

A66 Northern Trans-Pennine Project: Accepted Changes to the Development Consent Order (DCO) Application

Comments of Westmorland and Furness Council (the Council) at Deadline 7, 9th May 2023

This document sets out the response of the Council to National Highways' (the Applicant) accepted changes to their application for development consent.

Change in speed limit west of M6 Junction 40			
DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-01	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> Comments were raised in respect of the appropriateness of a 30mph speed limit, with one suggestion proposing 50mph if a reduction were required. Matters relating to the enforcement of any change in the speed limit was raised as a concern, with lower speeds noted in comments as aiding traffic and pedestrian safety. Some specific matters were raised in relation to the impact on a utility provider's apparatus and their requirements. <p>The Applicant has decided to submit this proposed change amending the suggested 30mph limit to 50mph in the DCO Application. This will provide a level of consistency in the speed</p>	<p>The proposed change would not directly affect the local road network and acknowledged to have no change to the likely significance reported in the Environmental Statement.</p> <p>However, it is observed that a speed reduction to reduce the physical works required for the auction site would not be in line with the local highway authority guidance for visibility. Arbitrary speed reductions on a high-speed route, without other physical changes to the carriageway, are ineffective and could increase safety issues that the restriction claims to address.</p> <p>An early review by a road safety auditor and the designer response would be required to evidence that this proposal is appropriate at this location.</p>	<p>It is acknowledged that the proposed 50mph speed limit will enable the design of the auction site junction to comply with DMRB that matches more closely with the current access arrangements. The proposal reduces speeds approaching the auction site junction and J40.</p> <p>The Road Safety Audit will identify key concerns, and representatives from the Council need to be present when this is undertaken.</p>

	<p>limits on the A66 on the approaches to the M6 Junction 40 roundabout from the east and west. The Applicant acknowledges that the design is subject to further technical work during the detailed design stage of the Project, including a formal independent Road Safety Audit. In addition, the Applicant intends to engage with the emergency service providers, police enforcement teams, and utility providers as part of the development of the detailed design.</p>		
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Reorientation of Kemplay Bank junction

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-03	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> • Comments raised in respect of the proximity of the proposed change to Thacka Beck and the potential need for a Habitat Regulations Assessment (HRA). • Concerns about the viability of the playing fields at Ullswater Community College to the north-west of the junction, both in the temporary case as well as in the permanent, post construction state. • A number of design-related concerns raised in respect of drainage design, traffic modelling and performance of the junction (particularly in relation to local movements and signal timings), and both concern and support for the resulting pedestrian movements in and around the junction. Disruption due to construction was raised both in terms of traffic and pedestrian movements/safety, and this included acknowledgement that the construction period would be 	<p>The Councils welcome any buildability changes that will reduce the temporary disruption at this key junction which is vital to movement of local traffic and is critical to the operation of both Skirsgill Depot and the Blue Light Hub.</p> <p>However, more information is required on the change in level of the mainline. Although the consultation sets out the savings for NH and the A66, the consequence of raising the level of the roundabout could mean significantly greater lengths of the existing A6 approaches north and south of Kemplay Bank will need to be raised to match the levels. The knock-on impacts to the A6's drainage, verge lighting and other street furniture will have a greater effect on the local road network and the use of it as the strategic diversion route.</p> <p>Details of the impacts upon the walking and cycling routes through this junction are required. The Councils still maintain that provision of a more direct route to travel across the junction is required for non-motorised users.</p> <p>The Councils have made previous representations that the 'on' slip roads to the roundabout should be two lanes to increase capacity. The Councils are awaiting detailed modelling information from NH, before further comments can be made.</p>	<p>Details of the impacts upon the walking and cycling routes through this junction are required. The Council still maintains that provision of a more direct route to travel across the junction is required for non-motorised users. Signal control of the pedestrian and cycle crossings is required.</p> <p>The Council is concerned that there is event-related congestion on the A6 at Eamont Bridge that is related to the direct linkage of signal operation with Kemplay Bank roundabout.</p> <p>There are further discussions required on the signalling of the roundabout and the ownership and control of the signals.</p> <p>The Council has made previous representations</p>

	<p>shorter with the proposed change.</p> <ul style="list-style-type: none">• Some specific matters were raised in relation to the impact on a utility provider's apparatus and their requirements. <p>The Applicant has decided to submit this proposed change as it will reduce disruption during construction of the Kemplay Bank junction without compromising the operation of it once complete. The Applicant acknowledges that the design is subject to further technical work during the detailed design stage of the Project, including a formal independent Road Safety Audit and preparation of a Construction Traffic Management Plan (that will be included as part of the Environmental Management Plan (EMP)). Ongoing engagement is required in respect of traffic modelling detail in order to demonstrate modelling outputs and confidence to Local Authorities in particular that the junction at Kemplay Bank will function adequately.</p> <p>The principles of the drainage design are unaffected by the proposed change. Detailed design will develop the solution further in relation to the size, shape and location of attenuation ponds. In addition, the Applicant intends to engage with</p>		<p>that the 'on' slip roads to the roundabout should be two lanes to increase capacity. The Council is awaiting detailed modelling information from the Applicant before further comments can be made.</p>
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	<p>utility providers as part of the development of the detailed design. Further design development during and post-consultation has confirmed that there is no risk of potential new or different effects on Thacka Beck and therefore there is no requirement to amend the HRA. The Applicant will continue to engage with Ullswater College and Sport England regarding the marked pitch and surrounding land (beyond the DCO Order limits) with the intention that these facilities will remain functional during and post construction. Through engagement with Sport England, the Applicant will follow plans to undertake a ball strike assessment with the expectation that mitigation measures will be provided, such as catch nets around the pitch, to retain the marked pitch and prevent ball strikes within the highway.</p>		
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Separation of, and greater flexibility for, shared public rights of way (PRoW) and private access track provision on the Penrith to Temple Sowerby scheme

