic may increase on the local road network (LRN) during construction of the scheme, with particular concern that some local roads are unsuitable for such traffic.

National Highways response

- 2.17.2 Similar concerns were raised within Relevant Representations and subsequently, National Highways has provided a response to this matter in the Responses to Relevant Representations (Document Reference 8.3, REP1-008) submitted at Deadline 1.

2.18 Requests for commitments in the EMP

Summary of matters raised in Written Representations

- 2.18.1 Some Written Representations and other submissions made at Deadline 1, particularly from statutory bodies and environmental stakeholders, have included requests for National Highways to make revised or additional commitments within the ES Appendix 2.1 EMP (Document Reference 6.4, Rev 1) in relation to environmental mitigation and monitoring.

National Highways response

- 2.18.2 As of Deadline 2, National Highways has not rejected a request for revisions or additions to commitments in the EMP. However, there are a number of requests made within Written Representations and other submissions which National Highways is still considering and for which an update will be provided at a future deadline. For example, National Highways is continuing to engage with Cellnex UK regarding their request for an additional commitment associated with construction works (REP1-024), as an agreement has not been made in advance of Deadline 2.
- 2.18.3 In some instances, National Highways has already been able to agree to the request made by Interested or Affected Parties and has incorporated a revised or additional commitment in an updated version of ES Appendix 2.1 EMP (Document Reference 6.4, Rev 1) submitted at Deadline 2. A summary of the additional commitments secured in that document is provided in Table 2-1 of this document.

Table 2-1 Summary of agreed revised or additional commitments at Deadline 2

Source of request	Detail of request	National Highways response to request in ES Appendix 2.1 EMP
Interested Parties	Engagement during detailed design.	National Highways has included commitment GP8: <i>National Highways would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme. These are listed in section 2.2 of this EMP.</i>
National Star College	Air quality monitoring at National Star College during construction.	National Highways has included commitment AQ13: <i>Air quality monitoring would be undertaken at appropriate locations at National Star College during construction of the scheme.</i>
Joint Councils	Air quality monitoring at Ullen Wood.	National Highways has included commitment AQ14: <i>Air quality monitoring would be undertaken at appropriate locations to determine emissions during operation of the scheme and confirm the impact on Ullen Wood Ancient Woodland and veteran trees. Monitoring would be undertaken for 1 year from the first full year of operation. Should monitoring identify poorer air quality, remedial action would be required.</i>
Historic England response to ExQ1 1.7.9	Step 5 of Historic England's guidance The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (GPA3) (2nd Edition) December 2017 is followed.	National Highways has included commitment CH8: <i>The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (GPA3) (2nd Edition) December 2017 published by Historic England, recommends "It is good practice to document each stage of the decision-making process in a non-technical and proportionate way, accessible to non-specialists."</i> <i>National Highways would submit all settings assessments to the local Historic Environment Record, in accordance with Step 5 (Make and document the decision and monitor outcomes) of GPA3.</i>
Historic England	Signage and interpretation boards to include heritage.	National Highways has included commitment CH9: <i>Signage and interpretation boards (as noted in BD53 and L27) would be situated in areas along the PROW network such on the Air Balloon Way entrances to the Cotswold Way crossing, and Gloucestershire Way crossing to educate the public regarding the heritage of the area.</i>
Council for British Archaeology	Signage and interpretation boards to include cultural heritage aspects of natural beauty and recreational value.	National Highways has included commitment L27: <i>Signage and interpretation boards (as noted in BD53 and CH9) would be situated in areas along the PROW network such on the Air</i>

		<i>Balloon Way entrances to the Cotswold Way crossing, and Gloucestershire Way crossing to educate the public regarding the cultural heritage aspects of natural beauty and recreational values.</i>
National Star College	Noise monitoring at National Star College during construction of the scheme.	National Highways has included commitment NV10: <i>Noise monitoring would be undertaken at appropriate locations at National Star College during construction of the scheme.</i>
National Star College	Access to National Star College during construction.	National Highways has included commitment PH7: <i>Access to National Star College premises would be maintained throughout the construction of the scheme. A clear plan of 24/7 access for emergency and non-emergency vehicles will be detailed within the Construction Traffic Management Plan to be refined at detailed design.</i>
ExQ 1.11.15	Construction Worker Travel Plan	National Highways has included commitment PH8: <i>The contractor would prepare a Construction Worker Travel Plan (or similar).</i>
Joint Councils	Revisions to existing commitment AQ3.	National Highways has amended AQ3 as follows: <i>As far as possible temporary roads should be hard surfaced to reduce dust generation. <u>The location regarding proximity to receptors should be assessed at detailed design phase along with consideration for the duration of use, and if high risks are identified the road would be hard surfaced.</u></i>
Historic England	Revisions to existing commitment CH6.	National Highways has amended CH6 as follows: <i>Emma's Grove scheduled monument will have selective vegetation clearance carried out following arboricultural and ecological inspection. The method statement will be agreed with Historic England.</i> <u><i>National Highways would continue to engage with Historic England on the enhancement and management of Emma's Grove Barrows.</i></u>

2.18.4 In the instances where National Highways is still considering requests, it anticipates a further update to ES Appendix 2.1 EMP (Document Reference 6.4, Rev 1) at a future deadline.

3 Response to Written Representations made by Affected Persons

3.1 Introduction

- 3.1.1 This chapter provides the National Highways response to Written Representations made by Affected Persons.
- 3.1.2 National Highways considers that some of the Written Representations submitted by Affected Persons would benefit from a specific response and we have written to the Affected Persons as part of ongoing engagement. This correspondence has included the latest copy of landowner Position Statements, which provide the latest position in relation to matters raised within Written Representations. Many of the matters raised are similar or repeat points raised at the Relevant Representation stage and the Position Statements therefore provide the most up to date position following both of those representations made, as appropriate.
- 3.1.3 Where Affected Persons have notified of their intention to be involved in upcoming Compulsory Acquisition Hearing(s) or identified within the agenda for the Hearing to attend and/or participate, Draft Position Statements are included in Appendix A. Although these have recently been shared with Affected Persons for comment, the Applicant considers the Draft Position Statements provide a useful summary of matters agreed and matters which remain under discussion.
- 3.1.4 This Chapter therefore does not seek to respond in full to Written Representations made by Affected Persons. Instead, it provides a summary of how National Highways has responded to the relevant Affected Persons and the outcome of any direct engagement since the Written Representation was received. The Written Representation reference, Affected Person(s) name and National Highways response is set out in Table below.

3.2 National Highways response to Written Representations submitted by Affected Persons

Table 3-1 National Highways response to Written Representations submitted by Affected Persons

Examination Library Reference	Affected Person(s)	National Highways response
REP1-017	Alexander & Angell Ltd	National Highways has written to Alexander & Angel Ltd and its agents as part of ongoing engagement. A Position Statement has been developed with the Affected Person which covers issues raised within the Written Representation and previous Relevant Representation. Given the Affected Persons' notification to be involved in upcoming Compulsory Acquisition Hearing(s), a Draft of this Position Statement is included at Appendix A in order to inform the upcoming Compulsory Acquisition Hearing. This was shared with the Affected Person in advance of Deadline 2 for review and comment.

Examination Library Reference	Affected Person(s)	National Highways response
REP1-024	Cellnex UK	<p>National Highways welcomes the positive Written Representation from Cellnex UK which reflects the position as summarised in the SoCG with Cellnex UK, submitted as part of the updated Statement of Commonality (Document Reference 7.3 Rev 1, REP1-006) at Deadline 1.</p> <p>National Highways continue to engage with Cellnex UK in relation to the one point which remains outstanding and measures through which a commitment can be provided.</p>
REP1-055	Mr Field	<p>National Highways has written to Mr Field and his agents as part of ongoing engagement.</p> <p>A Position Statement has been developed with the Affected Person which covers issues raised within their Written Representation and previous Relevant Representation. Given the Affected Person's notification to be involved in upcoming Compulsory Acquisition Hearing(s), a Draft of this Position Statement is included in Appendix A in order to inform the upcoming Compulsory Acquisition Hearing. This was shared with the Affected Person in advance of Deadline 2 for review and comment.</p>
REP1-062	FlyUp Limited	<p>Since the submission of their Relevant Representation, National Highways has met with Flyup Limited (8 December 2021) in order to discuss the submission and potential solutions to ongoing concerns.</p> <p>Following consideration of potential design solutions and receipt of the Written Representation, National Highways has had a further meeting with Flyup Limited on 12 January 2022 in order to present a revised design solution which considers concerns and recent feedback.</p> <p>National Highways will be updating the relevant Draft Position Statement following this meeting and would be happy to provide an update to the ExA in advance of the Compulsory Acquisition Hearing.</p>
REP1-085 & REP1-089	Ford	<p>Although Mr and Mrs Ford have not submitted a Written Representation into the Examination, National Highways has written to Mr and Mrs Ford and their agents as part of ongoing engagement.</p> <p>A Position Statement has been developed with the Affected Persons which covers issues raised within their previous Relevant Representation. Given the Affected Persons' notification to be involved in upcoming Compulsory Acquisition Hearing(s), a Draft of this Position Statement is included in Appendix A in order to inform the upcoming Compulsory Acquisition Hearing. This was shared with the Affected Person in advance of Deadline 2 for review and comment.</p>

Examination Library Reference	Affected Person(s)	National Highways response
REP1-022	Mr and Mrs de Lisle Wells	<p>National Highways has written to Mr & Mrs de Lisle Wells and their agents as part of ongoing engagement.</p> <p>A Position Statement has been developed with the Affected Persons which covers issues raised within their Written Representation and previous Relevant Representation. Given the Affected Persons' notification to be involved in upcoming Compulsory Acquisition Hearing(s), a Draft of this Position Statement is included in Appendix A in order to inform the upcoming Compulsory Acquisition Hearing. This was shared with the Affected Persons in advance of Deadline 2 for review and comment.</p>
REP1-068	National Star Foundation	<p>National Highways is writing to National Star Foundation and their agents as part of ongoing engagement.</p> <p>A Position Statement has been developed with the Affected Person which covers issues raised within the Written Representation and previous Relevant Representation. A Draft of this Position Statement is included at Appendix A in order to inform the upcoming Compulsory Acquisition Hearing. This was shared with the Affected Person in advance of Deadline 2 for review and comment.</p>
REP1-147	National Air Traffic Service (NATS)	<p>Land in the ownership of NATS (En route) Plc relates to highway and verge north of Birdlip Radio Station, as identified in plot 4/8 of the Book of Reference (Document Reference 4.3, APP-026) and the Land Plans (Document Reference 2.2 Rev 1, APP-036). This land is required temporarily with permanent rights to allow utility works during construction and a subsequent right for the statutory undertakers to access and maintain. The land would remain as part of the adopted GCC highway with NATS (En route) Plc retaining sub-soil ownership. National Highways will engage with NATS (En route) Plc following their Written Representation.</p>
REP1-095	National Trust	<p>National Highways is in ongoing dialogue with the National Trust and its agents as both an Affected Person and Interested Party. We acknowledge that the National Trust has been invited to attend and speak at the upcoming Compulsory Acquisition Hearing and have a meeting with the National Trust on Monday 17 January 2022 to discuss a Draft Position Statement and separate agreement which is being prepared in relation to land acquisition. The National Trust do not object to the land acquisition proposed as part of the scheme and continued engagement is seeking to formalise this position, as well as agree on matters of detail in relation to land access, accommodation works and boundary treatments. National Highways would be happy to provide an update to the ExA following the meeting on 17th January, and in advance of the Compulsory Acquisition Hearing if this is helpful.</p>

Examination Library Reference	Affected Person(s)	National Highways response
REP1-065	Gloucestershire Wildlife Trust	<p>National Highways is in ongoing dialogue with the Gloucestershire Wildlife Trust (GWT) and its agents as both an Affected Person and Interested Party.</p> <p>We acknowledge that GWT have been invited to attend the Compulsory Acquisition Hearing. A Draft Position Statement has been developed with the Affected Person alongside the SoCG and this was submitted as part of the Statement of Commonality at Deadline 1 (Document Reference 7.3 Statement of Commonality Rev 1, REP1-006).</p>

4 Response to Written Representations made by Interested Parties subject to a Statement of Common Ground

4.1 Introduction

- 4.1.1 This chapter provides the National Highways response to Written Representations made by Interested Parties who are currently engaged in a SoCG with National Highways.
- 4.1.2 Responses in this chapter are limited to matters that National Highways considers requires a response, for example to clarify a position or update the ExA on a matter raised in a Written Representation. This chapter therefore does not seek to respond in full to Written Representations made by the Interested Parties engaged in an SoCG. National Highways considers that the comprehensive approach to engagement that informed the updated Statement of Commonality and its appended SoCGs submitted at Deadline 1 (Document Reference 7.3 Rev 1, REP1-006) has helped ensure that the outstanding matters of concern and National Highways' position in response to those matters has been clearly set out in advance of and helping inform the Written Representations made at Deadline 1.
- 4.1.3 Some of the matters raised by the Interested Parties are considered to be relevant to some of the common themes discussed in Chapter 2. However, the specific matters associated with the common themes have been clearly set out and considered in the relevant SoCGs.
- 4.1.4 Matters outstanding as set out in the SoCGs are subject to continued discussion through ongoing SoCG meetings. This includes discussion about any necessary updates to the SoCGs in light of the detailed positions provided by some stakeholders in their Deadline 1 submissions, and any matters discussed at the hearings planned for the week commencing 24 January 2022. To facilitate the opportunity to discuss any necessary and helpful updates, meetings have been arranged with the relevant Interested Parties and it is intended that the Statement of Commonality and appended SoCGs (Document Reference 7.3 Rev 1, REP1-006) will be further updated for sharing at Deadline 3.
- 4.1.5 Table 4-1 below summarises the response of National Highways to the Written Representations made by SoCG Parties and the outcome of any direct engagement with the Party since the Written Representation was submitted.

