



Cumbria County Council with Eden District Council

The Councils' response to the Applicant's response to the Examining Authority's Issue Specific Hearing 2 Additional Questions



This document represents a table of responses to The Applicant’s [7.1] response to the Examining Authority’s Issue Specific Hearing 2 Additional Questions, document reference REP1-005. It has been prepared jointly by Cumbria County Council (“CCC”) and Eden District Council (“EDC”) together as the “the Councils” to set out further comments considered necessary in detailing the impacts upon the local area of National Highways’ (“NH”) proposed A66 Northern Trans-Pennine Project (“the Project”), which has been submitted for Development Consent. The Councils comments for Deadline 2 are entered in the right hand column and relate to the matters highlighted in yellow.

Reference No	Subject	Response by	Question	Councils’ Response to Issues Specific Hearing 2	Applicant’s Response to ExA Written Questions	Councils’ further comments (proposed / draft)
DRAFT DCO [APP-285]						
ISH2. DCO. 16	Article 52 (consents, agreements etc)	Applicant	The ExA would welcome a further explanation within Explanatory Memorandum paragraphs 10.15 to 10.17 in respect to why the 28-days is deemed sufficient or necessary. The Applicant is asked to consider a period of 42-days to allow local authorities a greater time to consider the material before them.	None	The Applicant considers that 28 days is an appropriate time frame within which to consider whether to grant the consents sought under that article. It is important to note that it applies only to “applications” as defined in paragraph (4), which relates to matters such as confirming its satisfaction with an altered road, consent to the temporary closure of streets, consent to a discharge of water into an	The Councils request that the Applicant reconsiders the proposal to allow a period of 42 days for the consideration of material and submitting responses to the material. The Councils would request that an extended timescale from the stated 28 days, would support essential internal consultation within the two local authorities.

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					<p>ordinary watercourse (noting that the environmental elements of this would remain to be regulated by the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016), consenting to boreholes on highway land or consenting to traffic regulation measures. The Applicant remains of the view that 28 days, the equivalent of a month, is ample time for a relevant authority (as defined in article 52) to either grant consent or to refuse it and that it is in the public interest A66 Northern Trans-Pennine project 7.1 Applicant's Responses to</p>	

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					<p>the Examining Authority's Issue Specific Hearing 2 Additional Questions Planning Inspectorate Scheme Reference: TR010062 Application Document Reference: TR010062/NH/EX/7.1 Page 21 of 50 Ref Number Subject Response by Question Applicant's Response that benefits the Project would deliver are not unduly delayed. Furthermore, the Applicant notes that the period of 28 days is widely precedented, see for example the 28 day period specified in the temporary stopping up/prohibition of use of streets articles contained in the following Orders:</p>	

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					A57 Link Roads Development Consent Order 2022, A47 North Tuddenham to Easton Development Consent Order 2022, the A47 Blofield to North Burlingham Development Consent Order 2022 and article 58 (consents, agreements and approvals) of the A303 (Amesbury to Berwick Down) Development Consent Order 2020.	
ISH2. DCO. 18	Schedule 7 of the draft DCO document reference APP-85	Applicant and Cumbria County Council (CCC)	Paragraphs 55 and 56 (p221-222 of Schedule 7 of the draft DCO document reference APP-285) both reference the new B1066. A and B classified road numbers are usually approved by DfT and are usually	As the local highway authority, CCC have not been consulted nor been involved in the exercise of requesting road numbers from DfT on behalf of the Project. CCC do not believe that this is the appropriate stage in the	The Applicant selected the B1066 on the basis that it is not a number used in Cumbria County Council's highway network. In light of this question, the Applicant is reviewing the classification of roads provided for in paragraphs	The Applicant's response to the ExA's Issues Specific Hearing 2 Additional Questions (document reference REP1-005) incorrectly omits CCC in the 'Response by' column.

