



Hearing Transcript

Project:	M5 Junction 10 Improvements Scheme
Hearing:	Issue Specific Hearing 3 (ISH3) – Session 7
Date:	14 August 2024

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M5J10_ISH3_SESSION7_14082024

00:05

Good afternoon, everyone. Welcome back. It's now two o'clock and it's time to resume this issue specific hearing again. Can I reconfirm that teams and live streams? Okay? Thank you very much.

00:16

Right Then we'll move on to the next item, which I think is just one question that we have on the methodology for the environmental impact assessments, and it's just a

00:29

clarification, really, in the the statement of common ground with Natural England

00:36

in dealing with cumulative recreational effects,

00:40

there appears to be reliant upon respective planning applications to review their HRA assessments in order to assess the potential for effects on neighboring sites with biodiversity and geological interests. So I just

00:57

have we understood that position within the statement of common ground correctly,

01:06

I can introduce Lizzie Hall, who's the project biodiversity lead.

01:14

Lizzie Hall for the applicant. So just to clarify what's in the statement of common ground with Natural England. Item 4.1

01:24

it's not the suggestion that HRAS of the surrounding housing developments are reviewed or would influence the HRA of the scheme. The suggestion is that the HRAS for the surrounding housing developments will be undertaken separately

01:42

any potential increase in recreational pressure will come from the increase in housing which the scheme will facilitate but will not cause

01:51

the potential for in combination effects of the combined housing developments are known, and there are existing policies in place at a strategic level that have been designed specifically to mitigate, in combination, recreational effects of the combined housing developments. And it's it's therefore appropriate to to rely on the fact that the housing developments will need to comply with those existing policy requirements. The housing developments will be subject to their own planning applications and assessments, including HRAS, and will need to demonstrate compliance with policies in order to gain planning permission.

02:35

And Natural England are in agreement with the approach taken in the HRA for the scheme that's evidenced in the relevant representation from Natural England. RR, 027,

02:49

at paragraph 3.2, point two, and the statement of common ground with Natural England. Rep, 1037,

02:57

at section 7.9, and natural England's response to the examining authority's first written questions. Rep, 3076,

03:08

question 3.1, point four.

03:17

Thank you.

03:19

In terms of I can understand that distinction, but in terms of your own proposals, the

03:28

intention, at least in part, is to improve the highway network,

03:33

which makes accessibility to

03:37

sensitive sites

03:41

more easier for anyone who might wish to visit. So can you just explain

03:49

how that's been addressed within your assessment?

03:55

Lizzie Hall, on behalf of the applicant,

03:59

we don't consider that? Well, we consider that improving the road infrastructure as the scheme proposes, would not facilitate access to surrounding designated sites.

04:14

The scheme doesn't provide direct access to any surrounding designated sites,

04:22

in particular the Coombe Hill triple si which is located approximately two kilometers northwest of junction 10. The existing m5 junction 10 already provides access and egress to and from the north with no connectivity to the south. And it's this southern connectivity that will be improved as a result of the scheme, which will help to alleviate congestion across Cheltenham, as well as enable the planned development around the junction.

04:54

And that increase in planned development around the junction, that increase in housing development and the.

05:00

Potential increased recreational pressure will be dealt with by the housing developments that will be subject to their own assessments.

05:10

I'm not trying to suggest that you need to take account of the new developments coming forward for those housing developments. I'm just trying to understand if you're saying to us, you're improving the transport network and therefore making accessibility in the vicinity of your scheme better,

05:31

the

05:33

doesn't it follow that more people may then visit these sites now

05:42

is that

05:44

premise accepted? Or is it, and if it were, is it then such a negligible effect that

05:52

it doesn't matter? Or do you not accept that premise? Per se.

05:58

Lizzie Hall, for the applicant, we we don't accept that that premise, and

06:07

that's effectively natural England's position as well. It is yes. Okay, fine, thank you. Do the councils have any concern in that respect? I don't believe they have done but I just wanted to check

06:25

Heather and I for the Joint Council. So Jane Brinkley is online, and I'd ask if she's got any response to that.

06:33

Thank you.

06:38

Hello. It's Jane Brinkley for the joint councils, I would just like to confirm that the joint councils are in agreement with the applicant and Natural England. Natural England's position on this regarding the approach to in combination assessment and we've seen and accept the applicants response regarding

06:59

whether or not, the scheme itself provides more accessibility to those to those sites that are affected.