4.2 National Highways response to Written Representations submitted by parties subject to an SoCG

Table 4-1 National Highways response to Written Representations submitted by parties subject to an SoCG

Examination Library Reference	Interested Party	National Highways response
REP1-135	Atkins on behalf of Joint Councils (Gloucestershire CC, Cotswold DC & Tewkesbury BC)	<p>The Joint Councils have provided helpful updates to their positions as recorded in their SoCG (see Appendix A of the Statement of Commonality, Document Reference 7.3 Rev 1, REP1-006). Discussions in relation to their concerns, including their requests and suggestions for amendments to the Draft DCO (Document Reference 3.1 Rev 1, REP1-003) are ongoing with the Joint Councils, and work to reach agreement on all outstanding matters is positively progressing. An updated version of their SoCG is intended to be submitted at Deadline 3, as an update to the Statement of Commonality (Document Reference 7.3, Rev 1).</p> <p>National Highways has provided comment on the Local Impact Report (REP1-133) submitted by the Joint Councils at Deadline 1, in the Comments on Local Impact Report (Document Reference 8.12). In some instances, this includes comments on matters also referred to in the Joint Councils Written Representation (REP1-135), and as set out above, further discussion on these matters will be reflected in the updated SoCG at Deadline 3.</p>
REP1-127	British Horse Society	The British Horse Society has positively engaged with National Highways as part of the Walking, Cycling and Horse riding Technical Working Group (WCH TWG), with its position recorded in their SoCG (see Appendix H of the Statement of Commonality, Document Reference 7.3 Rev 1, REP1-006). The matters raised in their Written Representation reflect their Relevant Representation, which have been responded to previously and updated positions are captured in their SoCG under matters outstanding, Table 5-1 ref 8.4 and 9.4 respectively.
REP1-030	Cotswold Conservation Board (CCB)	CCB has provided helpful updates to their positions as recorded in their SoCG (see Appendix E of the Statement of Commonality, Document Reference 7.3 Rev 1, REP1-006). The matters raised in their Written Representation reflect their Relevant Representation and ongoing discussions with National Highways. An updated version of their SoCG may be submitted at Deadline 3 should any necessary updates be made following ongoing discussions taking into account information shared at Deadlines 1 and 2 and the hearings planned week commencing 24 January 2022.
N/A	Environment Agency	Whilst not submitting a Written Representation, the Environment Agency has provided helpful updates to their positions following their Relevant Representation (RR-035) as recorded in their SoCG (see Appendix B of the Statement of Commonality, Document Reference 7.3 Rev 1, REP1-006) and through their Responses to ExQ1 (REP1-058). An updated version of their SoCG may be submitted at Deadline 3 should any necessary updates be made following ongoing discussions taking into account information shared at Deadlines 1 and 2 and the hearings planned week commencing 24 January 2022.
REP1-149	Gloucestershire Ramblers	The Gloucestershire Ramblers has positively engaged with National Highways as part of the WCH TWG, with their positions recorded in their SoCG (see Appendix H of the Statement of Commonality,

Examination Library Reference	Interested Party	National Highways response
		Document Reference 7.3 Rev 1, REP1-006). The matters raised in their Written Representation reflect their Relevant Representation, elaborating their ongoing concerns and suggested alternatives to the scheme. These matters have been responded to previously and where appropriate, these are captured in their SoCG under matters outstanding, Table 5-1. An updated version of the WCH TWG SoCG may be submitted at Deadline 3 should any necessary updates be made following ongoing discussions taking into account information shared at Deadlines 1 and 2 and the hearings planned week commencing 24 January 2022.
REP1-065	Gloucestershire Wildlife Trust	The Gloucestershire Wildlife Trust has provided helpful updates to their positions as recorded in their SoCG (see Appendix F of the Statement of Commonality, Document Reference 7.3 Rev 1, REP1-006). The Written Representation offers a series of recommendations, which National Highways will carefully consider and discuss with the Gloucestershire Wildlife Trust through ongoing SoCG meetings. An updated version of their SoCG may be submitted at Deadline 3 should any necessary updates be made following ongoing discussions taking into account information shared at Deadlines 1 and 2 and the hearings planned week commencing 24 January 2022.
REP1-142	Historic England	On 17 December 2021, the ExA published a request under Rule 17 of the of the Infrastructure Planning (Examination Procedures) Rules 2010, in which it asked the Applicant to respond to a number of points specifically in relation to the Historic England Written Representation. In response to the ongoing concerns raised about cultural heritage and historic landscape matters by some stakeholders, and considering the Rule 17 request made by the ExA, National Highways has produced a Response to Cultural Heritage Matters Raised (Document Reference 8.14), which is submitted at Deadline 2 for consideration by the ExA and the relevant Interested Parties. Historic England has provided helpful updates to their positions as recorded in their SoCG (see Appendix D of the Statement of Commonality, Document Reference 7.3 Rev 1, REP1-006). An updated version of their SoCG may be submitted at Deadline 3 should any necessary updates be made following ongoing discussions taking into account information shared at Deadlines 1 and 2 and the hearings planned week commencing 24 January 2022.
REP1-098	National Trust	The National Trust has provided helpful updates to their positions as recorded in their SoCG (see Appendix G of the Statement of Commonality, Document Reference 7.3 Rev 1, REP1-006). An updated version of their SoCG may be submitted at Deadline 3 should any necessary updates be made following ongoing discussions taking into account information shared at Deadlines 1 and 2 and the hearings planned week commencing 24 January 2022. National Highways has carefully considered the National Trust's Annex B to their Written Representation. In response to the ongoing concerns raised about cultural heritage and historic landscape matters, and considering the Rule 17 request made by the ExA, National Highways has produced a Response to Cultural Heritage Matters Raised (Document Reference 8.14), which is submitted at Deadline 2 for consideration by the ExA and the relevant Interested Parties. It is considered that document provides a response to the matters raised in their Annex B document.

Examination Library Reference	Interested Party	National Highways response
REP1-099	Natural England	<p>Natural England has provided an update to their position as recorded in their SoCG (see Appendix C of the Statement of Commonality, Document Reference 7.3 Rev 1, REP1-006).</p> <p>Natural England (and Natural Resources Wales) had previously agreed with National Highways' conclusion of a negligible risk of impacts from the scheme upon the European eel population associated with the Severn Estuary Ramsar site, even without taking mitigation into account. As such, a conclusion of no likely significant effects upon Severn Estuary Ramsar site is documented within the Habitats Regulations Assessment: Screening Report (Document Reference 6.5, APP-414).</p> <p>Natural England's revised view is that there is the possibility of eels being impacted by works in the absence of mitigation, and therefore the matter should be considered as part of the appropriate assessment stage of the HRA process. This would allow the competent authority to take into account the relevant mitigation measures for fish (including European eel) that are included within the Environmental Statement, summarised as follows:</p> <ul style="list-style-type: none"> • sensitive timings of works during the construction phase would minimise direct impacts to fish as secured through commitment BD28 within the ES Appendix 2.1 EMP (Document Reference 6.4, APP-317). • Detailed design of the new river habitat within the diverted channel of the tributary of Norman's Brook would return the watercourse to a more natural form, improving conditions for fish passage compared to the existing channel that is modified by numerous weirs. This would include improving the potential of the watercourse to support European eel. This mitigation is described in 8.10.199 of Environmental Statement (ES) Chapter 8 Biodiversity (Document reference 6.2, APP-039) and section 5.16 of Annex D Landscape and Ecological Management Plan (LEMP) of ES Appendix 2.1 EMP (Document Reference 6.4, APP-321). <p>In light of Natural England's revised advice, National Highways agrees that, on a precautionary basis, the competent authority should undertake an appropriate assessment of the scheme in relation to potential impacts to European eel as a qualifying interest of Severn Estuary Ramsar site.</p> <p>National Highways considers that the mitigation described within the ES would ensure that the scheme would not adversely affect the integrity of Severn Estuary Ramsar site, either alone or in combination with other plans or projects. National Highways understands that Natural England agree with this position.</p> <p>National Highways considers that existing submitted application documents provide the information that the competent authority requires to carry out the appropriate assessment of Severn Estuary Ramsar site.</p> <p>National Highways will update Natural Resources Wales on the change in position, and address any other consultation requirements</p>

Examination Library Reference	Interested Party	National Highways response
		<p>that the ExA considers necessary. National Highways can also submit updated HRA matrices for the Severn Estuary if required by the ExA.</p> <p>An updated version of Natural England's SoCG may be submitted at Deadline 3 should any necessary updates be made following ongoing discussions taking into account information shared at Deadlines 1 and 2 and the hearings planned week commencing 24 January 2022.</p>

Appendices

Appendices

Appendix A Draft Position Statements

Landowner Position Statement – Alexander and Angell Ltd

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners) directly impacted by the A417 Missing Link (the scheme). These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement with Alexander and Angell Ltd as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Alexander and Angell Ltd during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to this land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.
- 1.1.5 This Position Statement has been updated in December 2021 in order to ensure that matters raised within Relevant and Written Representations are considered and responded to.

Table 1 Record of Key Landowner Engagement

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
27/10/2019	Land Interest Consultation Invitation – Letter	Meeting arranged with Alexander and Angell Ltd for the 18 October 2019.
18/10/2019	Meeting – As a result of the consultation invitation letter	<p>Alexander and Angell Ltd raised concerns about drainage and the position of the attenuation basin at the meeting.</p> <p>The DVS explained the potential compensation available to Alexander and Angell Ltd if crop losses occur.</p> <p>Alexander and Angell Ltd were worried about the potential impact the scheme will have on their business operation and the damage to their land as a result of the proposed works.</p>
13/01/2020	Land Interest Consultation Invitation – Letter	Meeting arranged with Alexander and Angell Ltd for the 30 January 2020.
30/01/2020	Meeting – as a result of the consultation letter invitation	<p>The main concerns raised by Alexander and Angell Ltd at the meeting were:</p> <ul style="list-style-type: none"> • Access to the farm during the construction and operation of the scheme; • Flooding; • The attenuation basin; and • Operational impacts on the farm. <p>The following was agreed at the meeting:</p> <ul style="list-style-type: none"> • Location of the access track; • Upcoming survey programme; and • Details relating to compensation. <p>Arup and National Highways agreed to contact Mr Pither to discuss the scheme.</p>
09/04/2020	Meeting (Virtual)	The requirement for the construction compound and the need for ecological mitigation was explained.

		<p>Alexander and Angell Ltd preference is that an alternative area is used for the construction compound to minimise impact on their business operations.</p> <p>Options for land acquisition were discussed. Alexander and Angell Ltd to discuss the options for land acquisition with their land agent.</p>
13/10/2020	Statutory Consultation Notification	<p>Correspondence issued to Alexander and Angell Ltd notifying them of the beginning of the public consultation.</p>
10/11/2020	Meeting (Virtual)	<p>At the landowner meeting, it was explained to Alexander and Angell Ltd that the alternative locations for the attenuation basin have been considered and are not viable for the purposes of the scheme.</p> <p>It was explained that ecological mitigation in the form of calcareous grassland is proposed on Alexander and Angell's land. It was explained that low intensity grazing can take place on this land. It was explained that Alexander and Angell's land is required permanently for the ecological mitigation. Jonathan Perks (Land Agent) questioned why the land is required is required permanently. Jonathan requested detail about the management and restrictions for the environmental mitigation that will be in place. Jonathan is aware that compensation will be available but the preference for Alexander and Angell Ltd is that the land will be taken temporarily with permanent rights.</p> <p>Alexander and Angell Ltd asked whether horses will be allowed to graze on their land and can hay still be produced during the construction and operation of the scheme. It was explained the land needs to be managed appropriately for the purposes of biodiversity. A single hay cut, the use of no fertilisers and no horse grazing were suggested future uses of the land if Alexander and Angell Ltd were to maintain ownership through a S253 Agreement.</p> <p>Alexander and Angell Ltd raised concerns about the land to be taken permanently for the scheme as it is high quality agricultural land. Jonathan Perks stated an appropriate management regime for the land to be acquired permanently for the scheme is required.</p> <p>Jonathan Perks requested alternative options to the design and land impact currently proposed. National Highways to review alternative design options on Alexander and Angell's land.</p> <p>Jonathan Perks requested further information about land impact as the area of land to be taken permanently for the purposes of the scheme has increased.</p> <p>Jonathan Perks questioned the access proposed around Alexander and Angell's field and the current location of the construction compound.</p> <p>Alexander and Angell Ltd asked what will happen to the footpaths during the construction of the scheme. It was explained that any footpaths will be temporarily diverted as appropriate. Oliver</p>