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-04	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> • Comments raised in respect to the proximity of the proposed change to the Lightwater watercourse and the potential need for an HRA. • There were differing views on aspects of this proposed change with comments in support as well as feedback challenging the separation of PMA and walking/cycling facilities in relation to potential safety concerns. Questions were also raised as to why the length of shared track to the south-east of the junction at Center Parcs has not been considered in a similar manner to that on the north where it is proposed to separate pedestrians/cyclists from PMA • . Comments were also raised in relation to the surface material, standards and widths, and objection as to the lack of provision for horse-riders. <p>The Applicant has decided to submit this proposed change as it increases</p>	<p>The Councils repeat the request that this route should be open to horse-riders as well as walking and cycling, so far as this is feasible.</p> <p>Separation of vulnerable users from farm traffic is welcomed, however the provision should maintain widths that allow for cyclists, walkers and horse-riders to pass safely following the guidance within LTN 1/20, the Sustrans traffic-free routes and greenways design guide and as set out by the British Horse Society.</p>	<p>Separation of the PRoW and private means of access (PMA) is clarified for the section shown in Figures DC-04(a) and DC-04(b).</p> <p>The assumption is that the separation of the two entities will mean that maintenance liability for the PMA will not fall to the Council. However, this question is not resolved for other sections of the route where the PMA and PRoW is shared.</p>

	<p>flexibility to provide two separate routes to be developed, splitting the walking and cycling provision from farm and estate traffic. The Applicant acknowledges that the design is subject to further technical work during the detailed design stage of the Project that will include the specification of the tracks (e.g. surface material, standards and widths). The Applicant will continue to engage with user groups via the established Community Liaison Groups and Technical Working Groups as well as individual landowners.</p> <p>Assessment work undertaken and reported in the ES Addendum Volume II: has confirmed that there is no risk of potential new or different effects on the Lightwater watercourse and therefore there is no change to the outcome of the HRA.</p> <p>Following a review of the feedback received and consideration of the design implications, the Applicant seeks further flexibility to the south-east of the junction at Center Parcs to enable the separation of the footpath and PMA alongside moving it northwards to be closer to the A66 dual carriageway. The amendment will align with the principles adopted on the north side of the dual carriageway on this scheme.</p> <p>Across the Project, the pedestrian, cyclist, and horse-rider facilities that</p>		
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	<p>would be severed by the dualling works are proposed to be reconnected via grade-separated crossings to provide the same level of provision as that being affected by the route</p> <p>In the case of DC-04, provision for horses is not proposed nor does the change impact upon any existing horse-riding provision at this location. This is in accordance with Table 1 of the Walking, Cycling and Horse-Riding (WCH) Proposals APP-010.</p>		
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Removal of junction for Sewage Treatment Works (and private residence) from A66, and provision of an alternative access from B6262

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-05	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> • There was concern regarding potential impacts on the scheduled monument to the south-east of the B6262 junction, impacts on the River Eden SAC and the need to update the HRA to reflect the changes, and comments regarding proximity to Lightwater watercourse. Some comments suggested that additional land will be required to accommodate the change. • Concerns were raised regarding the increase in traffic relating to the change, particularly HGV's, through Brougham via the B6262. It was noted that the B6262 is already a rat-run and acts as an alternative route during flood events where it was used for diverted traffic. There was concern regarding lack of provisions for horse riders, concerns regarding the length of diversion having to access properties to the north from the B6262 and concern that vehicles 	No comment	<p>It is not clear whether the PMA and cycle track will be physically separated as with the DC-04 proposal. This should be done given the greater levels of motorised traffic and HGVs that will access the Countess Pillar, former Llama Karma Kafe and Sewage Treatment Works.</p> <p>Given that the road from the B6262 to the former Llama Karma Kafe is marked as a PMA, the assumption is that the Council is not responsible for maintenance as such.</p> <p>Access must be maintained to the sewage works during construction at all times</p>