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			unique. There is already a B1066 (south of Bury St. Edmonds). Additionally, the use of a number starting B1... is unusual in road classification numbering to the west of the A1 which usually adopts the B6... sector convention. Confirm that this number been approved by DfT.	process to do so and request that the numbering of new roads is removed from all the Schedules in the draft DCO.	55 and 56 of Schedule 7 and would welcome further discussion with Cumbria County Council in relation to its preferences for the numbering convention to be applied, which, as noted in the question, ought to be unique on a national basis.	The Councils would reiterate comments made in the Response to Issue Specific Hearing 2 under ISH2.DCO.19 p6 of document reference REP1-018 (and column 5 of this table) that "CCC do not believe that this is the appropriate stage in the process to do so and request that the numbering of new roads is removed from all the Schedules in the draft DCO."
ISH2.DCO.19	Schedule 7 of the draft DCO, document reference APP-285	Applicant and Cumbria County Council (CCC)	Paragraph 56 (b) (p221-222 of Schedule 7 of the draft DCO document reference APP-285) sets out that the B1066 ends at "a point 254 metres west of the junction of Musgrave Lane and Main	CCC does not believe that the point indicated in Schedule 7 for the B1066 is a suitable point to start a classified road. CCC confirms that it would be more appropriate to	As noted in response to ISH2.DCO.18, the Applicant is reviewing the classification of roads provided for by paragraphs 55 and 56 of Schedule 7 to the draft DCO.	The Councils request that the highway authority be engaged in NH's review of the classification of roads provided for by paragraphs 55 and 56 of Schedule 7 to the draft DCO, particularly as the

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			Street". Confirm that this is that a suitable point to start a classified road on the unclassified Main Street. Confirm whether it would be more conventional to connect the new B1066 to the existing B6276 on Main Street at its junction with New Road.	connect to the existing junction on B6276.		Applicant intends CCC in its capacity as local Highway Authority (LHA) to adopt those roads.
POPULATION AND HEALTH						
ISH2.PH.03	ES Chapter 13 Population and Human Health (APP-056)	LPAs and LHAs	In respect to paragraph 13.5.3, confirm that the data used in the analysis of effects is robust given the lack of observed data available at the time of assessment.	The absence of any baseline data on WCH usage of PRoWs does present an issue in so far that the Applicant has not yet quantified the distance of each proposed diversion. Therefore, the Councils are being asked to comment upon the adequacy of PRoW diversions without having	LPA/LHA are being asked to respond on this, but the Applicant's position is set out below to assist the ExA: Currently active travel surveys are scheduled to be undertaken in spring 2023 once the better weather starts. These will be to inform detailed design, where applicable and time	The Councils would reiterate that their concerns set out under ISH2.PH.02, p9 of document reference REP1-018 around Public Rights of Way (PRoW) distances could be addressed through provision of a design and quantification of the duration and distance of

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				<p>any information on who uses these PRowS and how far they will need to travel. The Applicant's assessment is based upon the mitigation of a PRow for "a reasonable alternative distance" but without this distance being identified, or the use of the path being known, the Councils cannot agree that the analysis is robust. The Councils' concerns could be addressed through provision of a design and quantification of the duration and distance of PRowS affected by the Project.</p>	<p>dependant, but mainly for the baselining for the post-opening evaluation and monitoring. With regard to public open spaces each local planning authority was contacted during the completion of the Environmental Statement in order to understand the value they placed on any open spaces within their constituency. This assisted in understanding the local value of such assets which was factored into the assessment.</p>	<p>PRowS affected by the Project.</p> <p>The Councils request to be engaged with Active Travel surveys planned to be undertaken in spring 2023.</p> <p>In regard to the last two sentences of the Applicant's response to the ExA question (highlighted in yellow), the Councils query the relevancy of this statement in response to the ExA's question. In any case, the Councils do not have any records of being contacted around the matter of open spaces and would request that the Applicant confirms which assessment is being</p>