		<p>Kirkham to provide the draft Public Rights of Way (PRoW) Management Plan to show the proposed PRoW's as part of the scheme.</p> <p>Alexander and Angell Ltd raised concerns about the rat-running that will be created by the scheme down Birdlip Hill to Brockworth.</p> <p>Alexander and Angell Ltd raised concerns that another pinch point will be created coming off the A417 to the A436 due to the new housing at Brockworth. National Highways explained that the roundabout at Air Balloon will be removed as part of the scheme. This will help to improve traffic flow in the local area.</p> <p>Alexander and Angell Ltd raised concerns that rat-running will be created going towards Brockworth. Alexander and Angell Ltd asked whether the scheme has considered the new housing that is to be built in the local area. It was explained that the additional housing to be developed has been considered as part of the scheme assessment.</p> <p>Alexander and Angell Ltd questioned the drainage impact the scheme will create. It was explained the overflow from the basin will connect to the culvert water course on Dog Lane.</p> <p>Alexander and Angell Ltd raised concerns about the flooding that could be created and the level of mitigation to be installed. It was explained that the drainage attenuation basin will be bigger than what it is currently and considers future drainage requirements.</p> <p>Alexander and Angell Ltd asked about the excess waste soil that will be created by the scheme. It was explained that soil waste created will be used for landform elsewhere on the scheme.</p> <p>Alexander and Angell Ltd requested that land is provided for the purposes of grazing horses and making hay. National Highways to review Alexander and Angell's request to see if it is possible as part of the scheme works.</p>
29/01/2021	Email Correspondence	Draft accommodation works plans issued to Alexander and Angell Ltd for comment.
08/02/2021	Targeted Landowner Consultation	Correspondence issued to Alexander and Angell Ltd notifying them of the beginning of the targeted landowner consultation.
11/02/2021	Meeting (Virtual)	<p>Meeting with Alexander and Angell Ltd as part of the targeted landowner consultation. Alexander and Angell Ltd raised significant concerns and requested justification for the land bunds proposed on their field. Alexander and Angell Ltd challenged their land being acquired permanently for the purposes of mitigation for the scheme.</p> <p>It was explained to Alexander and Angell Ltd it is still intended that their land will be used for a construction compound for the scheme. It was explained that after the compound has been in</p>

		<p>place then the land will be used for the purposes of mitigation including the calcareous grassland and woodland.</p> <p>Further detail about the earth bunds proposed were provided. The earth bunds will be small mounds with a low gradient.</p> <p>Alexander and Angell Ltd asked for clarification about the gradient on the northern side of the earth bund closest to the scheme. The bunds are proposed for the purposes of landscaping. The bund's will create some planting and biodiversity benefits but is not ecological mitigation.</p> <p>Alexander and Angell Ltd strongly objected to the bunds and ecological mitigation proposed. These proposals would result in the loss of prime agricultural land. Jonathan Perks stated there is more appropriate land in the local area of the scheme. Jonathan Perks and Alexander and Angell Ltd disputed that their land being used for the compound should mean that their land is then used for ecological mitigation.</p> <p>The possibility of a Section 253 Agreement is to be explored further when the issues regarding the land bund and ecological mitigation are resolved.</p> <p>Jonathan Perks stated that if the earth bunds proposed are put in place, then there is an argument for the access track to be revised and the location of the pad on their land is revised. Jonathan Perks notified National Highways that Alexander and Angell Ltd object strongly to the proposed ecological mitigation and will object to the scheme at public enquiry if required. Jonathan Perks wishes to avoid making a representation at public enquiry but will do so if the mitigation proposed is not removed from Alexander and Angell's land.</p> <p>Jonathan Perks reiterated that Alexander and Angell Ltd dare not challenging the location of the compound, but land should not be degraded as a result of it being identified for such a use. Alexander and Angell Ltd stated that in a previous meeting National Highways said the land could be restored to a relatively good condition. It was explained that best efforts will be made to restore the land to its previous quality.</p> <p>National Highways to review these issues and respond appropriately on some of the more detailed questions.</p> <p>Jonathan Perks asked if the ditch between the two bunds is open or piped. It was explained it could be either. Design can be adapted to shadow existing drainage flow.</p> <p>National Highways explained that if the access track moves then the drainage ditch may also need to move. Alexander and Angell Ltd stated a preference for the drainage to be piped and pick up the existing drainage flow from the south.</p> <p>Jonathan Perks raised concerns about flooding created along the eastern boundary with FlyUp from when the road was constructed in the 90's. Jonathan Perks requested that National Highways reviews this as part of the scheme design.</p>
--	--	---

		Future meeting to be arranged to discuss the land bunds and ecological mitigation proposed on Alexander and Angell's field.
19/03/2021	Meeting (Virtual)	<p>Follow up meeting with Alexander and Angell Ltd to discuss the issues identified at the meeting on the 11th February 2021.</p> <p>National Highways explained the landscaping and ecological mitigation proposed on Alexander and Angell's site. This includes the calcareous grassland and woodland (ecological) and landscape bunds (landscape).</p> <p>It was explained that the location of the basin has been moved as further information about existing drainage flow was received from Gloucestershire County Council. The new basin location allows for better drainage performance in consideration of existing and future flows. Jonathan Perks asked if the drainage flows went to Bentham. It was explained that the drainage flows head west down Crickley Hill.</p> <p>The bunds will be a maximum of one or two metres in height. The bunds are designed so Alexander and Angell Ltd can still have machinery on the field. The gradient of the bund will be 1 in 8 on the front (south) and 1 in 12 on the back (north) side.</p> <p>National Highways explained that the bunds will help to create ecological enhancement but will not be mitigation. Jonathan Perks raised concerns about the bunds proposed. National Highways agreed to review the provision of the land bunds at the detailed design stage of the scheme.</p> <p>Jonathan Perks and Alexander and Angell Ltd raised concerns about the ecological mitigation proposed on the site. The aim of the woodland planting is to maintain a woodland strip adjacent to the A417. Trees will be lost as a result of the scheme so need to be replaced.</p> <p>National Highways explained that the woodland planting and calcareous grassland proposed has been identified as essential ecological mitigation. The scheme ecologist stated that 4 rare species of bat would use the woodland corridor created for commuting. The calcareous grassland would be used for foraging for owls and bats.</p> <p>Jonathan Perks commented that quite a large area of woodland planting is proposed. Alexander and Angell Ltd stated the trees are encroaching a lot more than necessary on their field. The scheme ecologist stated the woodland tree line could be reviewed.</p> <p>Jonathan Perks stated that government guidelines do not recommend arable land being lost for the purposes of ecological mitigation. Jonathan Perks stated everything National Highways have done so far has been on the assumption that the Alexander and Angell's field will not be profitable in the future. Jonathan Perks explained that if this design had been put forward on day one then Alexander and Angell Ltd would have rejected it. Jonathan Perks stated unless National</p>

		<p>Highways are willing to accept that the mitigation and bunds can be moved then Alexander and Angell Ltd will object to the scheme.</p> <p>Jonathan Perks stated that Alexander and Angell Ltd will accept a thin line of trees for the purposes of mitigation. Alexander and Angell Ltd said experience from similar scheme suggests the land won't be profitable once the proposed works are complete.</p> <p>It was explained that a balance needs to be struck between environmental impacts and affecting arable land.</p> <p>Jonathan Perks stated that greater justification is required for the mitigation in this location. Land elsewhere in the local area would be more suitable for the purposes of mitigation. National Highways to prepare a summary note providing justification for the ecological mitigation proposed as part of the scheme.</p> <p>The scheme ecologist stated there is a drive to create calcareous grassland in this area. The other site identified as suitable for calcareous grassland relating to the scheme is being used for this purpose. Jonathan Perks stated that the calcareous grassland proposed on Alexander and Angell's land is not replacing like for like and they oppose that strongly.</p> <p>Alexander and Angell Ltd raised concerns that barn owls did not roost in the areas identified. Ecological surveys identified roosting spots for barn owls in the area.</p> <p>Jonathan Perks raised concerns that the justification for the land take changes at each meeting. The justification previously related to the compound and now it's about ecological mitigation. It was explained that it wasn't intended for the site's only use to be for the purposes of a compound.</p> <p>Financial schemes could be available for Alexander and Angell Ltd to manage their site to create environmental benefits. Jonathan Perks stated these schemes aren't confirmed so can't be relied upon.</p> <p>Jonathan Perks stated the grazing proposed on the site is very restrictive for Alexander and Angell Ltd and will damage their business. Alexander and Angell Ltd would lose money currently to manage the site in the way proposed.</p> <p>A Section 253 agreement and means of compensation is to be explored with the DVS. DVS to contact Jonathan Perks to discuss.</p> <p>Jonathan Perks raised concerns that issues raised at previous meetings aren't being addressed. Jonathan Perks stated he could recommend alternative sites in the local area for environmental mitigation. Alternative site locations to be provided.</p> <p>Jonathan Perks asked if the access road to FlyUp (which passes through land owned by Alexander and Angell Ltd) will be wide enough for the purposes discussed previously. National Highways confirmed it will be wide enough.</p>
--	--	--

		<p>Jonathan Perks asked about the water pipe going through Alexander and Angell's field. The scheme drainage specialist said the pipe can be changed to suit the final shape of the land. General improvements can be made to consider the land bunds and design.</p> <p>Alexander and Angell Ltd asked if they will be responsible for drainage. Land drainage will mirror existing flows.</p> <p>Jonathan Perks raised concerns about the negative drainage impact created by the scheme in the 90's. The drain never did the job it was supposed to on the border with FlyUp. The scheme drainage specialist stated the drainage will be intercepted by a new ditch. Alexander and Angell Ltd explained the issues with the existing drainage infrastructure. National Highways to review the concerns raised and check what was done previously.</p> <p>Alexander and Angell Ltd asked if they were to take their land back could they do some restricted grazing. Some grazing could occur and it would likely be allowed in the autumn/spring time. Justification for the ecological mitigation was provided. Alexander and Angell Ltd requested further detail about why Alexander and Angell's site is the most appropriate for calcareous grassland use when other sites in the local area are more suitable. Further detail to be provided by National Highways.</p> <p>The location of the bunds proposed will be reviewed during the detailed design stage of the scheme.</p> <p>S253 and land acquisition discussions are to be advanced by the DVS.</p>
28/04/2021	Email Correspondence	National Highways provided an updated Position Statement to Alexander and Angell Ltd for comment.
28/05/2021	Email Correspondence	<p>Email correspondence issued by Jonathan Perks to National Highways.</p> <p>Concerns were raised about the Position Statement being one sided. Further issues raised in the correspondence included concerns about the quality of engagement completed by National Highways, justification for the land take proposed and environmental mitigation.</p> <p>Proposed updates were provided for the Position Statement to address Alexander and Angell's concerns.</p>
16/08/2021	Email Correspondence	Ecological mitigation note was issued to Alexander and Angell. The note provided detail about the ecological works proposed as part of the scheme mitigation works.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Intrusive site investigation works licence - 2020	The licence for the intrusive site investigation works was reissued to Alexander and Angell Ltd for review and signature.	The intrusive site investigation works licence was signed and agreed by Alexander and Angell.
2	Attenuation Basin Positioning	Alexander and Angell Ltd wish to use the field where the attenuation basin is proposed. Alexander and Angell Ltd requested that the basin is moved to the east to reduce the level of impact it could create. Alexander and Angell Ltd wish to install a reservoir south of the basin location.	The attenuation basin has been moved on Alexander and Angell's land. The basin has been moved following discussions with Gloucestershire County Council and further review of existing drainage systems.
3	Concrete Pad	Mr Hope explained Alexander and Angell Ltd need to retain the use of the concrete pad that is shown as part of the construction compound/ ecological mitigation.	The concrete pad has been retained for Alexander and Angell's use.
4	Access Track	Alexander and Angell Ltd raised concerns about access to their farm because of the scheme. If the northern access routes proposed are used for the construction compound, access will be required to enter the field from the west. This will need to avoid the concrete pad that's currently used for farm operations. The new access point should also allow for access to the southern fields.	The access route and the dimension proposed are considered appropriate after review. It was National Highways understanding that Alexander and Angell Ltd approved the access to the south of their land interest impacted by the scheme. The issue regarding the access track was not included in Alexander and Angell's relevant representation response. National Highways position is that this matter is now agreed.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Matter Position
1	Ecological Mitigation – Calcareous Grassland	<p>Alexander and Angell Ltd object to the creation of calcareous grassland proposed on their land.</p> <p>Alexander and Angell Ltd accepted the sites use as a construction compound but object to the assumption that land will be incapable of reinstatement to productive arable use so should be used for ecological mitigation.</p> <p>Alexander and Angell Ltd raised concerns about the Wildlife Trust’s Nature Recovery Map being used to inform the decision to plant calcareous grassland on their site.</p>	<p>The proposed calcareous grassland is essential ecological mitigation and serves two purposes:</p> <ul style="list-style-type: none"> • Scheme wide – To provide replacement grassland for grassland lost during construction within the DCO boundary, focussing on provision of priority habitat type - lowland calcareous grassland in line with the Area of Outstanding Natural Beauty (AONB) and overall scheme vision. • Local – Provision of replacement foraging habitat in a location where bats and barn owls are known to be, based on ecological surveys completed. The attenuation basin is likely to attract invertebrate species and therefore bats to this area. Creating grassland adjacent to the attenuation basin maximises this foraging habitat provision and biodiversity delivery. <p>The calcareous grassland will provide foraging habitat for bats. The attenuation basin will provide ephemeral habitat for invertebrates therefore increasing the foraging resource for bats. The calcareous grassland will also provide foraging habitat for barn owl’s known to be roosting in the area.</p> <p>In collaboration with key environmental stakeholders, the Wildlife Trust’s Nature Recovery Map has been carefully considered in the design of habitat as ecological mitigation.</p> <p>The Map suggests open habitat or woodland as a lower priority is appropriate for the Alexander Angell</p>