	<p>will use access tracks and PMAs on the northern side of the dual carriageway from the junction at Center Parcs instead of looping back to the B6262. Comments were made in relation to the design of the road to accommodate sewage treatment works traffic, parking provision for Countess Pillar and queries regarding maintenance liability in respect to the ownership and upkeep of tracks.</p> <ul style="list-style-type: none">• One comment expressed support for the pedestrian access to Countess Pillar and connection to Brougham. <p>The Applicant has decided to submit this proposed change as it is considered that the safety risk associated with works in proximity and over two nationally significant pipes would, once mitigation measures were put in place, outweigh matters that have been raised in consultation feedback (further detail on the justification for proceeding with this change is included in the Change Application Report (Document Reference 8.2)). Considering the environmental points, the Applicant acknowledges the need to ensure that construction method statements are developed in discussion with Historic England but does not anticipate changes to core documents such as the Project</p>		
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	<p>Design Principles or the EMP as a result of the change. Assessment work undertaken and reported in the ES Addendum Volume II: has confirmed that there is no risk of potential new or different effects on the Lightwater watercourse and therefore there is no change to the outcome of the HRA.</p> <p>The Applicant can confirm that the proposed change will not amend the DCO Order limits meaning that no additional land will be required.</p> <p>The Applicant acknowledges the level of concern in respect of the proposed change and the suitability of the road network for the traffic that will need to utilise it. The design will be subject to further technical work during the detailed design stage of the Project, and this will include the specification of the road network. This includes, but is not limited to, pavement construction, design standards, road widths, passing facilities and how shared road space will be delineated. The Applicant will continue to engage with user groups via the established Community Liaison Groups and Technical Working Groups as well as individual landowners and stakeholders.</p> <p>The proposed change does not seek to encourage extra traffic to use the B6262 via Brougham. The B6262 is not suitable for HGV's and as such signage will be installed to direct</p>		
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	<p>drivers onto the A66 for all onward journeys. The Applicant is working closely with Cumbria County Council and parish councils during the detailed design stage to review existing prohibitions as well as consider further restrictions that limit movements southwards on the B6262. The DCO design included provision for eastbound movements only, meaning that there was a need for westbound movement to utilise the junction at Kemplay Bank in order to return east to access lands to the north. The proposed change seeks to reverse that movement such that eastbound traffic will need to utilise the junction at Center Parcs to return westwards. Whilst the overall journey length will increase marginally as a result of having to navigate the B6262, it is considered to be a nominal change in the overall journey time when compared to the DCO design. Any potential informal routes via PMA will be deterred through physical barriers such as gates, however this will need to be discussed with relevant landowners (please note DC-04 in respect of the approach to shared tracks). The Applicant acknowledges the support for the pedestrian access to the Countess Pillar and will continue to assess parking provision for the monument through the detailed design process (noting that the car</p>		
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	<p>park at the former Llama Karma Kafe will provide parking provision as per the DCO design).</p> <p>Across the Project, the pedestrian, cyclist, and horse-rider facilities that would be severed by the dualling works are proposed to be reconnected via grade-separated crossings to provide the same level of provision as that being affected by the route. In the case of DC-05, provision for horses is not proposed nor does the change impact upon any existing horse-riding provision at this location. This is in accordance with Table 1 of the Walking, Cycling and Horse-riding (WCH) Proposals APP-010.</p>		
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Increase in vertical Limits of Deviation local to Shell Pipeline

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-06	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> • There was concern regarding the degree of information presented in the Environmental Statement on the proposed change noting that the information does not provide clarity on the nature of impacts. There was also concern regarding potential impacts on the River Eden SAC and the need for updates to the HRA to reflect the changes. • There was support expressed in regard to safety and buildability matters. <p>The Applicant has decided to submit this proposed change as it is considered that additional flexibility is required in order to minimise the risk associated with works in proximity and over a nationally significant pipeline.</p> <p>Comments on the adequacy of the information contained within the Environmental Statement (APP-044 to APP-059) have been addressed at Issue Specific Hearing 3 and in the Issue Specific Hearing 3 Post-Hearing note. The Applicant ensured</p>	<p>The Council supports the improved health and safety requirements, with buildability insight, for the proposed works and protection of utilities.</p> <p>The Councils have already raised concerns about the degree of information that is presented within the Environmental Statement, and this proposed change does not provide any greater certainty on the nature of the impacts that will be experienced.</p>	No further comments.

	<p>the consultation materials, including the Consultation Brochure and environmental appendix, contained sufficient and clear information to enable people to respond in an informed manner as part of the consultation. In addition support was available during the consultation to help people understand the proposals, including at public consultation events.</p> <p>Assessment work undertaken and reported in the Environment Statement Addendum Volume II: has confirmed that there is no risk of potential new or different effects on the Lightwater watercourse and therefore there is no changes to the outcome of the HRA</p>		
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Inversion of the mainline alignment at the junction at Center Parcs

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-08	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> • Comments were made in relation to the need for land to the south of the junction at Center Parcs as a result of the proposed change. • Questions were raised relating to accessibility to Center Parcs on foot from the north of the A66 and the potential for shorter routes being accommodated in the design via steps for example. • There is concern regarding the proposed diversions to footpath 311/004 to the southeast of the junction at Center Parcs and the adverse impacts of this on farming operations. • Questions are raised as to why the length of shared track to the south-east of the junction at Center Parcs has not been considered in a similar manner to that on the north where it is proposed to separate pedestrians/cyclists from PMA. The need for segregated public and private access was emphasised noting safety issues 	<p>The Councils acknowledge that the impact to the local road network and its operation both during and after construction would not be affected by the proposed change and is content with the proposal.</p> <p>It is understood that the increase in the number of drainage basins shown in the visualisation images on page 25 of the consultation brochure are indicative only. The Councils' assumption is that drainage requirements from the inversion of the junction will not increase significantly.</p>	No further comments

