

| The principle issue in question | The brief concern held by Natural England which will be reported on in full in WR / LIR | What needs to; <ul style="list-style-type: none"> • change, or • be included, or • amended so as to overcome the disagreement | Likelihood of the concern being addressed during Examination |
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| Air Quality – the use of LA105. | Natural England do not support the use of LA105 as it is not Habitat Regulations Assessment compliant. | Natural England require further information to understand how the assessment has been carried out, what the concluding statements are for the environmental statement and clarification of the methodology for assessing in-combination emission sources. | Natural England and National Highways are in discussion and working together to produce a new assessment method/ guidance method for assessing road traffic air pollution emissions. Natural England recommend that projects use NEA001 Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations, while the new guidance is being prepared. |
| The production of mitigation measures and the draft CEMP are welcomed but provide no assurance that they will be secured and therefore mitigate the impacts to the various designated sites | <p>Any measures used to inform the decision about the effects on the integrity need to be sufficiently secured and likely to work in practice. In the case of the DCO, measures used to inform the decision about the effects on the integrity will be secured through DCO itself, via (for example) the DCO Order Limits, Project Design Principles or Environmental Management Plan (EMP).</p> <p>At present the EMP is in draft form, and specific and detailed mitigation measures are not finalised. Reassurance is also needed that if the project design principles are not adhered to (e.g., the design for an open span bridge with</p> | The proposed mitigation and design principles need to be secured and included in a finalised CEMP to ensure we can agree with the outcomes of the HRA | The mitigation measures and design principles should be able to be finalised and secured during the examination. Natural England will continue to work with National Highways to ensure these are appropriate. |

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| | <p>piers across the Troutbeck Floodplain) then the outcomes of the HRA may change.</p> <p>Whilst we agree the outcome of the HRA – that there will be no adverse effect on the integrity of the River Eden SAC, this is dependent on the design principles and mitigation measures in the draft CEMP not changing.</p> | | |
| NSIP Self-Approval Process | <p>The Statutory Environmental Bodies (NE/EA and HE) share general concerns over the NH self-approval process as there are many elements of the project still to be worked up. Further clarification is needed as to what this will entail to enable a fuller assessment of the proposals against our respective statutory remits.</p> | <p>Natural England will continue to discuss with National Highways and their consultants on what further information is needed to overcome our concern surrounding the self-approval process and the missing detailed design information required for this project.</p> | <p>Natural England will continue to work with National Highways to understand the new self-approval process and continue to work with their consultants on specific areas of disagreement as set out in our Relevant Representation letter.</p> |