07:10

Okay, thank you very much.

07:18

That's helpful. So we then we'll go on to item seven, a broad issue about mitigation. And again, it's just a comment from Natural England, the statement of common ground with them. At Item 10.1,

07:34

there's reference to a watching brief. Just, can you help me in letting me know where we can where that's located and how that is secured within the

07:47

various requirements and so on.

07:53

So Colin Cartwright, for the applicant. So in relation to this

08:01

natural England's comment in the socg, so rep 1037,

08:06

that relates to a request to consider the opportunity to recover information on underlying bedrock strata. So underlying the scheme, specifically in relation to the excavation of the flood storage area.

08:21

So

08:25

the geology on the site is not says, is not designated as environmentally sensitive, and there are no geological environmental designations within the order limits or the study area. So therefore the watching brief is not considered as a central mitigation. The comment relates to

08:46

if further information can be provided, this would be welcomed by Natural England on this underlying geology, if exposed.

08:56

So our proposed approach on this is that

09:04

the final design of the flood storage excavation area is still to be confirmed.

09:10

If the final design requires excavations to progress to a depth greater than two meters, which is a depth that would therefore be expected to intercept the bedrock geology Natural England will be consulted.

09:28

So therefore the consultation will confirm in Natural England the items they're interested in in being recorded during that excavation, and those findings will be reported back to Natural England. It's therefore essentially a

09:47

goodwill interaction with Natural England to provide them with that information on the geology should that be exposed during the construction work. It doesn't have a mitigation component. So.

10:00

To the ES, and we haven't that we therefore haven't secured it.

10:18

Okay?

10:22

So it's

10:23

not seen as an outstanding objection from Natural England, but something that they would

10:29

encourage you to do, because it's going to further knowledge in in due course, in the event that

10:38

the depth of two meters is reached, yeah, I think simply Natural England are asking us if you are going to excavate to a depth where that strata layer is exposed, we will be very interested in finding some further information on it.

11:00

The language used is rather tentative. Conditional on two meters is also rather tentative that if that's the case, there may be value in having a watching brief. It's not expressed in the requirement, but we're happy to do that, but we didn't see it as a needing to be bound by that in law. No, I can understand that. I just it was striking me as an outstanding niggle rather than anything else. And it was just trying to understand

11:31

what people's position was and whether it was a commitment that needed to be engaged, or whether it was

11:40

not that, and I understand effectively where as it's something that could be done if

11:49

the resulting investigations and design of the flood risk that

11:55

needs it to be or

11:59

goes to that depth.

12:02

So it is something you're potentially offering, but it's not legally binding.

12:08

Yeah, that's correct. Okay, now that's helpful. Thank you. Is just looking at the statement of common ground, item 10, one that we're talking about. There's, there's a line under the Atkins response, which does it infer that there is an expectation that any are expecting an update to the environmental statement? It's the first line under the Atkins response which says further detail on construction will be provided as part of the Yes. So not withstanding what you've just helpfully confirmed with regards to the the bedrock level and the two meter excavations. Is there an expectation from a that there's some further information to be provided as part of the yes regarding construction? Thank you.

12:56

We're not aware of so Connie Carter of the applicant, we're not aware of further information that's required from that by Natural England on on the construction, we will check that text that's in That statement of common ground and confirm.

13:11

Thank you. Applause.

13:23

Okay, I'll just again, open that up to the room to see if there's any additional comments that anyone would wish to make.

13:31

Okay, thank you.

13:34

So then we'll move on to the sort of broader heading of

13:41

requirements, and we just want to make sure that

13:45

all interested parties have the opportunity to let us know

13:50

if there are any outstanding matters of concern with regard to requirements, either in terms of the process of consultation or discharge of those requirements,

14:06

and to understand where details remain outstanding between parties. So if I can just start, and then we'll come to each party to ask for their specifics. I'm

14:20

not sure whether we've got anyone from the Environment Agency in attendance.

14:29

So some are enormous from the Environment Agency. Thank you.

14:33

Can you just clarify for me your current understanding, your current position, with regard to the wording in requirements 811,

14:42

and 13, whether they're now agreed

14:49
regarding

14:50
requirement eight, the land and groundwater contamination, we just want slight alteration to the word wording.