			<p>land. The planting proposed in this area responds with this.</p> <p>As part of the proposed scheme mitigation, the area of calcareous grassland across the scheme is increased by approximately 70ha. Although this is a large gain of calcareous grassland, there is not a large gain in grassland habitat overall. In total there is a loss of 82.41ha of all grassland types during construction of the scheme and replanting of 83.01ha. This results in a gain of only 0.5ha of grassland habitat throughout the scheme. The reason for creating calcareous grassland habitat is to provide a gain in priority habitat that is appropriate and typical of the AONB and to provide additional benefit to biodiversity. This approach has been agreed with key environmental stakeholders, as recorded in the Statement of Commonality (Document Reference 7.3, APP-419).</p> <p>As well as providing ecological mitigation for bats, the land will be restored to create species rich grassland habitats, woodland belts, additional hedgerows and scattered trees to provide a greater benefit to biodiversity than the previous arable field.</p> <p>Alexander and Angell Ltd did not provide detail or supporting evidence for alternative locations for the calcareous grassland. Recommendations were provided as general comments and suggestions in landowner meetings.</p> <p>National Highways ecological mitigation site selection assessments have identified Alexander and Angell's land to be the most appropriate for the woodland planting and calcareous grassland proposed as set out in ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039). Habitat creation of either woodland or grassland for ecological mitigation has been maximised within the rest of the DCO boundary as</p>
--	--	--	--

			<p>shown in Figure 7.11 Environmental Masterplan (Document Reference 6.3, APP-166 to APP-192). Alternative locations for essential mitigation have been considered but discounted. For example, a previous field identified for a compound towards the eastern end of the scheme was ruled out for compound use and for subsequent habitat creation (both of which would require top-soil stripping) due to the discovery of archaeological features.</p>
2	Ecological Mitigation – Woodland Planting	<p>Alexander and Angell Ltd object to the woodland planting required for the purposes of ecological mitigation currently proposed.</p> <p>Alexander and Angell Ltd accepted some woodland planting for the purposes of site-specific ecological mitigation for bats. Alexander and Angell Ltd requested that the existing woodland planting proposals is reduced to a “thin line of trees” on their land.</p>	<p>The woodland planting and calcareous grassland creation serves a local and scheme wide need. The proposed woodland planting is to maintain and improve a woodland strip adjacent to the existing A417 which is being lost because of the scheme. This woodland planting forms essential ecological mitigation in terms of woodland replacement and specifically about bats as a European Protected Species. ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) states that bats use the wooded corridor to the north and south of the A417 to cross the road where the tree canopies create the most cover. Bats also cross under the existing road underpass using the tree lines either side.</p> <p>Woodland planting is proposed along the northern boundary of Alexander and Angell’s field to provide connectivity for bats to continue commuting. The tree line will create a dark and sheltered route which bats can follow away from the mainline of the scheme. Hedgerows proposed along the adjacent field boundaries offer further connectivity of habitat for bats and other wildlife to the wider landscape.</p>
3	Land for agricultural purposes	Alexander and Angell Ltd request that as much land as possible is provided for agricultural purposes.	National Highways have explained that low intensity grazing can take place on Alexander and Angell’s land.

			<p>Alexander and Angell's land needs to be managed appropriately for the purposes of biodiversity. A single hay cut, the use of no fertilisers and no horse grazing have been suggested future uses of the land if Alexander and Angell Ltd were to maintain ownership through a Section 253 Agreement.</p> <p>Alexander and Angell Ltd do not consider the ecological management requirements to be economically attractive.</p>
4	Accommodation works	<p>At the landowner meeting on the 10th November 2020 accommodation works to be provided as part of the scheme were discussed.</p> <p>Accommodation works plans were issued to Alexander and Angell Ltd in January 2021.</p>	<p>Accommodation works are to be developed and agreed during the detailed design stage of the scheme.</p>
5	Land Acquisition	<p>Alexander and Angell Ltd object to the permanent acquisition of their land for the scheme.</p>	<p>The requirement that only limited grazing would be able to take place and that the field cannot be used is economically unattractive to Alexander and Angell Ltd. As such they object to the permanent land acquisition and the option of a S253. Control of the land is required to ensure that essential mitigation can be delivered and maintained.</p>
6	Proposed Landform Creation	<p>Alexander and Angell Ltd request that the land bunds proposed are removed from their field.</p>	<p>National Highways have agreed with Alexander and Angell Ltd that the bunds will be removed at the detailed design stage of the scheme.</p> <p>This commitment is included in this Position Statement as agreed with Alexander and Angell.</p>
7	Landowner Engagement and Consultation	<p>Alexander and Angell Ltd stated that the scheme consultation has been defective. Concerns were raised about the engagement completed being a 'box ticking' exercise as to consulting with landowners rather than entering meaningful discussions with them.</p>	<p>Alexander and Angell Ltd raised concerns about the quantity and quality of the landowner engagement completed in relation to the scheme.</p> <p>The Consultation Report (Document Reference 5.1, APP-027) evidences how National Highways has complied with all statutory requirements for conducting</p>

			<p>consultation prior to submitting an application for development consent.</p> <p>National Highways has undertaken an extensive programme of engagement with stakeholders and landowners including Alexander and Angell, as evidenced in the Consultation Report (Document Reference 5.1, APP-027), Statement of Commonality (Document Reference 7.3, APP-419) and Position Statement with Alexander and Angell.</p> <p>This has included engagement during formal periods of statutory and non-statutory consultation, and informal engagement that has taken place throughout the development of the DCO application.</p> <p>The following landowner meetings and site visits have taken place with Alexander and Angell Ltd throughout the Application stage of the DCO:</p> <ul style="list-style-type: none"> • 30th January 2020; • 9th April 2020; • 10th November 2020; • 11th February 2021; and • 19th March 2021. <p>Email correspondence was sent to Alexander and Angell Ltd throughout the development of the scheme to address concerns raised. This has included updates at key stages during the scheme development. As well as the meetings recorded in the list above, telephone calls have taken place with Alexander and Angell Ltd and Jonathan Perks to provide updates.</p> <p>Alexander and Angell Ltd raised concerns about the length of time it took to receive information and detail when requested at landowner meetings. Due to the complex nature of some of the concerns raised by Alexander and Angell, appropriate research and consideration was required to provide a full response</p>
--	--	--	--

			<p>to concerns raised. This meant time was required to prepare an appropriate response.</p> <p>With the acceptance of the DCO into the examination process by the Planning Inspectorate the consultation undertaken by the scheme in the past has been found to be adequate under the Planning Act 2008.</p>
8	Agricultural Land Impact	Alexander and Angell Ltd have stated that the scheme conflicts with government guidance and policy regarding agricultural land impact.	<p>National Highways considers the scheme will comply with government guidance and policy regarding agricultural land impact, with details provided in Chapter 6 of the Case for the Scheme (Document Reference 5.1, APP-027).</p> <p>Paragraph 5.168 of the NPSNN refers to agricultural land and the Case for the Scheme cross refers to the conclusions made in ES Chapter 12 Population and human health (Document Reference 6.2, APP-043). It also sets out how, with measures in the ES Appendix 2.1 EMP (Document Reference 6.4, APP-317), the scheme would seek to minimise potential effects on soil quality where temporary land take is proposed. It is therefore considered that the scheme complies with the NPSNN in relation to agricultural land.</p> <p>The assessment of Agricultural Land Classification (ALC) is provided in ES Chapter 9 Geology and soils (Document Reference 6.2, APP-040). Alexander and Angell's land is 'Grade 3A' agricultural land. The identification of baseline conditions for soils is primarily based on the ALC survey information included within ES Appendix 9.6 Agricultural land classification report (Document Reference 6.4, APP-389) and presented in ES Figure 9.6 Agricultural land classification (Document Reference 6.3, APP-389). ES Chapter 12 Population and human health (Document Reference 6.2, APP-043); in accordance with DMRB standard LA112, assesses the Alexander and Angell Ltd land holding as development land and a business. It</p>

			concludes that it would be of low sensitivity and experience a minor magnitude of impact, given the proposals involve a small proportion of permanent land take that is unlikely to compromise the overall viability of the holding, whilst there would be no change in relation to accessibility. 6.19ha of 34.73ha land (18%) would be permanently taken. Overall, it concludes there would be a slight adverse effect, which is not significant.
9	Drainage	<p>Alexander and Angell Ltd raised concerns about the drainage issues the 1990's scheme created on their land.</p> <p>Alexander and Angell Ltd asked whether the drainage proposed between the two bunds will be open or closed. Alexander and Angell Ltd stated a preference for existing drainage paths to be followed.</p>	<p>National Highways can provide an open or a closed drain in this location. Existing drainage routes will be followed where possible.</p> <p>National Highways are awaiting confirmation from Alexander and Angell Ltd that this matter is closed.</p>

Landowner Position Statement – Field

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners) directly impacted by the A417 Missing Link project. These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement with Mr and Mrs Lisa Field as a landowners impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Mr and Mrs Field during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to their land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.
- 1.1.5 This Position Statement has been updated in December 2021 in order to ensure that matters raised through Relevant Representation and Written Representation submissions have been considered and responded to.

Table 1 Record of Key Landowner Engagement

Date	Form of correspondence	Key topics discussed and key outcomes
27/09/19	Land Interest Consultation Invitation - Letter	Meeting arranged with Mr Field for the 10/10/2019.
10/10/2019	Meeting	<p>Meeting with Mr & Mrs Field to discuss the scheme and potential land take. The meeting included a discussion about the following:</p> <ul style="list-style-type: none"> • Design request for existing trees established for landscaping for the 1993 A417 scheme to be reduced in height. • Concern about noise levels. • Request to remove a drainage basin from the Field's land. • Explanation about the compounds required during construction.
06/2/2020	Meeting	<p>A meeting took place with the Field's at the National Star College. Discussion included:</p> <ul style="list-style-type: none"> • Access concerns • Height of existing landscape planting from previous road scheme • Drainage design (it was established that the suggested route for drainage conflicts with existing soak away and septic tank).. • Impacts of construction. • Noise mitigation. • Request to redesignate and redesign lay-by.
13/10/2020	Statutory Consultation Notification	Correspondence issued to the Field's notifying them of the beginning of the public consultation.
02/11/2020	Meeting	<p>A meeting took place on site to discuss existing drainage and landscaping issues for the scheme. The drainage and landscaping proposed was explained to the Field's. The Field's provided comments which will be considered and used to inform a review of the design proposed.</p>
26/01/2021	Email Correspondence	Draft accommodation works plans issued to Mr & Mrs Field for comment.

Date	Form of correspondence	Key topics discussed and key outcomes
08/02/2021	Targeted Landowner Consultation	Correspondence issued to Mr & Mrs Field notifying them of the beginning of the targeted landowner consultation.
16/02/2021	Meeting (Virtual)	<p>Meeting as part of the targeted landowner consultation to discuss the lay-by, drainage and landscape.</p> <p>National Highways to review the proposed drainage design across the Field's land. Review to consider existing drainage infrastructure in place.</p> <p>Mr & Mrs Field object to the proposed lay-by on the southern boundary of their land interest. National Highways to review the justification and design of the lay-by as requested.</p> <p>Landscape discussions are ongoing with Mr & Mrs Field.</p>
05/05/2021	Meeting (Virtual)	Meeting to discuss the lay-by, drainage and landscape.
1/11/2021	Meeting in person	<p>Meeting to update and discuss the scheme. Main points were:</p> <ul style="list-style-type: none"> • Land take • Lay-by • Drainage route • Land boundary west • Land to the east • Field access

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Attenuation Basin	The Field's raised concerns about the proposed location of the attenuation basin proposed south of dog lane. The Field's were concerned that the attenuation basin would impact their own drainage infrastructure serving their property.	The impact that the attenuation basin would have on the Field's was assessed and the basin was moved south of the A417 off their land holding. This was the decided course of action after reviewing whether the existing pipes could be moved. The proposed relocation of the pipework is still being considered.
2	Access	The Field's request that the scheme is designed to allow for unimpeded access to their field for the land plot 845/1.	The Field's will be able to access their field during the construction and operation of the scheme. A permanent right is to be created to confirm this position. .
3	Drainage	The Field's raised concerns about the drainage pipe going through their land for the purposes of the scheme. The Field's questioned why the pipeline could not run along the whole of the south side of their property on National Highways land and only enter their property after the last manhole on National Highways side of the boundary.	The route of the drainage pipe has been revised to take the minimum amount of land and also lie as far to the west of the Field's land holding as possible.
4	West Boundary Land	The Field's raised concerns about their western boundary land that they state was wrongly taken by National Highways for the scheme back in the early 90's. The Field's request that this matter is resolved before the end of the scheme's construction. The Field's stated that the trees should be cut down and left at the property and all roots removed by National Highways.	The previous scheme created an incorrect land ownership boundary. As such during the preliminary works for the A417 missing link scheme, the fence line will be moved and appropriate vegetation clearance undertaken to provide the land back to the Field's and show the correct land ownership boundary.