	<p>with mixing public and private access.</p> <ul style="list-style-type: none">• Comments are made in relation to surface material, standards and widths.• Concerns were raised in respect of drainage design and attenuation ponds due to alignments changes. <p>The Applicant has decided to submit this proposed change as it does not change the principal objectives of the Scheme at this location but will minimise disruption to road users and to Affected Parties. If the proposed change is brought forward, there may be potential to reduce the amount of land required for the Project at this location, should it transpire that land to the south of the A66 is, in consequence of further detailed design work, no longer required to accommodate a temporary diversion route during the construction of the junction.</p> <p>In relation to pedestrian routes a shared footway/cycleway has been provided to link the existing A66 at Lane End through the junction to the Center Parcs access. Further consideration will take place, as part of the detailed design process, as to how best to accommodate the various needs and demands of the users, with the relevant affected persons.</p>		
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	<p>Following a review of the feedback received and consideration of the design implications, the Applicant intends to seek further flexibility (via DC-04) to the south-east of the junction at Center Parcs to enable the separation of the footpath and PMA as well as move it northwards to be closer to the A66 dual carriageway. The proposed change will align with the principles adopted on the north side of the dual carriageway on this scheme.</p> <p>The Applicant acknowledges that the design is subject to further technical work during the detailed design stage of the Project that will include the specification of the tracks (e.g. surface material, standards and widths).</p> <p>The principles of the drainage design are unaffected by the proposed change. Detailed design will develop the solution further in respect to the size, shape and location of attenuation ponds.</p>		
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Flexibility to reuse the existing A66 carriageway

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-09	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none">• There was support for the change with a view to it reducing land required.• Comments were made in regard to the design standard being applied leading to no adverse impact on safety. There was support for measures to reduce the extent and duration of construction works. <p>The Applicant has decided to submit this proposed change in order to provide the greatest level of flexibility to follow the level of the existing A66, allowing for variance in survey data and any other detailed design development. This may lead to a reduction in the overall land-take for the Project but this subject to detailed design.</p> <p>Further technical work at the detailed design stage will follow appropriate design standards and will include a formal independent Road Safety Audit</p>	<p>The Councils support measures to reduce the extent and duration of the construction works. However, the design should be in accordance with agreed design standards in respect of alignment and visibility with no adverse impact on safety risk.</p>	No further comments

Earlier tie-in of Cross Street to the existing road

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-11	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> Concerns were raised as to the degree of information provided as part of the consultation, particularly in relation to the Public Rights of Way (PRoW). It is noted that the amendments to the PRoW shown on the maps are not discussed in the consultation text. Some responses referenced reduced land-take as a positive. The proposed change was welcomed in the main but there were objections to the amendments to footpath 336/011 and concerns regarding the benefits of reducing the speed limit from 60 mph to 30mph. Further consideration as to possible physical interventions to differentiate speed limit changes was suggested as well as solutions that do not require reductions in speed limit. The enforcement of any change in speed limit was raised as a concern. There were also 	<p>The Councils welcome the greater flexibility brought into the DCO to allow detailed design to reduce the overall footprint at Cross Street and tie-in to the local roads more efficiently.</p> <p>Given the PRoW movements through this area, the intention of reducing vehicle speeds is welcomed to provide more suitable road conditions for vulnerable road users. However, given the current nature of the road, this is unlikely to be achieved without other physical interventions.</p> <p>The Councils have concerns about the benefits of reducing the speed limit and would like the opportunity to work with National Highways' designers to adopt Council standards for the design of the local road to achieve the same outcome without the requirement for lowering the speed limit.</p>	No further comments

	<p>comments relating to alternative routes in principle.</p> <p>The Applicant has decided to submit this proposed change as it will provide the same overall solution and, subject to detailed design and the necessary agreements in regard to design standards, it will provide the opportunity to reduce the amount of construction work and the footprint of the scheme.</p> <p>The Applicant acknowledges the general support of this proposed design change whilst recognising other concerns that have been raised.</p> <p>The Applicant acknowledges that the design is subject to further technical work including a formal independent Road Safety Audit. In addition, the Applicant intends to engage with the emergency service providers, police enforcement teams and Local Authorities as part of the development of detail design.</p> <p>The PRow change associated with footpath 336/011 to the east of Cross Street is associated with DC-12. It should not have been shown on the DC-11 images and is not dependent upon DC-11 taking place. However, following a review of consultation feedback the Applicant will not be pursuing change DC-12.</p> <p>Comments on the adequacy of the information contained within the Environmental Statement (APP-044</p>		
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	<p>to APP-059) have been addressed at Issue Specific Hearing 3 and in the Issue Specific Hearing 3 Post-Hearing note.</p> <p>The comments that were made in relation to alternative routes for this scheme are not directly related to the change being promoted and have not therefore influenced the outcome of the Applicant's assessment to submit the change. The route was selected following extensive investigation of possible alternative route options and assessed against the Project vision and objectives, and a range of engineering, economic and financial criteria.</p>		
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Realignment of Main Street