15:00
And regarding identifying unsuspected contamination which have faulted and are submitting deadline for for you. So

15:13
okay, and has that suggested alteration already been forwarded to the applicant, or is that something that they will see a deadline for as well.

15:24
No, they haven't seen it yet. It's just a minor alteration. So hopefully that should be okay, and they'll see that a deadline for

15:36
Okay. Thank you. And in requirement 11,

15:40
requirement 11 detailed design. And then why did request that we be added as a specific consultant so we can advise on matters within its remit. This was submitted in

15:56
the relevant representation on the 18th of June, but there has been no change to the to the

16:04
draft. TCO,

16:08
okay, thank you. And requirement 13, they're happy with requirement 13, sir.

16:17
Thank you. So if I can come to the applicant, I won't ask you to comment on requirement eight, because you yet to see what's coming. But in terms of requirement 11 and adding the environment a do you see as a consultee, what's your response to that?

16:34
Douglas, hey, got

16:37

Okay? Got for the applicant? Yes, we're aware of the environment agency's position that they initially expressed in their relevant representation, and we provided a response to that at rep one dash 043,

16:49

reference 13.3,

16:52

I can read that out for the record, but that's going to be there in your documentation. Just, just let me. Can you just give me that reference again? It's rep one, dash 043,

17:05

and then it's the reference or paragraph number 13.3,

17:14

and my understanding, sir, is that we have been engaging with the Environment Agency in regards to our response and our position on that overall, our position is that

17:27

the applicants not prepared to offer an overarching consultant consultative role in detailed design and as secured in requirement 11,

17:37

and will instead be placing consultation obligations on specific areas of design in the React.

17:47

As a result of that engagement that we have been having with the Environment Agency, we have updated the React, and you can see entries we seven, we eight, as an example of where the React has been amended to account for that engagement.

18:09

So if there is a still an element of ground to cover between the Environment Agency and the applicant, will continue to engage. But my understanding is that

18:19

the proposal of containing that consultation in the React was accepted by the Environment Agency.

18:26

Okay, thank you. Can I again come back to the environment agency to see if you can confirm what we've just heard about, whether there is agreement on how the React addresses those two requirements already from the Environment Agency, so

18:44

I'll have to look into that in detail and get back To You By deadline for sir.

18:50

Okay, thank you. Applause.

19:11

Can I then come to national highways and just seek your views on what I think are currently outstanding concerns with regards to requirements three and four.

19:23

Thank you, sir. Sophie Stewart for national highways in relation to requirement three, our concerns have been addressed in the latest draft DCO, and we're now specifically a consultee for EMP three

19:37

in relation to three and four and various other of the requirements as well. Can I pass to the applicant? Because the other outstanding issue is, of course, the arbiter for the decision making under the requirements. So if I can pass back to the applicant for an update on

19:54

that, okay, yes,

19:57

okay, got for the applicant. Thank you. And.

20:00

And so the app can understand that the principal area of disagreement really between itself national highways, and to an extent, the joint councils, is around this position about arbiter, and

20:12

we cover that point in a lot of detail and issue specific hearing too. Since that hearing, with the help of national highways, the joint councils and the app can have had a meeting with the Department for Transport to understand what would be involved if we shifted the role of arbiter to the Secretary of State.

20:33

As a result of that meeting, the app can understand that the joint councils are happy in terms of their role as county planning authority, to see that role as of arbiter move to the Secretary of State, and the applicant is also content to introduce that change to the DCO at deadline for

20:55

that change would also involve the county planning authority moving into a consultative role, much like the local planning authorities as currently secured. Now understand that that's going to be that's quite significant change across all the

21:11

requirements, and it also introduces a slightly different way you can interpret it, the sort of balance of power when you read the article. So understand there's some various comments that are still expand from national highways as they provided at deadline three, which may need to be just revisited as a result of that change throughout the requirements. And I fully expect the joint councils will also be looking at our redrafted DCO deadline for to ensure that county planning authority continues to be protected in the necessary way.

21:49

So

21:53

does that then

21:58

also influence how the requirements are worded in terms of who the decision maker is and which consultees there are for. So it's affecting the whole package of how they're currently drafted. It's okay, copper that can Yes, that's correct. So the entire schedule will need to be relooked at.

22:26

Right, okay,

22:30

there's probably little point then in, in progressing further debate this afternoon, because there's going to be a new iteration in a couple of weeks time. Okay, no, that's helpful.