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
5	Small additional Land Area U00275d	The Field's state that the land parcel U000275d; which has been assigned to them, should not result in any management burdens being placed upon them.	This area of land is a small area of road verge, consisting of some 12 square metres of woodland planting. There are no management requirements for the land in question.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Accommodation works	The Field's request that a permanent and secure structure is provided for security purposes next to the lay-by. The Field's suggest a Gabion fence is installed and the lay-by is used for 'emergency use' only.	Accommodation works are to be developed and agreed as the scheme progresses.
2	Land acquisition	No land acquisition discussions are to commence until the exact nature of the lay-by is known.	Land acquisition discussions cannot progress until the final nature of the lay-by is known. Land to be acquired by GVD.
3	Landscaping	<p>The Field's raised concerns about the landscape planting completed for the scheme in 1993 that has not been properly managed or maintained.</p> <p>The Field's state that it was promised that the tree planting would be kept at a certain height, but this has not happened.</p> <p>The Field's request that further trees are not planted on their land as part of the landscape mitigation works and is properly managed going forward.</p>	<p>The landscape-led approach to this scheme has brought together specialists and stakeholders from a range of disciplines to reach a balanced design solution that responds to the sensitive nature of the environment in the local area and consider landowner concerns. National Highways have considered the comments received from the Field's in relation to planting.</p> <p>National Highways intend to maintain the height of the trees located on the north side of the east bound carriageway.</p> <p>An agreement between National Highways and the Fields' will need to be created for the management of the proposed planting.</p> <p>Full details of planting management and specifications and tree species proposed will be detailed within ES Appendix 2.1 EMP Annex D LEMP (Document Reference 6.4). Tree species selected will be appropriate for the local character of the area.</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
			National Highways are currently reviewing ways to reduce visual impact and to allow for more appropriate species mix on their land. Details of which will be provided as part of the detailed design phase.
4	Lay-by	The Field's object to the lay-by proposed on the southern boundary of their land. The Field's believe that the lay-by will be used for anti-social purposes and will have a negative security impact on their land interest.	National Highways is aware of the concerns the Field's have about the lay-by proposed. The lay-by has been positioned in consideration of DMRB guidance. The final design of the lay-by is likely to be an emergency lay-by that is reduced in size and can only be used for emergencies. The lay-by will have a Traffic Regulation Order that allows the police to move people on. This prevents for instance the lay-by being used by refrigerator lorries overnight.
5	Security	The Field's requested security in the form of a Cotswold stone wall or caged stone gabions on the south side of their property. Also that the southern should be secure during construction.	National Highways will review the request for Cotswold Dry Stone walls to be used for the purposes of the scheme boundary works. Cotswold stone walling could be proposed on the landowner's side of the boundary to a height of 1.2m, in combination with the highways boundary fencing along the lay-by. The boundary design will be progressed during the detailed design stage. During construction the work area will be fenced off and appropriate security measures will be put in place by the contractor.
6	National Highways land to the east	The Field's request that if the triangle of land on the east side of their property (that currently belongs to National Highways is sold, they get first refusal.	The land is currently identified as being required by the scheme on a temporary basis. This is because then exact nature of the utilities and drainage in this area are unknown. As the land is not required on a permanent basis by the scheme it will have to be

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
			<p>declared surplus prior to any sale agreement. The land formerly belonged to Crickleigh Hill Farm, therefore it would have to be offered to any living descendants of the former owner before being sold.</p>
7	Communication	<p>The Field's raised concerns about the quality and quantity of the engagement completed for the scheme. The Field's requested minutes from meetings that took place as part of the landowner engagement.</p>	<p>National Highways has continued to consult and engage with affected landowners throughout the design of the scheme. This is set out in the Consultation Report (Document Reference 5.1), which evidences how National Highways has met the statutory consultation requirements for a Nationally Significant Infrastructure Project under the Planning Act 2008. Ongoing engagement has occurred with landowners throughout the development of the scheme. National Highways will have a landowner liaison in place during the construction of the scheme. This person will be a point of contact to discuss issues relating to the scheme the landowner may have. National Highways continues to work through the matters outstanding in relation to the landowner. Detail of the matters outstanding and agreed and a record of key engagement is recorded in the Position Statement developed for the landowner.</p>

Landowner Position Statement – Ford

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners directly impacted by the A417 Missing Link project (the scheme). These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement regarding Mr and Mrs Ford’s position as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Mr and Mrs Ford during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to his land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.
- 1.1.5 This document has been updated in December 2021 in order to capture any matters raised through Relevant Representations or Written Representation submitted at the relevant Examination Deadlines.

Table 1 Record of Engagement

Date	Form of correspondence	Key Topics Discussed
27/09/2019	Land Interest Consultation Invitation - Letter	Meeting arranged with Mr & Mrs Ford for 22 October 2019.
22/10/2019	Meeting	<p>Mr & Mrs Ford's main concerns related to access, damage to his land as a result of the construction compound and delays in compensation.</p> <p>A summary of the issues and topics discussed were:</p> <ul style="list-style-type: none"> • Use of the land for a construction compound • Land productivity after compound use • Mr & Mrs Ford requested for the construction compound and the small section of land to the north of the main land parcel to be moved. • Mr & Mrs Ford expressed concern that his costs have not been met regarding completion of the land interest questionnaire • Area to the west of Mr & Mrs Ford's land plot to be used for temporary works and could potentially be a storage site during construction.
13/01/2020	Land Interest Consultation Invitation - Letter	Meeting arranged with Mr & Mrs Ford for the 30 January 2020.
30/01/2020	Meeting	<p>Mr & Mrs Ford had concerns regarding the location of the construction compound and the impact the scheme construction would have on his farms ability to operate as vehicle access would be required at all times.</p> <p>A summary of the issues and topics discussed were:</p> <ul style="list-style-type: none"> • Use of the land for a construction compound • Vehicle Access <p>Mr & Mrs Ford explained that he had no objection to the principle of development. National Highways took an action from the meeting to explore alternatives for the construction compound location.</p>
04/08/2020	Meeting	The purpose of this meeting was to explain the design changes for the scheme relating to the 8% gradient change and the removal of the green bridge.

		<p>A description of the proposed archaeological works on Mr & Mrs Ford's land was provided. It was confirmed that the majority of the land take for Mr & Mrs Ford would only be temporary for the purposes of the construction compound.</p> <p>Small sections of Mr & Mrs Ford's land are required permanently for the new Cowley Junction that leads to the underpass at the eastern end of the scheme.</p> <p>It was agreed that the archaeological licence for the site investigation works would be reissued to Mr & Mrs Ford for signature.</p> <p>Mr & Mrs Ford raised concerns that his land would be used as a soil dump for the scheme construction works. It was confirmed to Mr Ford that it is not intended to use his land for this purpose.</p>
13/10/2020	Statutory Consultation Notification	Correspondence issued to Mr & Mrs Ford notifying him of the beginning of the public consultation.
13/11/2020	Meeting	Mr & Mrs Ford agreed in principle to sign the licence. Land acquisition meeting to be arranged when the licence has been signed.
29/01/2021	Email Correspondence	Draft accommodation works plans issued to Mr & Mrs Ford.
08/02/2021	Targeted Landowner Notification	Correspondence issued to Mr & Mrs Ford notifying him of the beginning of the targeted landowner consultation.

Table 2 Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Land acquisition	At the landowner meeting on the 13th November, land acquisition discussions began. Your agent has stated that as land values may change in the intervening time period the decision has been taken to wait for compulsory acquisition.	Land is to be acquired by GVD.
2	Cowley Wood Lane	Mr & Mrs Ford raised concerns about the planned stopping up of Cowley Wood Lane to become a private means of access and public right of way. This route is currently used for agricultural purposes and no detail has been provided on whether this may continue.	Access to Mr & Mrs Ford's fields would be maintained as part of proposals to designate a Private Means of Access. Access to the two residential properties would also be maintained.
3	Access	Mr & Mrs Ford stated that access to his property should not be impinged at any point during the construction of the road or after completion.	Access will be maintained to Mr & Mrs Ford's property during the construction phase.

Table 3 Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Compound compensation	Concerns raised that no compensation would be paid for the compound being located on the land holding.	National Highways can only compensate for losses incurred from the use of the field as a construction compound. A detailed summary of the compensation available will be provided prior to the commencement of works and will be agreed by the District Valuer Service.
2	Accommodation works	Mr & Mrs Ford has outlined that accommodation works remain a matter for agreement.	Draft accommodation works plans were issued to Mr & Mrs Ford on the 26th January 2021 and these will continue to be developed with Mr & Mrs Ford as the detailed design progresses.
3	Compound location	The location of the planned construction compound has been disputed given its location on an arable field (Grade 3a).	Following this, the compound location has been reviewed. It's location on Mr & Mrs Ford's land was selected on balance in light of other key constraints on other areas available to the scheme and is considered essential for the purposes of construction. The land would be managed in line with the submitted EMP and Soil Management Plan.

Landowner Position Statement – de Lisle Wells

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners directly impacted by the A417 Missing Link project. These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement regarding Robert, Patricia and Sarah de Lisle Wells position as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Robert, Patricia and Sarah de Lisle Wells during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to this land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.
- 1.1.5 This Position Statement has been updated in December 2021 in order to capture matters raised in Relevant Representation and Written Representation submitted into the Examination at the appropriate deadlines.

Table 1 Record of Key Landowner Engagement

Date	Form of correspondence	Key Topics Discussed and key outcomes
10/10/2019	Meeting	<p>A meeting was arranged with the landowner on the 10 October 2019.</p> <p>The following actions were taken by National Highways from the meeting:</p> <ul style="list-style-type: none"> • Identify what specialist legal advice can be provided in relation to the scheme. • Send a new copy of the land plans to Mr and Mrs de Lisle Wells and Bruton Knowles. • Mitigation measures close to de Lisle Wells land are to be explored.
6/5/2020	Meeting (Virtual)	<p>The following main points were discussed:</p> <ul style="list-style-type: none"> • Landscape planting • Land form bund • Access • Noise • Land take • Scheme design
13/10/2020	Statutory Consultation Notification	Correspondence issued to the de Lisle Wells' notifying them of the beginning of the public consultation.
26/01/2021	Email Correspondence	Draft accommodation works plans issued to the de Lisle Wells for comment.
08/02/2021	Targeted Landowner Consultation	Correspondence issued to de Lisle Wells notifying them of the beginning of the targeted landowner consultation.
22/02/2021	Meeting	Meeting took place with the de Lisle Wells on site to discuss noise, traffic and landscaping.
15/04/2021	Meeting	Meeting took place with the de Lisle Wells on site to discuss design and impacts of the scheme. In addition, the discretionary purchase application.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matters	National Highways Position
1	Public Transport	The existing bus stop on the A417 above the Air Balloon roundabout will be lost as a result of the scheme. The de Lisle Wells stated that the Local Parish Councils have expressed support for this being re-located to the new access road. The de Lisle Wells ask that the scheme project team engages with the local authority on this matter to see if a bus stop can be provided.	The scheme stakeholder team have had discussions with the Parish Council. It has been explained to them that future bus service routes are to be determined. Gloucestershire County Council will have discussions with the bus operators to help determine future bus routes. Replacing the existing bus stop on the air balloon roundabout has been identified as a potential opportunity for future bus stop provision.
2	Additional Plans	The de Lisle Wells requested additional plans to show the level of impact created by the scheme.	Additional plans requested have been provided.
3	Face to face site meeting	Face to face site meeting requested to discuss the scheme.	Face to face meeting took place on 22 nd April 2021.
4	Visual Imagery	Landowner requested visual 3D imagery for the scheme from Cuckoopen Farm, the centre of the proposed road at the nearest point and the highest point from the bridge that will carry the pedestrian crossing/bridleway/cycle route.	3D visual imagery produced and issued to the landowner.
5	Ecology Surveys	The landowner requested a summary of the ecology surveys completed to date.	ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) provides an assessment of how the scheme would affect wildlife and habitats.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Landscaping	<p>The landowner requested further information and provided landscaping recommendations to be included as part of the scheme design.</p> <p>The landowner requested a mix of native species is used as part of the scheme landscaping.</p>	<p>The landscape design is shown in ES Figure 7.11 Environmental Masterplan (Document Reference 6.3, APP-166 to APP-192).</p> <p>Woodland planting has been proposed to the edge of this property to provide a level of landscape integration and visual screening.</p> <p>Species selection for new planting would include a diverse mix of native trees of local provenance where appropriate and characteristic of the local area. The use of some non-native species or native species of provenance between 1 degree and 5 degrees south is considered to provide resilience against the effects of climate change. Further detail about the planting proposed as part of the scheme can be found in the Environmental Masterplan that will be submitted in support of the DCO application.</p> <p>National Highways have noted the landowners request for no Yew or Silver Birch Trees to be planted.</p>
2	Drainage	<p>The de Lisle Wells requested that the drainage proposed on their land to be taken permanently has a covered drain to prevent blockages.</p>	<p>The effects of the scheme in relation to road drainage and the water environment, including groundwater and surface water, have been sufficiently assessed and consider potential impacts to flows and impacts on water quality. This is reported in ES Chapter 13 Road Drainage and the Water Environment (Document Reference 6.2, APP-044).</p> <p>The detail of the drainage and associated infrastructure to be installed will be confirmed at the detailed design stage of the scheme.</p>
3	Accommodation works	<p>Accommodation works to be provided as part of the scheme to be agreed.</p>	<p>Accommodation works to be developed and agreed as the scheme progresses.</p>