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-13	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> • Concerns were raised as to the degree of information presented in the Environmental Statement on the proposed change. • Land related responses referenced reduced land-take as a positive. • The proposal to reduce the speed limit is generally welcomed however concerns were expressed regarding the safety benefits highlighting the need for other physical interventions in order to achieve a reduction in speed limits. Questions were raised as to how the proposed reduction in speed limits would be enforced. It is suggested that a form of design mitigation is provided to slow vehicles. • Comments were made relating to alternative routes in principle. <p>The Applicant has decided to submit this proposed change as it will provide the same overall solution and, subject to detailed design and the necessary agreements in regard to design standards, it will provide the</p>	<p>The Council welcomes the greater flexibility brought into the DCO to allow detailed design to reduce the overall footprint on Main Street and tie-in to the local roads more efficiently.</p> <p>Given the potential PRow movements through this area, the intention of reducing vehicle speeds is welcomed to provide more suitable road conditions for vulnerable road users. However, given the current nature of the road, it is unlikely to be achieved without other physical interventions and needs further consideration of whether it is acceptable.</p> <p>The Council does have concerns about the perceived safety benefits of reducing the speed and would like the opportunity to work with National Highways designers to adopt Council standards for the design of the local road to achieve the same outcome without the requirement for lowering the speed limit.</p>	No further comments

	<p>opportunity to reduce the amount of construction work and the footprint of the scheme.</p> <p>The Applicant acknowledges the general support in favour of this proposed design change whilst recognising that other concerns have been raised.</p> <p>The Applicant acknowledges that the design is subject to further technical work including a formal independent Road Safety Audit. In addition, the Applicant intends to engage with the emergency service providers, police enforcement teams and Local Authorities as part of the development of detail design.</p> <p>Comments disagreeing with proposed DC-12 are included in responses to this proposed change. Following a review of consultation feedback the Applicant will not be pursuing change DC-12.</p> <p>The Applicant ensured the consultation materials, including the Consultation Brochure and environmental appendix, contained sufficient and clear information to enable people to respond in an informed manner as part of the consultation. In addition support was available during the consultation to help people understand the proposals, including at public consultation events.</p> <p>The comments that were made in relation to alternative routes for this</p>		
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	<p>scheme are not directly related to the change being promoted and have not therefore influenced the outcome of the Applicant's assessment to submit the change. The route was selected following extensive investigation of possible alternative route options and assessed against the Project vision and objectives, and a range of engineering, economic and financial criteria.</p>		
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Realignment of Sleastonhow Lane

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-14	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none">• Concerns were raised as to the degree of information presented in the Environmental Statement on the proposed change.• There was response referencing the reduced land-take as a positive.• The proposed change was welcomed in the main with comments requesting further consideration as to possible physical interventions to differentiate speed limit changes and consideration of solutions that do not require reductions in speed limits. The enforcement of any change in speed limit was raised as a concern.• It was suggested that Sleastonhow Lane should be designated as a quiet lane. There was concern that the brochure imagery indicates that the Sleastonhow Oak will be lost as a result of the proposed change.• There was objection to the proposed design for the new bridge on Sleastonhow Lane. Comments were made in respect of the design of the lane including signage, width, passing provision, visibility, surfacing,	<p>The Council welcomes the greater flexibility brought into the DCO to allow detailed design to use Council standards to tie-in to the local roads more efficiently. However, the Council does have concerns about the perceived benefits of reducing the speed from the existing national speed limit and would like the opportunity to work with National Highways designers to adopt Council standards for the design of the local road to achieve the same outcome without the requirement of lowering the speed limit.</p>	No further comments