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						referred to so that the Councils can undertake a review of this assessment.
TRAFFIC AND TRANSPORT						
ISH2.TT.12	Transport Assessment [APP- 236]	Cumbria County Council	Confirm whether consultation has occurred on the construction traffic diversion routes set out in Appendix F of the TA, in particular, about the use of the A685 as a local construction diversion route. It is assumed any issues you may have will be set out in written submissions.	<p>The description of diversion routes in Appendix F of the TA [APP-236] is similar to the plan referenced in the Construction Traffic Management Plan [APP-033]. Appendix 12.9 [APP-120] was shared with CCC in September 2021 during a call to provide an overview for the Councils. No further details have been provided since that time. The statutory consultation did not include this plan.</p> <p>The LHA have undertaken their own assessment of</p>	Question ISH2.TT. 12 is not targeted at the Applicant	The LHA have undertaken its own assessment of potential diversion routes. The findings were shared with the Applicant in April 2022 which includes the proposal to use the A685 as a local diversion route. This is further referenced in Appendix C of the Councils' LIR, document reference REP1-019. The Applicant has not responded

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				potential diversion routes and shared the findings with the Applicant in April 2022. This includes the proposal to use the A685 as a local diversion route. This is referenced in the Councils' Local Impact Report.		
ISH2. TT.15	Walking, Cycling and Horse-riding Proposals (APP010)	Applicant	Section 2.1 - National Highways Context. This section sets out how the document "Cycling Strategy, Our Approach" has formed the approach. Confirm whether similar a vision statement for pedestrians and horse riders exists.	Cumbria County Council have not seen nor been consulted on a vision statement for horse riding included as part of the Application. CD 143 Designing for walking, cycling and horse-riding should be considered for design advice.	National Highways has not published any document similar to "Cycling Strategy, Our Approach" for the purpose of walkers and equestrian users respectively. Please refer to DCO Application Document Walking, Cycling, and Horse-riding Proposals (Document Reference 2.4, APP-010) section 2.2, which references various documents produced in	CCC's suggestion that CD 143 Designing for walking, cycling and horse-riding should be considered for design advice, has not been addressed in the Applicant's response to the ExA's question Furthermore, CD 143 is not referenced in DCO Application Document Walking, Cycling, and Horse-riding Proposals (Document Reference 2.4,

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					setting the objectives, assessment and review criteria adopted by the Project in the consideration of WCH provision.	APP-010) section 2.2, referred to in column 6 of this table.
ISH2. TT.17	Draft SoCG with Cumbria County Council & Eden District Council (APP-277)	Applicant	Paragraph 8.1(of the Draft SoCG with CCC and EDC) – HGV parking and service provision across the route – It is understood that design of the laybys will be to DMRB standards and that there is acknowledged demand for improved HGV facilities on the A66. It also states that consideration of such improved facilities lies outside this project. Confirm whether the provision currently proposed within the	CCC's assessment in October 2021 confirmed that there is currently insufficient provision of HGV parking and driver facilities on the A66 (both in terms of laybys and official parking sites). Growth (expected to lead to a doubling) in HGV flows in both directions will exacerbate this shortfall in both quantity and quality of suitable HGV parking spaces and driver facilities. Additional/enhanced layby provision will be of	Within the Order limits, laybys have been provided on the proposed sections of new dual carriageway for short duration stops at intervals that satisfy the requirements of National Highways' design standards. It is not proposed to include new laybys on existing dualled sections of the A66 out with the Order Limits of this project. However, running in parallel with the DCO Examination is a separate nation-wide freight study.	The Councils are disappointed to learn that the growth expected in HGV flows in both directions as a result, in part, of the A66 dualling, will not be supported with new and improved HGV parking and driver facilities. As this is an important issue, the Councils request to continue to be meaningfully engaged by the Applicant throughout the development of the nation-wide freight study

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			Order limits accommodate any part of the acknowledged need for improved facilities along the whole A66.	some benefit but there will remain an increasingly severe shortage of safe places with basic facilities for drivers (including female drivers) to park up for both breaks from driving and for daily/weekly rest periods. In coming years, as HGV fleets transition away from conventional diesel vehicles to battery electric (and other fuel types), recharging requirements, due to limited ranges, will further exacerbate the need for suitable HGV driver facilities on the A66.	Local Highways Authorities will be consulted as part of this study. The aim of the study is to establish what interventions can be undertaken to improve the service National Highways provides for its freight customers. Parking, facilities, information provision and customer insight fall within the scope of the freight study.	consultation to ensure any gaps in provision along the A66 as a result of this project, are addressed within the freight study, if as the Applicant states, this matter is not intended to be addressed as part of the A66 Northern Trans-Pennine DCO.