			Draft accommodation plans have been provided to the de Lisle Wells for comment.
4	HGV Access	The de Lisle Wells requested a passing to allow HGV access on the new access route proposed as part of the scheme.	National Highways has looked at the provision of passing places to allow for better access for Heavy Goods Vehicles (HGVs) to Cuckoopen Barn Farm. A passing place has been provided on the new private means of access from Shab Hill Junction. National Highways has provided passing places in locations where traffic assessments recommend them to do so.
5	Land acquisition	Land acquisition discussions to begin.	The land required by the scheme has been agreed to be acquired by a discretionary purchase application. The remainder has not at this time. Discretionary purchase application is still progressing.
6	Traffic	The de Lisle Wells requested information on traffic management approach during construction.	<p>National Highways will maintain access to impacted landowners whose sites remain operational throughout the construction and operation of the scheme. Any required access road closures would be agreed in advance with the landowner. Access to properties will be managed through the Construction Traffic Management Plan submitted in support of the scheme.</p> <p>National Highways has and will follow the appropriate design standards to accommodate Heavy Goods Vehicles (HGVs) in terms of gradient and turning radii.</p> <p>The access/exit will be designed to accommodate Heavy Goods Vehicles (HGVs) and ensure there is no blocking back onto the roundabout.</p> <p>Roundabouts that form part of the scheme have been designed and assessed to accommodate the predicted peak hour traffic flows for the 2041 design year.</p>

			<p>Unfortunately, the access road cannot be widened to two lanes, however, it will be wider than the existing road.</p> <p>The requirements of the businesses at Cuckoopen would be discussed in detail between National Highways and its appointed contractor should the DCO be granted.</p>
7	Noise Mitigation	<p>The de Lisle Wells requested further information about the noise mitigation to be installed at Shab Hill Junction.</p> <p>The de Lisle Wells requested that additional bunding is provided to shield their property from the scheme. This includes a small section at the south-east boundary of the current land take.</p>	<p>Additional landform on the boundary north of Rushwood Kennels would not provide any additional noise attenuation and therefore the land take required by the scheme cannot be justified.</p> <p>Woodland planting has been proposed to the edge of this property to provide a level of landscape integration and visual screening. Every consideration has been given in order to minimise the noise impact in this area, including low noise road surfacing, and by maximising noise screening as far as reasonably practicable from the use of earth bunding. The increase at this location is assessed as a 'not significant' noise effect. This is set out in ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042).</p> <p>The mitigation proposed as part of the current scheme design is considered to appropriately mitigate the noise impacts created for the de Lisle Wells'.</p> <p>The impact of the scheme on noise is assessed and reported in ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042). The new road would include a lower noise surface and specific noise mitigation, in the form of earth bunding and Cotswold stone walls to act as noise barriers. This has been incorporated to further reduce noise effects.</p> <p>The ES Appendix 2.1 Environmental Management Plan (EMP) (Document Reference 6.4, APP-317) and ES Appendix 2.1 EMP Annex B Construction Traffic</p>

			Management Plan (CTMP) (Document Reference 6.4, APP-319) outlines how the impact of construction on the environment, the road network and local communities will be managed.
8	Access	<p>The de Lisle Wells raised concerns about the proposed new access to their property required as a result of the scheme severing existing access.</p> <p>Such an access will need to be of sufficient width, gradient and no weight limits must be imposed on our client. In particular, the route design of the new access road would need to allow for articulated vehicles to pass and use Shab-Hill junction safely.</p> <p>Our client is concerned as to the future ownership of the access road and requires confirmation, once the scheme has completed, that it will remain as public highway in perpetuity, with full and unfettered permanent rights of access directly on to the public highway granted to my client.</p>	<p>Access requirements for this property have been discussed at landowner meetings and subsequently accounted for within designs. The proposed land acquisition within this area includes land for the construction and maintenance of the access road, landform / bund and landscape planting. Permanent land take is only proposed where necessary. Details of this proposal have been provided to the landowner in the form of land interest plans denoting land for permanent acquisition, temporary acquisition and temporary acquisition with permanent rights.</p>
9	Footpath Impact	<p>The de Lisle Wells stated that the decision to install a new bridge over the road for the footpath has the potential to cause unnecessary disturbance and trespass on their land.</p>	<p>Should the scheme proceed to construction, there would be a detailed design phase, when surfacing and other detailed matters such as enclosures would be agreed. PRoW's are considered as part of a Walking, Cycling and Horse-riding Assessment and Review, undertaken in accordance with the Design Manual for Roads and Bridges (DMRB), which is submitted as part of the ES (Document Reference 6.2, APP-032 to APP-049). Detail relating to fencing and gates to be agreed as part of the accommodation work discussions.</p>

10	Traffic Impact	<p>The de Lisle Wells stated that the class 5 highway that passes the end of their drive will be used as a rat-run by motorists avoiding traffic on the surrounding roads and this will only get worse during construction.</p> <p>The de Lisle Wells stated the roads use classification should be changed to a restricted byway.</p>	<p>National Highways is committed to keeping the A417 open to traffic, however acknowledges concerns expressed over the potential for disruption to the local road network and communities during scheme construction. National Highways will seek to reduce disruption while maintaining highway safety and has produced ES Appendix 2.1 EMP Annex B CTMP (Document Reference 6.4, APP-319), which sets out how the impact of construction on the environment, the road network and local communities will be managed. National Highways has worked with the local highway authority, Gloucestershire County Council, to identify any potential mitigation measures required for</p>
11	Consultation	<p>Mr de Lisle Wells stated that there has not been a full consultation with landowners impacted by the scheme.</p>	<p>National Highways has continued to consult and engage with affected landowners throughout the design of the scheme. This is set out in the Consultation Report (Document Reference 5.1, APP-027), which evidences how National Highways has met the statutory consultation requirements for a Nationally Significant Infrastructure Project under the Planning Act 2008.</p>
12	Light Pollution	<p>Mr de Lisle Wells raised concerns about light pollution created by the scheme.</p>	<p>National Highways recognises concerns regarding the light pollution from construction of the scheme and will seek to reduce light spill while maintaining highway safety. National Highways has produced ES Appendix 2.1 EMP (Document Reference 6.4, APP-317) and a draft Traffic Management Plan as part of the DCO application which outline how the impact of construction on the environment and local communities will be managed.</p>

Landowner Position Statement – National Star College (NSC)

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners) directly impacted by the A417 Missing Link project. These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement with NSC’s as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by NSC during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to their land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.
- 1.1.5 This Position Statement has been updated in December 2021 in order to ensure that matters raised within the Relevant and Written Representations submitted by NSC and their agents have been considered and responded to.

Table 1 Record of key landowner engagement

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
27/09/2019	Land Interest Consultation Invitation - Letter	Meeting arranged for the 10 October 2019.
10/10/2019	Meeting	<p>At the meeting with NSC, the following issues were discussed:</p> <ul style="list-style-type: none"> • Blight and compensation • Construction works mitigation. • Environmental impact • Land access • Noise impacts; and • Public Right of Way routes.
09/11/2019	Statutory Consultation Response	NSC submitted a Section 42 response letter for the statutory consultation for the scheme.
10/01/2020	Meeting	Site meeting to discuss consultation. The meeting began but it was agreed that further work was required to help inform discussions. Meeting date rearranged for the 30 th January 2020.
13/01/2020	Land Interest Consultation Invitation - Letter	Meeting arranged for the 30 January 2020.
30/01/2020	Meeting	<p>The main concerns raised by the NSC at the meeting were:</p> <ul style="list-style-type: none"> • Construction impacts and mitigation required. • Land impact on NSC's land • The schemes impact on the College's existing drainage infrastructure. <p>It was agreed that an additional meeting was to be arranged between Arup and National Highways specialists to cover Air Quality, Noise, Construction, Traffic Management and Drainage.</p>
23/03/2020	Meeting	Meeting cancelled due to Covid-19.

09/06/2020	Meeting	A project team meeting was arranged with NSC but was cancelled due to key scheme design changes occurring resulting in landowner meetings being rescheduled.
28/07/2020	Email Correspondence	Meeting invite issued to NSC. Meeting date requested by NSC was the 10th September 2020.
08/09/2020	Email correspondence	Updated Land Interest Plans and meeting agenda shared.
10/09/2020	Meeting (Virtual)	<p>The purpose of the meeting was to review the recent design changes for the scheme. It was explained that the green bridge has been removed as part of the scheme design. Two separate crossings; at the Air Balloon Cottages and connecting to the Gloucestershire Way, will be constructed instead.</p> <p>Issues relating to noise, drainage, traffic, air quality, landscape and access were discussed. An action from the meeting was for a call to be arranged between the District Valuer Services, Arup, National Highways and the College to discuss accommodation works, land acquisition and compensation.</p> <p>The College requested that communication between the project team and National Star is improved.</p>
13/10/2020	Meeting (Virtual)	Financial support available for land agent fees was explained to NSC. It was agreed that National Highways will provide financial support for two land agents if sufficient justification that two land agents are required. NSC agreed to provide justification in writing.
13/10/2020	Statutory Consultation Notification	Correspondence issued to NSC notifying them of the beginning of the statutory consultation.
11/11/2020	Meeting (Virtual)	<p>The purpose of this meeting was to review the recent design changes for the scheme and the issues discussed at the landowner meeting on the 10th September.</p> <p>NSC submitted a statutory consultation response outlining concerns relating to the scheme including air quality, noise, traffic management, drainage, disabled access, landscape, compensation, land take and the European Convention on Human Rights.</p> <p>Issues relating to drainage was the key focus of the meeting, but other concerns were also discussed including construction works, disabled access and landscape proposals.</p> <p>A number of actions were taken at the meeting for the project team. Follow up discussions are to be arranged when the relevant technical specialist guidance has been sought.</p>

04/12/2020	Email Correspondence	Consultation Response and Drainage Note issued to NSC for comment.
09/12/2020	Meeting	<p>An in-person site walkover of NSC's site took place to discuss the drainage design proposed. The alternative drainage designs at the College were discussed. It was agreed that infiltration testing will be completed to determine the viability of the 100% highway infiltration design option.</p> <p>NSC stated that the permanent easement proposed as part of the current drainage design was the main reason for their objection. The College raised concerns that the permanent easement would impact future development opportunities on their site.</p>
23/12/2020	Email Correspondence	Comments received from NSC about the Consultation Response and Drainage Note issued.
13/01/2021	Meeting (Virtual)	<p>Meeting to discuss the drainage design at NSC with Gloucestershire County Council (GCC). The drainage technical note issued to NSC was discussed and further detail was provided to address issues identified by the College.</p> <p>NSC stated they would object to the scheme if the permanent easement proposed was not removed. Detail was provided about the proposed 100% infiltration design option.</p> <p>Work to be undertaken to determine the viability of the 100% infiltration design.</p>
29/01/2021	Email Correspondence	Draft accommodation works plans issued to NSC for comment.
29/01/2021	Email Correspondence	<p>Comments provided by NSC about the accommodation works plans.</p> <p>NSC raised concerns that the plans do not contain any accommodation works in relation to the College's land. NSC's understanding is that the works relate to National Highways land that they are proposing to acquire on a permanent basis from the College.</p> <p>NSC requested a post and rail fence on the boundary of the permanent land take and the colleges' retained land. NSC requested that appropriate screening in the form of tree planting needs to be provided.</p>
08/02/2021	Targeted Landowner Consultation	Correspondence issued to NSC notifying them of the beginning of the targeted landowner consultation. NSC were impacted by the targeted landowner consultation as a result of the half width land designated to the College. Letter issued to NSC making the commitment to not require a permanent easement across the Colleges land in response to concerns about the drainage route. Sent 23/03/21.