	<p>suitability for larger vehicles, road space for WCH.</p> <ul style="list-style-type: none">• Concerns were raised in relation to drainage design, lack of provision for horse-riders and objections to the amendments to footpath 336/011 referenced (DC-12) given a Definitive Map Modification Order (DMMO) has been submitted.• Comments were made relating to alternative routes in principle, as well as queries on the timing and appropriateness of the consultation. The Applicant has decided to submit this proposed change as it will provide the same overall solution and, subject to detailed design and the necessary agreements in regard to design standards, it will provide the opportunity to reduce the amount of construction work and the footprint of the scheme. <p>The Applicant acknowledges the general support in favour of this proposed design change whilst recognising that other concerns have been raised.</p> <p>The Applicant acknowledges the level of concern in respect to the design of Sleastonhow Lane. The design is subject to further technical work during the detailed design stage of the Project that will include the specification of the road network. This includes, but is not limited to pavement construction, design standards, road widths, passing</p>		
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	<p>facilities, forward visibility, how shared road space will be delineated. The Applicant will continue to engage with user groups via the established Community Liaison Groups and Technical Working Groups as well as individual landowners and stakeholders. In addition, the Applicant intends to engage with the emergency service providers, police enforcement teams and Local Authorities as part of the development of detail design. The principles of the drainage design are unaffected by the proposed change. Detailed design will develop the solution further in respect to the size, shape and location of attenuation ponds. Comments disagreeing with proposed change DC-12 are included in responses to this proposed change. Following a review of consultation feedback the Applicant will not be pursuing change DC-12. The Applicant ensured the consultation materials, including the Consultation Brochure and environmental appendix, contained sufficient and clear information to enable people to respond in an informed manner as part of the consultation. In addition support was available during the consultation to help people understand the proposals, including at public consultation events.</p>		
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	<p>Sleastonhow Lane realignment has been designed to avoid the Sleastonhow Oak, a veteran tree in the vicinity. The retention of this tree has been secured in the Project Design Principles (APP-302) 0405.15 which states: The mature oak tree along Sleastonhow Lane must be retained. Additionally, the Environmental Management Plan (REP3-004) D-LV-01 sets out the requirement for an Arboricultural Impact Assessment to be undertaken prior to any part of the Project construction starting, including establishing root protection areas and Tree Protection Plans. DC-14 will comply with these requirements hence why the Environmental Appendix as part of the consultation material takes this into account as part of its conclusions. Additional information can be found in the Environmental Statement Addendum Volume II.</p> <p>Across the Project, the pedestrian, cyclist, and horse-rider facilities that would be severed by the dualling works are proposed to be reconnected via grade-separated crossings to provide the same level of provision as that being affected by the Project. The Applicant is not proposing to make any changes to the designation of Sleastonhow Lane as part of the DCO, meaning that the rights of existing users are</p>		
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	<p>maintained. The Applicant is aware of the DMMO application and are of the view that the scheme does not prohibit that proceeding.</p> <p>With regards to consultation and engagement, the Applicant is now proposing this change as a result of landowner feedback and discussions at the DCO Examination Hearings and having considered this along with its delivery partners.</p> <p>The proposed change consultation period sought the views of impacted landowners and local communities. Landowners were written to directly and invited to speak to the Applicant as part of the consultation period.</p> <p>The Applicant also liaised directly with land agents and has engaged with impacted landowners as part of the change consultation process in one-to-one meetings or at the drop in events. Landowners' feedback has been given due consideration and has shaped the decision as to which changes the Applicant is taking forward in its Change Application.</p> <p>The comments that were made in relation to alternative routes for this scheme are not directly related to the change being promoted and have not therefore influenced the outcome of the Applicant's assessment to submit the change. The route was selected following extensive investigation of possible alternative route options and assessed against the Project vision</p>		
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	and objectives, and a range of engineering, economic and financial criteria.		
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Realignment of Crackenthorpe underpass

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-15	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. Other than support for the change, the key matter raised related to more detailed information on the change to the PRow.</p> <p>The Applicant has decided to submit this proposed change as it provides a more direct route and shorter underpass.</p> <p>The Applicant acknowledges that the design is subject to further technical work during the detailed design stage of the project and will continue to engage with user groups via the established Community Liaison Groups and Technical Working Groups as well as individual landowners.</p>	<p>The Councils require more information regarding the amendments, re-routing and amalgamation of PRow in this area as the consultation plans are not clear in this regard. However, a more direct route and shorter underpass is welcomed in principle for improved user experience.</p>	No further comments

Realignment of cycleway local to Cringle and Moor Beck

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-19	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> • Comments were made in respect of the excessive land required for the proposed change that impinge on a farmyard. • Whilst some comments offered support, questions and comments were raised on: <ul style="list-style-type: none"> ○ the provision for gypsy traveller horse drawn vehicles; ○ the provision for horses; ○ footpath provision local to Wheatsheaf Farm; and ○ requirements for the provision of crossing points and the standards of the design. • Objection to the proposed change were raised due to the lack of provision for horse-riders. • Other comments sought an update in respect to a proposed footpath to link the village and school. <p>The Applicant has decided to submit this proposed change as it enables the old, de-trunked A66 road to be repurposed rather than introducing a</p>	<p>This change is accepted as a pragmatic solution. However, there is a need to provide an appropriate form of crossing at Street House (consistent with LTN 1/20) to enable the route to cross the new road which joins the new A66. An underpass would be welcomed to separate traffic and vulnerable users, as was previously proposed.</p> <p>As with the other sections of de-trunked A66, the form of provision for walking, cycling and horse-riding needs confirmation, however, given this road will be a dead end and lightly trafficked, cyclists could likely use the road without the need for segregation.</p>	<p>Given that the proposed route will need to cross a 50mph road at a corner, the design will need to be amended to incorporate a safe crossing for non-motorised users. Compliance with LTN 1/20 crossing types is required (signals or grade-separation), given the likely speed and volume of traffic.</p>

