



A417 Missing Link

ExA's Written Questions (ExQ2)

Response from: Cotswolds Conservation Board

Date: 30 March 2022 (Deadline 6)

SECTION	QUESTION
<p>2.2 Air Quality and Emissions</p>	<p>2.2.2 Carbon Emissions - Do any of the named organisations have any comments they wish to make with regards to the Applicant's assessments and forecasts of carbon emissions, with direct reference to the NPSNN?</p> <p>CCB Response – The Conservation Board does not have any comments that we wish to make with regards to the Applicant's assessments and forecasts of carbon emissions. We consider that whether the scheme complies with the NPSNN in this regard is a matter for the examining authority to decide.</p>
<p>2.5 Draft Development Consent Order</p>	<p>2.5.13 Requirement 9 - The Applicant has made changes to the wording of Requirement 9 to include specific reference to the OWSI and DAMS and included a definition of these and identified these as certified documents. Are the parties satisfied that these amendments address the concerns previously raised?</p> <p>CCB Response – The historic environment is a Special Quality of the Cotswolds AONB and its importance recognised as such by the AONB designation. However, the detail of archaeology and archaeological investigation is not our area of expertise so we have looked to Historic England and support their response to the question, which is set out below:</p> <p>HE are currently not in agreement with the Applicant as to the wording of Requirement 9 and are therefore not satisfied that the current amendments address the concerns previously raised. HE and the Applicant remain in discussion about this.</p> <p>The Applicant, within Requirement 9, refers to a "scheme for the investigation and mitigation of areas of archaeological interest". The reference to a "scheme for the investigation and mitigation of areas of archaeological interest" appears to be a separate document in addition to the DAMS/OWSI. HE cannot agree to and is not clear as to why this is needed, when the DAMS/OWSI is to be a certified document. HE are concerned that by referring to a document which is additional to the DAMS/OWSI, that the DAMS/OWSI will not be followed or implemented.</p> <p>In addition, the use of the word 'reflecting' the DAMS/OWSI within Requirement 9(1) is also not agreed with the Applicant and cannot be accepted by HE as it is not a definitive enough term and should be worded 'in accordance with the DAMS/OWSI'.</p> <p>The wording which HE requires to address these concerns is the following (words required to be added in italics):</p>

Archaeology

9. (1) No part of the authorised development is to commence until for that part *site-specific written schemes* of investigation for each area and each phase (evaluation or detailed excavation or watching brief), has been prepared *in accordance with the DAMS/OWSI and in consultation with the relevant planning authority and the local highway authority, agreed with the County Archaeologist in consultation with Historic England and submitted to and approved in writing by the Secretary of State.*

(1) The authorised development must be carried out in accordance with *the DAMS/OWSI and site-specific written schemes of investigation referred to in sub-paragraph (1) unless otherwise agreed in writing by the Secretary of State.*

(2) A programme of archaeological reporting, post excavation and publication required as part of the *DAMS/OWSI and site-specific written schemes of investigation referred to in sub-paragraph (1) must be agreed with the County Archaeologist in consultation with Historic England and implemented within a timescale agreed with the County Archaeologist and deposited with the Historic Environment Record of the relevant planning authority within two years of the date of completion of the authorised development or such other period as may be agreed in writing by the relevant planning authority.*

(3) Any archaeological remains not previously identified which are revealed when carrying out the authorised development must be—

(a) retained in situ and reported to the County Archaeologist as soon as reasonably practicable; and

(b) subject to appropriate mitigation as set out in *the DAMS/OWSI and mitigation agreed with the County Archaeologist.*

(4) No construction operations are to take place within 10 metres of the remains referred to in sub-paragraph (4) for a period of 14 days from the date the remains are reported to the County Archaeologist under sub-paragraph (4) unless otherwise agreed in writing by the Secretary of State.

(5) Prior to commencement of the authorised development, suitable resources and provisions for long term storage of the archaeological archive will be agreed with the County Archaeologist.

2.7 Heritage

2.7.2 Archaeological Investigation - If significant undiscovered remains are revealed, what are the consequences for the scheme and what are the remedies? Are they sufficiently clear and appropriately secured? Are all parties happy with these?

CCB Response – As for 2.5 and our response to the question **2.5.13 Requirement 9**, archaeological investigation is not our area of expertise so have again looked to Historic England and support their response to this question, which is set out below:

The current and next version of the DAM/OWSI makes provision for these types of finds. Areas of high archaeological potential are being dealt with pre-construction. The DAMS/OWSI (as per sections 2.5.3 and 3.3) makes provision for any finds made during construction.

Historic England is therefore satisfied with this approach as it is secured by way of the DAMS/OWSI.

2.8 Landscape and Visual	2.8.1 Cumulative Effects - It is reported in the Statement of Commonality that an outstanding issue is: <i>“The Board considers that further assessments with regards to cumulative effects should be undertaken.”</i> Outline the extent to which this matter is still in dispute between the parties and which cumulative effects, if any, are perceived to be outstanding.
	CCB Response – The Conservation Board has now reviewed the issue of cumulative effects, particularly with regards to whether further assessments are required. Before submitting formal a representation on this topic, we would like to discuss it with National Highways and their consultants at our Statement of Common Ground meeting on 4 April. Following that meeting, we will endeavour to submit a full response to this question by 11 April (Deadline 7).