10/03/2021	Meeting (Virtual)	<p>Meeting to provide an update on the drainage design works at NSC with GCC in attendance. It was explained that the preliminary testing to determine the viability of the 100% infiltration design has been positive.</p> <p>Infiltration design and results to be shared with NSC when available for issue (April/May 2021). Meeting to be arranged when further update on the drainage design is available.</p>
07/05/2021	Site Visit	<p>Site visit to discuss air quality and landscape proposals and impacts as part of the scheme. The scheme landscape specialist explained that the trees proposed as part of the landscape works will focus around the boundaries of NSC's land impacted by the scheme and the northern section of the infiltration dip in the landform discussed.</p> <p>The scheme air quality specialist explained that if the scheme mitigation is carried out in accordance with the Environmental Management Plan and construction best practice there is predicted to be no significant effect from dust at any receptors within 200m of the DCO boundary.</p> <p>The scheme air quality and landscape specialist agreed to provide further detail at the Microsoft Teams Meeting on the 19th May.</p>
19/05/2021	Meeting (Virtual)	<p>An overview of the DCO process from the point of submission for the application was provided. The DCO was confirmed to be on course to be submitted late May/early June 2021. NSC will have opportunities throughout the DCO process to engage and comment on the application. National Highways confirmed that engagement with NSC will continue post DCO submission.</p> <p>NSC stated that their financial concerns are not about valuation but other matters including but not limited to financial loss under disturbance. It was explained that NSC can submit compensation claims for loss of earnings, but appropriate evidence needs to be provided.</p> <p>Design works for the proposed 100% infiltration for the drainage infrastructure at the College show positive results. Good infiltration characteristics have been found and assessments show that pollution levels are within acceptable limits. Yet, additional treatment is required. No significant changes are proposed to the ponds which differ from the previous design.</p> <p>The planned maintenance and operation of the basins on NSC's land has not changed. This is GCC will maintain and operate basin group 5 and basin group 3a will be maintained and operated by National Highways.</p> <p>NSC requested a conclusive letter stating that a permanent easement will not be provided as part of the scheme and that addresses their comments provided previously to Michael Goddard.</p>

		<p>The scheme landscape specialist stated that the trees proposed as part of the landscape works will focus around the boundaries of NSC’s land impacted by the scheme and the northern section of the infiltration dip in the landform discussed. The ponds on the northern side of the field will not be permanently full of water and will have a parkland like character. 3D imagery to be produced showing the landscape proposals in greater detail. A plan showing the temporary and permanent areas to be pegged out to be shared with NSC.</p> <p>Air Quality Assessments have been completed at the College which includes a consideration of dust generated from the construction site. National Highways explained that if the scheme mitigation proposed is carried out in accordance with the Environmental Management Plan and construction best practice there is predicted to be no significant effect from dust at any receptors within 200m of the DCO boundary. The DCO will include air quality commitments that National Highways will need to adhere to. NSC raised concerns about the assessments completed. Air quality monitoring (typically used on high impact air quality construction projects in areas where existing air quality levels are poor) is to be provided throughout the duration of the scheme. A commitment for this will be included within the Position Statement which will later be submitted at DCO acceptance.</p> <p>National Highways explained a meeting to discuss the Construction Traffic Management Plan (CTMP) will be arranged when the construction contractor contractually begins working on the scheme. Their appointment is imminent, so a meeting is likely to take place in the next few weeks.</p> <p>National Highways agreed to provide a written response explaining professional fee compensation for the scheme.</p> <p>NSC raised concerns about the Equality Impact Assessment (EqIA) completed for the scheme. Concerns related to the methodology adopted for the assessment and why NSC were not considered in greater detail throughout. National Highways to provide a separate response to the concerns raised.</p> <p>A summary of the Environmental Designated Fund opportunities relating to the scheme were provided. NSC stated they would be interested in reviewing these opportunities further and request a further meeting is arranged to discuss.</p>
27/05/2021	Virtual Noise Demonstration	<p>NSC are considered to be a sensitive receptor for noise during the construction of the scheme in consideration of DMRB guidance, although significant noise effects from construction or operation of the proposed scheme have not been identified in the assessment. However, if there are rooms that the College considers to be particularly critical, such as speech therapy rooms, this can be examined further and, if appropriate, measures taken to allow windows to remain closed during summer months.</p>

		<p>National Highways provided an overview of what will be heard at the College during construction works as part of an online, virtual noise demonstration. It was explained that the virtual noise demonstration has been organised instead of attending an in-person acoustic sound lab presentation because of Covid safety constraints at the time of the demonstration). The sound demonstration has been taken from the most southerly building of the site as it's the closest to the works. The main noise sources that NSC will experience are from the haul road route along the line of the scheme and the cutting excavation works.</p> <p>It was explained that the rock breaker would create the highest noise level in relation to the scheme but the need for the rock breaker would be occasional and may not be required for much of the cutting works. For example, in some instances, it may be used for a week and then not used for several weeks after that, depending on ground conditions encountered deep in the cutting.</p> <p>The noise levels presented at the demonstration were:</p> <ul style="list-style-type: none"> • Ambient level outside of the southern building • Construction noise sources of cutting excavation and haul road. • Occasional breaking noise. • Move listening location inside (with windows open) to hear the same noise sources. <p>NSC asked if there will be a record that the College accept the noise impact created by the scheme during construction relative to the existing traffic noise in consideration of what was presented in the noise demonstration. National Highways agreed to include a commitment in the Position Statement (see Table 2 below).</p> <p>Noise levels will be monitored throughout the construction of the scheme and, if considered necessary by the College, appropriate mitigation measures will be reviewed, as described above for affected rooms. NSC can contact National Highways at any point during the construction of the scheme if they have any issues with the noise levels created.</p> <p>National Highways to explore possibility of doing face to face noise demonstration in the future when possible in consideration of a reduction in COVID restrictions.</p>
08/06/2021	Meeting (Virtual)	Meeting between the DVS and NSC to discuss blight and compensation. NSC stated they do not feel they are able to continue blight and compensation discussions until other matters outstanding are addressed in relation to the scheme.
05/08/2021	Email Correspondence	Updated Position Statement issued to NSC for review.

01/09/2021	Meeting (Virtual)	<p>Meeting to discuss the EqIA completed for the scheme. Detail about the EqIA methodology, data sets and results were provided. Agreed actions were:</p> <ul style="list-style-type: none"> • HE EDI Lead to attend future NSC landowner meetings where EDI and the EqIA is on the agenda. This will help to support collaboration between the landowner and EDI project teams; • NSC to be added as an identified group with protected characteristics in the next iteration of the EqIA; • Data on the College's students to be requested from NSC. This data will be reviewed as part of future iterations of the EqIA. Personal and sensitive data requirements will be considered if this data is used. • Further details about landowner discussions with NSC will be included in future iterations of the EqIA; and • HE EDI Lead to send the Stage 1 and Stage 2 EqIAs to NSC.
21/09/2021	Email Correspondence	Minutes from the meeting on the 1 st September 2021 issued to NSC for review and comment.
06/10/2021	Meeting (Virtual)	<p>Meeting arranged to discuss relevant representation response submitted by NSC. Meeting notes relating to EqIA and a non-vehicular crossing at Leckhampton Hill were issued to NSC on the 5^h October 2021. NSC requested that the meeting is rearranged for autumn 2021 to allow more time to review the notes produced. Meeting cancelled and to be rearranged.</p>
15/10/2021	Telephone Call	<p>A telephone call to discuss rearranging the meeting that was scheduled for the 6^h October 2021. It was agreed that the agenda items proposed for the original meeting will be split up and discussed at two separate meetings. Comments on the EqIA minutes and note to be provided by Ian Miles. Verbal agreement made about arranging an in-person noise demonstration to showcase the level of impact the scheme. Concerns about the drainage outfall on NSC's land was discussed and it was agreed that the scheme drainage specialist would provide further detail on this issue at the meeting to be rescheduled (likely to be November 2021).</p>

22/10/2021	Email Correspondence	Comments provided on the meeting minutes issued to NSC on the 21 st September 2021.
23/11/2021	Meeting (Virtual)	<p>Meeting arranged to discuss the concerns NSC have about the EqIA. Data to be provided by NSC to help inform future iterations of the EqIA and discussions at the EqIA site visit to be arranged. This includes any data sources NSC believes to be relevant and appropriate to help inform future iterations of the EqIA and DCO Requirement documents (e.g. construction traffic management plans) to be produced when a formal contractor is appointed. This includes but is not limited to the following discussed on the call on Tuesday:</p> <ul style="list-style-type: none"> • Traffic data on user journeys; • Data relevant to the nature and needs of the students; • Care Quality Commission Reports; • Roles and functions of NSC; and • Any other relevant information. <p>A site visit will be arranged in December 2021 to discuss the EqIA. A meeting will be arranged to discuss the other matters outstanding NSC have relating to the scheme after the EqIA site visit takes place. NSC to provide a list of commitments they would like to be included in the Environmental Management Plan. National Highways to provide a response to NSC's request for professional fees to be covered by the scheme.</p>
25/11/2021	Email Correspondence	<p>Ian Miles requested the policy that states that National Highways are unable to provide the professional fees requested by NSC. Actions from the meeting on the 23rd November 2021 issued NSC.</p>

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Public transport	NSC raised concerns about the poor public transport that exists in the local area. The College explained that they will welcome any coordination between relevant parties to enable the scheme to be a catalyst for the establishment of improved public transport routes.	<p>The scheme seeks to improve travel conditions for all users of the strategic road network. Public transport facilities are not the responsibility of National Highways and are outside the scope of the scheme. As the local highway's authority, GCC would be responsible for any changes to the bus stops in the area, which could be progressed alongside, or following the completion of the scheme.</p> <p>NSC were invited to input into a meeting with GCC on the 29th September 2020 to discuss the local public transport network. This provided an opportunity for NSC to inform the future local public transport network.</p> <p>NSC's comments were discussed at the meeting with GCC.</p>
2	Ecology Survey	NSC made a request at the landowner meeting on the 10 September for the ecology survey findings reports relevant to their land to be shared.	Full details about the ecological findings at NSC can be found in Chapter 8 Biodiversity of the Environmental Statement (ES) submitted as part of the DCO application.
3	Drainage Basin Management	NSC asked what drainage basins on their land will be managed by GCC and which ones by National Highways.	GCC will maintain and operate basin group 5. National Highways will maintain and operate basin group 3a.
4	Land take	NSC requested a plan showing the temporary and permanent areas required by the scheme to be physically marked out by wooden pegs or stakes.	The area of permanent land take was staked out for NSC in June 2021, the stakes have now been removed to allow grass mowing.

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
5	European Convention on Human Rights	In the consultation response submitted by NSC, the College raised concerns that ECHR legislation has not been considered as part of the development of the scheme.	<p>National Highways legal counsel reviewed the article's quoted by NSC in the consultation response. A response was issued to NSC explaining how the article's quoted are being achieved through the work done as part of the scheme.</p> <p>NSC raised further concerns about the scheme achieving the Human Rights Articles quoted in their response. National Highways legal counsel reviewed provided further detail about how the article's quoted were being achieved through the work being done as part of the scheme.</p> <p>NSC equality, diversity and inclusion concerns regarding the scheme changed to focusing on the EqIA.</p>

6	Surrounding road network impact	<p>NSC believe that the A436 and Leckhampton Hill will become busier routes because of the scheme.</p> <p>NSC ask that the scheme improves road safety in the surrounding road network, in particular the Leckhampton Hill Road from Crickley Hill towards Cheltenham and the A436 from the scheme to Cowley Crossroads.</p>	<p>Transport impacts were explained to NSC at the landowner meeting on the 10th September. Detail was provided that traffic levels on Leckhampton Hill and the A417 are expected to increase as a result of the scheme. Yet, traffic on the wider surrounding road network is expected to decrease at a rate greater than the increase anticipated on Leckhampton Hill and the A417. The scheme will result in improvements to the road network in the area surrounding the College. The scheme should reduce congestion and improve road safety more generally in the local area.</p> <p>A note was issued on the 4th December 2020 to NSC providing detail about the traffic impacts and management. The note contained detail about the traffic modelling completed to inform the design of the scheme and looked at traffic impacts with and without the scheme.</p> <p>Journey times on Leckhampton Hill are included in the note from the traffic model to demonstrate the impact scheme has on the road. The traffic model shows that there has been limited impact of the scheme on those travelling northbound from the Air Balloon roundabout with only a decrease of one or two seconds as a result of the scheme in 2024. Southbound, the scheme decreases 2024 journey times by 15 to 18 seconds. This decrease is due to the removal of the A417 traffic from passing through the new Ullenwood junction and that this junction is designed to accommodate the predicted traffic flows. In 2039, the traffic model results show that northbound there is an increase in journey time for traffic flow peaks during the day. This increase is due to the increase in traffic on Leckhampton Hill. Southbound, there is a decrease in journey times between 21 and 31 seconds. As with 2024, this is due to the scheme removing the A417 traffic from Ullenwood junction and the junction is designed to cope with the predicted traffic flows.</p>
---	---------------------------------	--	---