	<p>new route, thus reducing the footprint of the road. The proposed change removes the footpath from the floodplain and reduces the number of new structures required over watercourses. In its initial form, as presented in the consultation on the proposed changes, this change (DC-19) included some additional land (beyond the Order limits for the DCO Application) owned by Affected Persons.</p> <p>Following a review of the feedback received (including feedback from Affected Persons with an interest in some of the additional land which was proposed to be acquired) the Applicant has amended this proposed change to reduce the area of land required. As a consequence, the revised proposed change, which is now presented in the Change Application, only requires additional land (being land outside the current Order limits) which is already owned by National Highways. The Affected Parties whose land was, in response to their consultation feedback, excluded from the area of additional land required for this change, have agreed to the revised changed proposal.</p> <p>Across the Project, the pedestrian, cyclist, and horse-rider facilities that would be severed by the dualling works are proposed to be reconnected via grade-separated</p>		
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	<p>crossings to provide the same level of provision as that being affected by the route. This proposed change includes the retention of the old A66 over the length which will be wide enough for horse drawn vehicles In the case of DC-19, additional provision for horses is not proposed nor does the change impact upon any existing horse-riding provision at this location. This is in accordance with Table 1 of the Walking, Cycling and Horse-riding (WCH) Proposals APP-010.</p> <p>The Applicant acknowledges that the design is subject to further technical work during the detailed design stage of the Project that will include the specification of the tracks, including crossing points. The design will be carried out in accordance with the relevant design standards and a Road Safety Audit will be carried out by an independent team to ensure that any safety issues are considered, and recommendations made accordingly to mitigate those issues.</p> <p>There has been an application to National Highways Designated Funds to conduct a feasibility study for a footpath to connect Warcop village to the school, church and village hall. This is separate from the Project. The funding for the feasibility study was recently approved and the study will commence imminently. Once the</p>		
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	<p>feasibility study has been undertaken, further applications will be made for detailed design and implementation funding and are subject to future approval being granted. The construction of the footpath will also be subject to landowner agreements being in place.</p>		
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Reuse of existing A66 (north of Flitholme)

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-24	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none">• Environmental concerns over potential significant effects reported in the Environmental Appendix to the Consultation Brochure in respect to road water and drainage environment.• Other comments supported the inclusion of an equestrian track (although a question was raised on its legal status) and its relationship to the A66 to ensure its design is an attractive route, as well as comments on the route of the scheme with alternatives sought further north. <p>Overall, the Applicant has decided to submit this proposed change as it will provide the same overall solution but, subject to detailed design and the necessary agreements in regard to design standards, provide the opportunity to reduce the amount of construction work and the footprint of the scheme.</p>	<p>Users of the cycleway and equestrian track would now be closer to the new A66, so further details would be needed on the screening to be included so that this route is attractive for users. The intention of reducing vehicle speeds is welcomed to provide more suitable conditions for vulnerable road users. However, given the current nature of the road, it is unlikely to be achieved without other physical interventions and needs further consideration of whether it is acceptable.</p> <p>The Council does have concerns about the perceived safety benefits of reducing the speed and would like the opportunity to work with National Highways designers to adopt Council standards for the design of the local road to achieve the same outcome without the requirement for lowering the speed limit.</p>	No further comments

	<p>The definition of the equestrian track is included in article 2 (interpretation) of the DCO.</p> <p>The design is subject to further technical work during the detailed design stage of the project that will include the specification of the road network, including but not limited to design standards, road widths and how shared road space will be delineated. A formal independent Road Safety Audit will be undertaken, whilst National Highways also intend to engage with the emergency service providers, police enforcement teams and Local Authorities as part of the development of detail design.</p> <p>The comment in respect to road water and drainage environment is duly noted by the Applicant. An environmental assessment of the proposed design changes has been completed and can be found within Environmental Addendum Volume I and Environmental Addendum Volume II: Detailed Assessments.</p> <p>The ES Addendum details the assessment undertaken in order to quantify whether or not any of the design changes result in any new or different likely significant effects when compared to those submitted as part of the Development Consent Order (DCO) application for the Project (doc ref. 3.1 to 3.4, APP-043 to APP-233). For further information on the outcomes of this assessment, please</p>		
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	<p>refer to Environmental Addendum Volume I and Environmental Addendum Volume II: Detailed Assessments.</p> <p>The comments that were made in relation to alternative routes for this scheme are not directly related to the change being promoted and have not therefore influenced the outcome of the Applicant assessment to submit the change. The route was selected following extensive investigation of possible alternative route options and assessed against the Project vision and objectives, and a range of engineering, economic and financial criteria.</p>		
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Revision to West View Farm accommodation bridge and removal of West View Farm underpass

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-26	<p>In coming to a decision on whether to submit the proposed change for examination, the Applicant has considered the feedback received. The key matters are summarised as follows:</p> <ul style="list-style-type: none"> • Comments were raised in relation to the overall design, with support expressed for the movement of West View Farm Accommodation bridge eastwards and noting that less traffic will pass properties. • Questions and concerns were also raised on the proposed change, including the maintenance of the structure, the provision of the footpath and bridleway to routes northwards, the limiting of movements to and from Helbeck Quarry, drainage design and location of attenuation ponds, and concerns about an increase in traffic through Brough. • Objections were also made to the removal of the left-in left-out junction for westbound movements, the removal of the underpass to the west of West View Farm resulting in the overbridge having to be shared by users, and that the route should be a bridleway for walkers, horse riders and cyclists. 	<p>The Councils require further details as to what PRow connections will be maintained with the new proposal as this is not clear from the plans. The bridge should form part of the network in this location, given that use of the A66 will no longer be possible for users of Bridleway 309003 and Footpath 309033.</p> <p>The new provision of a bridleway running parallel to the A66, running west from Musgrave Lane, appears to have been removed as a result of this change. This linkage is now even more important so that Bridleway 309003 can reconnect to Bridleway 309032 and other places for cyclists and horse riders.</p>	<p>The Council is still concerned that overall connectivity for PRow users is not maintained.</p> <p>Latest plans clarify that the new bridleway (marked as 309/031) is retained with the changes.</p>