22:52

Just then I'll come back to national highways

22:58

having heard what you've heard,

23:01

still in terms of any other elements of requirements,

23:07

are there any other outstanding matters that you have concerns about?

23:13

Thank you, sir. Sophie Stewart, for national highways, not so far as we're aware, we will confirm in writing, but not as far as more. Okay, thank you.

23:27

So can I then come to the joint councils to understand your position in terms of

23:33

the requirements as as drafted,

23:36

having, obviously, there's a bit to go in terms of who's going to settle in which seat, but in terms of the other elements of the requirements as drafted, are there any other concerns that you would wish to point out to us, sir Castro Knight, for the joint councils? No, there are no other concerns. And we're on exactly the same understanding as the applicant has just put forward, and we look forward to the next iteration of the DCO.

24:03

Okay, thank you.

24:09

I think then if we move on from requirements to just look at the environmental management plan, and I just want to make sure that

24:20

everyone is content with how that is intended to work as it progresses through from the first iteration that we currently have to the second and third iterations as the design develops, subsequently to hand over of the project. So I don't believe anyone has expressed any concerns, but I just wanted to make sure that that understanding was correct, so I've come to national highways in the first instance,

24:48

safety national highways, that's correct, sir, national highways has no concerns,

24:53

and the Joint Council is also in agreement. I.

25:06

So apologies. Catherine Knight for the joint councils I was just reading.

25:11

I think we're in agreement, and if we're not, I will let you know in writing to load for

25:18

Okay. Thank you. Applause.

25:27

And just again, seek confirmation from the Environment Agency that they're also in agreement with how the environmental management plan and its subsequent iterations work, that they're content with that process. So

25:45

it's not an option on the Environment Agency. Yes, we're in the agreement. Super. Thank you very much for that confirmation. So then if we go on to the register of environmental actions and commitments, I think

26:00

we've touched on G 12, which is the residence of Sheldon cottages, and how there appears to be a slight contradiction with what the React says to the noise

26:13

chapter earlier. So I think we know that you're going to revisit that to make sure that

26:20

the position is clear.

26:23

But I would just want to ask you to

26:29

have a look at the React and the wording in the DCO to make sure that the language is consistent across the two documents, because I think there are examples where that's not the case, and I wouldn't want there to be an inadvertent failure of

26:52

the mitigation process, because there's a drafting error. So I'll give you one example and but

27:05

uh Historic England. In their response, have made reference to the wording in requirement nine, not matching documents within

27:17

um dealing with archeological remains, and I just that's in relation to the archeological management plan, I think so it goes beyond the React, but also the supporting management plans. So we need that consistency of language, so that if there is an enforceability question, the local authority or the other statutory bodies aren't going To be tripped up by

27:46

it Not quite aligning. I

28:22

is that something you'd be able to do for deadline for excuse me,

28:31

so we'll undertake a consistency check. Thank you. I

28:43

I think there's just a couple of other points on the React. Can I just clarify that it's been changed to reflect the requirement to restrict the timing for construction in respect of the Lee Brook, which I think is identified within the statement of common ground with the Environment Agency.

29:00

Colin Carter for the applicant. Yes, that's correct. So there's been an objective, sorry, an objective. Item B 28 has been added to the React.

29:14

So that was it was added at React version rep 1031,

29:21

and the objective of item b 28 is to minimize disturbance of fish within the library.

29:36

Thank you.

29:42

Now there's something that's included within the statement of government, grounded item with again, with the Environment Agency at item 8.9

29:51

and it makes reference to inclusion of shut off pen stocks, afraid. I have no idea what they are, but a.

30:00

Are they secured whatever they are, perhaps you can explain to me what they are and whether they're secured.

30:07

So calling car trip for the applicant. So a pen stock is a control mechanism on the drainage basins for the highway drainage. There are means to there are a physical mechanism, a door, a gate, on the outfall from that from that basin. So if you shut that, either manually or to order or automatically, it will stop whatever's in the basin from discharging out. So it's a means to control pollution spillages. That's the context in this in this area. So in terms of securing of that

30:49

this is related to the drainage design, the design of the highway drainage system is addressed within react item W, e2,

30:57

this also identifies that drainage design will be finalized as part of detailed design. Detailed Design is secured by react by sorry, react by DCO, requirement 11,

31:10

the design of the of the highway drainage basins will be determined at detailed design. So inclusion of pen stocks, what they will be, how they will be operated. That's a detailed design consideration,

31:26

but

31:28

currently

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we have the statement within paragraph eight, point 7.48, of chapter eight, the water chapter so reference rep, 1015

31:42

that the highway drainage basins would be designed to contain spillages. Thank

31:47

you. Can you just give me that reference again? Thank you.