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
			GCC will be responsible for managing localised issues on the network around the scheme. It should be noted that the scheme aims to improve traffic flow by reducing congestion and improving road safety.
7	Environmental Impact	NSC request that the scheme design has a minimal environmental impact. NSC raised concerns that only Preliminary Environmental Impact Assessments have been completed to date for the scheme.	A technical note was issued to NSC on the 4 th December 2020 to help address environmental concerns the College have about the scheme. Full detail of the environmental impacts and mitigation proposed as part of the scheme are included within the ES submitted in support of the DCO application.
8	De-trunking of the current A417	In their 2020 consultation response, NSC sought clarity and commitment that National Highways will provide disability access to the new recreational areas.	At the meeting on 11 th November 2020, National Highways explained to NSC that the proposals for the 'Air Balloon Way' would be suitable and accessible for disabled users. The Disabled Ramblers have been represented as part of the Walking, Cycling and Horse-riding (WCH) Technical Working Group and had been influential in shaping Public Rights of Way (PRoW) / WCH proposals more generally across the scheme.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Permanent Drainage Easement	<p>NSC question the need for the permanent easement across the College's land.</p> <p>NSC state that the permanent easement proposed will impact NSC's long-term development plans.</p> <p>NSC raised concerns about the management of the easement when it is operational.</p> <p>NSC raised concerns that the drainage infrastructure proposed will create flooding issues on their land.</p>	<p>In consideration of the comments received from NSC, a 100% infiltration design alternative has been developed. The testing completed for the infiltration design has found the ground at NSC to be appropriate for 100% infiltration but additional treatment stages are required.</p> <p>National Highways will look for opportunities for NSC to continue using their land once the drainage infrastructure is in place.</p> <p>NSC requested conclusive correspondence from National Highways that a permanent easement won't be included as part of the scheme. Formal correspondence was issued to NSC on 23rd March 2021.</p> <p>NSC requested that the caveat of required approval from GCC & the Environment Agency (EA) is removed from the letter. National Highways are unable to remove this caveat as the new drainage design cannot be formally agreed until regulatory approval is achieved.</p> <p>National Highways to contact GCC and the EA to achieve regulatory approvals.</p> <p>A meeting was scheduled for 6th October 2021 to discuss drainage; including the permanent drainage easement, but NSC cancelled. Meeting to be rearranged after the site visit to discuss the EqIA scheduled for the 13th January 2022.</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
2	Temporary Drainage Easement	<p>In their relevant representation response, NSC stated that National Highways have failed to provide any reasoning for the temporary easement. Concerns were raised about how the assessment of water will be dealt with at the outfall of the temporary drainage in the middle of the charity's site at the golf course.</p>	<p>Detail about the need for the easement has been explained to NSC in the drainage note issued to NSC on the 4th December 2020 and at the meeting on the 7th May 2021.</p> <p>It was explained that the contractors will have the appropriate site and drainage management plans in place during construction.</p> <p>A piped outfall will be required to manage surface water flows from the site during construction. During this phase an outfall will be required from temporary basins and water treatment facilities. Although basins will have a flood benefit the primary function will be to manage silt and surface water quality.</p> <p>The temporary easement corridor is approximately 14m. This is to allow for temporary works and access during construction, and to allow for some variability in the surface levels versus the topographic survey.</p> <p>Further detail about the site and drainage management plans for the scheme will be confirmed during the detailed design stage of the scheme and the appointment of the construction contractor to develop the scheme.</p> <p>A meeting was scheduled for 6th October 2021 to discuss drainage; including the temporary drainage easement, but NSC cancelled. Meeting to be rearranged after the site visit to discuss the EqIA scheduled for the 13th January 2022.</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
3	Landscape	<p>NSC question the land re-instatement and landscape enhancements proposed. NSC believe that there should be consideration of extensive planting that will enhance the area in the long term. NSC request that the planting improves the screening of National Star's Ullenwood site from the scheme.</p> <p>NSC request that landscape mitigation works begin as soon as possible.</p>	<p>A technical note was issued to NSC on the 4th December 2020 explaining proposed landscaping works. It was explained that a landscape bund could be put in place to provide some visual screening during construction works. At the landowner meeting on the 9th December it was discussed that advanced planting could begin winter 2021 but could impact groundwork investigation. Meetings took place in May 2021 to discuss scheme landscape proposals.</p> <p>The trees proposed as part of the landscape works will focus around the boundaries of NSC's land impacted by the scheme and the northern section of the infiltration dip in the landform discussed.</p> <p>Further detail about the landscape design proposals at NSC will be determined during detailed design.</p>
4	3D Landscape Imagery	<p>NSC requested 3D imagery at the boundary of their field next to the Air Balloon to show the landscape proposals as part of the scheme.</p>	<p>National Highways to provide the 3D Landscape Imagery when the landscape design has progressed during the detailed design stage of the scheme.</p>

5	Construction Traffic Management	<p>NSC look to secure assurances and operational details about how National Highways will guarantee unimpeded access during the construction and operation of the scheme.</p> <p>NSC request that National Highways consider additional measures such as the provision of dedicated priority transport routes as part of the scheme's design.</p> <p>NSC stated that failure to adequately address access issues could lead to student placements being unsustainable, students and service users being deprived access to their provision and staffing levels not being met.</p>	<p>At the landowner meetings with NSC (issue raised at various meetings, see Table 1 for further information), it was explained that access will be maintained to the College during the construction and operation of the scheme.</p> <p>Operational details and mitigation required for the construction works will be developed as part of the CTMP. The CTMP will be developed in collaboration with NSC as the scheme progresses.</p> <p>NSC will have an opportunity as part of the DCO Examination process to raise their concerns. A preliminary exam timetable is set out in the Rule 6 letter. At the meeting to be rescheduled for November 2021, further detail about the examination timetable will be provided to NSC.</p> <p>A meeting will be arranged with NSC when the construction contractor for the scheme contractually begins working on the project.</p> <p>National Highways have provided assurances that ongoing engagement will occur with NSC during the preparation of the CTMP and construction of the scheme with final details and arrangement to be drawn up between National Highways and the contractor (once appointed).</p> <p>National Highways will appoint a landowner liaison for the scheme (currently Amy Day). One of their roles on the project will be to engage with NSC and provide a consistent point of contact into the later stages of the scheme, should the DCO be granted.</p> <p>Meeting to be arranged between National Highways, NSC and the construction contractor in due course.</p> <p>If financial losses are created by the scheme on NSC, National Highways will review and provide compensation if appropriate to do so. Evidence would need to be supplied by NSC to support a claim for compensation.</p>
---	---------------------------------	---	--

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
6	Air quality	<p>NSC raised concerns about the potential impact on air quality for students during the construction and operation of the scheme. NSC explained that a number of students who attend the College have respiratory issues.</p> <p>NSC are seeking commitments from National Highways that mitigation measures will be in place if unacceptable air quality levels are reached.</p> <p>The issue of air quality impact was contained in NSC's relevant representation response.</p>	<p>An aim of the scheme is to improve air quality and reduce pollution caused by congestion. The effects of the scheme on air quality are assessed and reported upon in ES Chapter 5 Air Quality (Document Reference 6.2, APP-036). The assessment considers the impact of the scheme during both construction and operation and concludes that there are no significant effects on air quality at the College anticipated during the operation of the scheme.</p> <p>During construction, it is not anticipated that the College would experience any significant effects on air quality. This means that NSC is not identified within the Schemes Environmental Assessment as being a sensitive receptor in relation to the effects on air quality. Appropriate DMRB guidance has been followed as part of the air quality assessments.</p> <p>To recognise the NSC's concerns regarding dust during the construction phase appropriate air quality construction mitigation and on site air quality monitoring are included within the Environmental Management Plan for the level of impact created by the scheme.</p> <p>The monitoring to be provided would be typical to that of a construction site with higher air quality impacts anticipated in a location with poor existing levels of air quality.</p> <p>National Highways have committed to NSC that they will provide the monitoring throughout the duration of the construction works. This commitment is included in the Environmental Management Plan.</p> <p>A meeting was scheduled for 6th October 2021 to discuss air quality but NSC cancelled. Meeting to be rearranged after the site visit to discuss the EqIA scheduled for the 13th January 2022.</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
7	Disturbance and Potential Financial Loss	NSC raised concerns about the negative financial impact the scheme could have upon the College. Particular concerns were noted about the financial impact that traffic delays caused by the scheme could create for the College.	A meeting has been held between NSC and the District Valuer Service to discuss disturbance, potential financial loss and compensation for the scheme. Disturbance and potential financial loss conversations to be advanced when other matters outstanding relating to the scheme are addressed.
8	Accommodation works	Accommodation works to be provided as part of the scheme are to be agreed with NSC.	Comments relating to the accommodation works have been received from NSC. Accommodation works discussions will be progressed when a construction contractor contractually begins working on the scheme.
9	Land acquisition	NSC feel that entering into land acquisition negotiations would compromise their position at DCO Examination.	Land acquisition discussions commenced with the District Valuer Service. These have now ceased. Timescales for temporary land acquisition to be provided to NSC when a construction contractor is appointed and has prepared a programme of works.

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
10	Professional Fees	NSC request financial compensation to instruct technical specialists to review the scheme.	<p>National Highways are unable to financially compensate NSC to instruct their own technical specialists for the scheme.</p> <p>National Highways have reassured NSC that the technical specialists undertaking the relevant assessment's follow the relevant guidance, legislation and working practices of a professional person.</p> <p>At a meeting with NSC on the 6th and 19th May 2021, the College emphasised their position that they request professional fees to review the scheme.</p> <p>National Highways property and compensation team (Alistair Reason) provided a written response to NSC on why the professional fees requested can't be reimbursed as part of the scheme in 9th June 2021.</p> <p>NSC's concerns regarding professional fee compensation was raised at the meeting on the 23rd November 2021. Ian Miles requested the relevant policy that has determined National Highways position on professional fees in email correspondence on the 25th November 2021.</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
11	EqIA	<p>NSC raised concerns about the EqIA completed for the scheme. Concerns related to the assessment methodology and data sources.</p> <p>NSC request that the EqIA is shared with the College in confidence.</p> <p>NSC asked if the EqIA could be shared with their legal representatives.</p> <p>The issues regarding the EqIA were contained in NSC's relevant representation response.</p>	<p>National Highways shared the EqIA in confidence with NSC on the 14th May 2021. The EqIA was shared with NSC's legal representatives on the 4th June 2021.</p> <p>National Highways explained the EqIA adopts a standard methodology through the use of the EDIT Tool (equality, diversity and inclusion tool). The EDIT Tool is an accepted means of EqIA on other nationally significant projects National Highways are involved in.</p> <p>Meeting to be arranged between National Highways and NSC to discuss the EqIA took place on the 1st September. At the meeting issues relating to methodology, data sources and assessment was discussed.</p> <p>Several actions were agreed to address NSC's concerns. A note was issued to NSC on the 5th October providing further detail about the concerns they raised at the meeting on the 1st September.</p> <p>A meeting was scheduled for 6th October 2021 to discuss EqIA but NSC cancelled. Meeting to be rearranged after the site visit to discuss the EqIA scheduled for the 13th January 2022.</p>
13	Non-Vehicular Crossing - Crickley Hill and NSC	<p>NSC requested that National Highways explore the opportunity for a non-vehicular route between Crickley Hill and the College.</p> <p>The request for a non-vehicular crossing was contained in NSC's relevant representation response.</p>	<p>The proposed non-vehicular route cannot be provided as a traffic light-controlled crossing would be required.</p> <p>A crossing in this location would negatively impact traffic flows at the junction and would fail to accord with safety standards.</p> <p>A note providing further detail about the non-vehicular crossing was issued to NSC on the 5th October 2021.</p> <p>A meeting was scheduled for 6th October 2021 to discuss the non-vehicular crossing but NSC cancelled. Meeting to be rearranged after the site visit to discuss the EqIA scheduled for the 13th January 2022.</p>

14	Noise	<p>NSC raised concerns that the assessments completed to date have not addressed the noise concerns NSC have raised.</p> <p>NSC have students with complex disabilities or behavioural challenges which mean that they are more sensitive to the impact increased noise creates on health and wellbeing.</p> <p>The issues regarding the EqIA were contained in NSC's relevant representation response.</p>	<p>NSC are considered to be a sensitive receptor for noise during the construction of the scheme in consideration of DMRB guidance. Significant noise effects from construction or operation of the proposed scheme have not been identified in the assessment. However, if there are rooms that the College considers to be particularly critical, such as speech therapy rooms, this can be examined further and, if appropriate, measures taken to allow windows to remain closed during summer months. National Highways have made the commitment to monitor noise at the College throughout the construction phase of the scheme. The scope of this monitoring is to be agreed with the College.</p> <p>A virtual noise demonstration took place on the 27th May 2021.</p> <p>NSC requested that National Highways make a commitment that the level of noise impact of construction work relative to ambient traffic noise won't exceed the levels in the noise demonstration. The project noise specialist explained commitments are made in the DCO and the Environmental Management Plan to minimise and monitor construction noise, and the level of impact indicated in the demonstration was considered realistic based on predictions of construction noise. NSC requested that a note is recorded in this Position Statement that National Highways commit to make all efforts to contain the levels presented in the noise demonstration. National Highways agreed to this commitment at the noise demonstration. A commitment has also been included in the Environmental Management Plan as discussed at the virtual noise demonstration.</p> <p>An in-person noise demonstration to be arranged with NSC. This is likely to be arranged for late 2021 or early 2022.</p>
----	-------	---	---

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
			A meeting was scheduled for 6th October 2021 to discuss noise but NSC cancelled. Meeting to be rearranged after the site visit to discuss the EqIA scheduled for the 13 th January 2022.