	<ul style="list-style-type: none">• An update was sought in respect to a proposed footpath to link the village and school. <p>Overall, the Applicant has decided to submit this proposed change as the movement of the overbridge eastwards will mean that it is further away from residential properties. Whilst the westbound left-in and left-out will be lost as a result of the change, it is considered that the number of vehicles that would have utilised the turning is not significant. Access to and from the quarry is maintained to the old A66 with the junction at Warcop enabling movements east and westbound without the need to enter Brough. The Applicant does acknowledge the level of concern in respect to the suitability of the road network for the traffic that will need to utilise it as a consequence of the proposed change, and the potential impacts on businesses. The design is subject to further technical work during the detailed design stage of the project and that will include the specification of the road network, including but not limited to design standards, road widths, how shared road space will be delineated. National Highways acknowledges comments made in response to the impact that the removal of the underpass will create to the operation of the farm. National</p>		
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	<p>Highways will continue to engage with user groups via the established Community Liaison Groups and Technical Working Groups as well as individual landowners and stakeholders.</p> <p>The responsibility for the ongoing maintenance of infrastructure provided as part of the project, such as accommodation bridges, will be discussed with each landowner on a case-by-case basis and, where applicable, will be subject to management agreements and third-party access rights where required. There is no change to the provision of footpaths or bridleways as a result of the planned change. The overbridge will provide a footpath, whilst a bridleway has been provided that runs parallel to the southern side of the A66 to tie into Musgrave Lane and provides a means for horses to cross the A66 in to Brough. National Highways acknowledge that the drawings presented in the consultation brochure were not clear in this regard.</p> <p>In respect to the Helbeck Quarry movements, in order to avoid Brough in the DCO design, HGVs would have to turn right to the Warcop junctions to then travel onwards east or west, so there was already an expectation of increased haulage for 50% of journeys. As a</p>		
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	<p>result of the westbound left-in left-out being removed, HGVs will now need to utilise the Warcop junctions for all journeys to avoid Brough. Neither the DCO design nor the proposed change will prevent laden vehicles leaving the quarry site. The change effectively means that more journeys will need to be completed by using the Warcop junctions to avoid Brough than were proposed in the DCO.</p> <p>Removal of the direct left-in left-out junction has a safety benefit for the A66 but West View Farm is serviced by two all-movement junctions, one in Brough and the Warcop Junctions. Traffic coming from the west will be able to use the Warcop Junction and this should be an improvement compared to the current situation where traffic has to turn around at the Brough junction to gain access.</p> <p>The provision of the accommodation overbridge provides access 24/7 to land to the north and south of the farm. This is an improvement on the current situation where farm works have to cross the busy A66 just as the road widens into a dual carriageway. This change makes the bridge more secure and safer for West View Farm traffic. As a result of this improvement, it was felt the underpass was no longer required.</p>		
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	<p>With the removal of the left-in left-out junction, the bridge becomes a PMA and footway only. Without this change, the bridge was open to all traffic and could easily become a rat run for traffic to enter the west side of Brough. Whilst this will lead to a small increase in traffic through Brough, the numbers of the properties served by the bridge means that this is not considered to be a significant factor.</p> <p>The principles of the drainage design are unaffected by the proposed change. Detailed design will develop the solution further in respect to the size, shape and location of attenuation ponds.</p> <p>There has been an application to National Highways Designated Funds to conduct a feasibility study for a footpath to connect Warcop village to the school, church and village hall. This is separate from the A66NTP project. The funding for the feasibility study was recently approved and the study will commence imminently. Once the feasibility study has been undertaken, further applications will be made for detailed design and implementation funding and are subject to future approval being granted. The construction of the footpath will also be subject to land owner agreements being in place.</p>		
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Construction of noise barrier south of Brough

DCO ref	Applicant's way forward	Original CCC / EDC Response	W&FC Response to Deadline 7
DC-27	<p>In coming to a decision on whether to submit the proposed change for examination, National Highways has considered the feedback received. The only matter raised was in respect to the effectiveness of the noise barrier.</p> <p>Overall, National Highways has decided to submit this proposed change as the noise barrier will lead to a reduction in noise at properties to the south of Brough and the change ensures that it can be built within land secured by the DCO. The noise fence will be located on the alignment included within the original DCO Application. The front face of the barrier is therefore not proposed to move meaning that noise levels and the mitigation afforded by the barrier remains the same as reported in the project Environmental Statement (APP-044 to APP-059).</p>	<p>The Councils support the inclusion of an acoustic fence in this area, however if NH now need to acquire additional land, that is outwith the highway boundary, then the acoustic fence will be further from the carriageway and hence less effective than was assessed in the ES.</p> <p>The Councils therefore question the conclusion that the proposed change does not have the potential to change the likely significant environmental effects. NH should identify the increase in the distance that this design change will result in, so that there is no change in the noise level that will be experienced. NH should detail whether an increase in the height of the acoustic fence is required to counteract any difference.</p>	No further comments