31:52

The reference within the chapter eight, please. So that's paragraph eight, point 7.48,

31:59

of rep 1015

32:01

do Thank you.

32:07

So

32:09

that's effectively a detailed design element, but because of that commitment to prevent pollution

32:19

being an overriding factor.

32:22

Whilst we might not have

32:27

shut off pen stocks, ultimately, in the design, it's covered, or that their purpose is covered in another way, correct, we would have something that would allow the drainage basins to contain spillages. That something could be a pen stock, or it could be something else, and that would be a detailed design consideration for those basins. Okay, thank you for that. Can I just clarify with the Environment Agency

32:55

that they are content with the arrangements in so far as

33:00

that goes and then leading into subsequent detailed design and having the appropriate measures secured to protect the Water

33:11

Environment Agency, I just asked my water quality specialist, Louis Baines, to come on please.

33:21

Hi, says Lewis Baines Environment Agency. Yes, we're happy that those Penn stocks are, I guess what they represent, have been secured. I believe the statement of common ground is being updated to reflect some of the changes in Chapter Eight as well. So we're satisfied.

33:43

Thank you. Applause.

34:07

You got the noise

34:10

elements include that you posted into our agenda for

34:29

I think then that concludes our questions for this afternoon. No doubt you'd be pleased to hear

34:37

so it just then, I'll just clarify that there's no other outstanding matters from anybody before we just go on to review of issues and actions.

34:50

Okay, thank you, everyone. So I think we've been keeping a log of the various action points, both through yesterday and today.

35:00

You.

35:01

I think there's

35:03

a fairly long list of of points now, just

35:08

check with my colleague who's going to lead on this.

35:19

So apologies given the ground we've covered over the last couple of days, there's 45 items, which I'll try and frankly, go through.

35:35

So starting yesterday morning, with regards to the exception test and the application of the sequential test, there's a request for a signposting document from the applicant,

35:47

which sets out

35:49

their position with respect to that please.

35:53

Second item then was the views from the EA to be set out with regards to the need for a scour assessment at detailed design stage.

36:03

There was also a requirement from the

36:07

request for the EA to provide

36:11

their position with respect to their adjustments to GS four in the REAC

36:16

item four. Then was a request for the applicant to provide the technical notes and the context that we discussed yesterday morning with regards to the reservoir please

36:31

item five. Then it was a request for the Environment Agency to advise on the position in respect of practicalities moving forward for ensuring the reservoir complies with the reservoir act and is delivered appropriate through leak through the draft DCO.

36:52

There's also a request for the applicant, item six, to provide references please to the plots which were

37:01

need to be referenced with regards to land affected by increased depth of flooding.

37:10

Item seven, it was an item for the joint councils and the applicant, which was a copy of confirmation from Gloucestershire county council that this application of drainage legislation has been agreed. Please.

37:28

Moving on to Item eight, which was an action for the applicant and national highways, was we asked for consideration of the legal powers that arise from a DCO and whether those can be imposed on national highways, please.

37:46

Item nine, again, was an action for national highways and the applicants, and it was with respect to transport modeling and the use of

37:58

different journey times. We talked about mean and

38:05

median, etc, for assessing journey times and what the consequences of those different journey times may be.

38:14

And that really followed on from Action Point 10, where we asked national highways pleased to provide a detail with respect to the tag compliance of the transport modeling, as we were discussing yesterday.

38:33

Item 11 was an action for the applicant and for blow stroke persimmon homes, and that was with respect to the discussion we were having with regards to access arrangements to farmland north of the a 4019,

38:48

with respect to the width of the current accesses, and if they are appropriately provided for By the DCO proposals.

39:00

Item 12, again, was for the applicant, and that was to provide some further information with regards to the accident data that was mentioned with respect to the several accidents that occurred

39:16

approximate to the farm accesses, and specifically when, whether any of those accidents did actually involve vehicle movements and activity associated with those farm accesses.

39:32

Item 13, again for the applicant, whereby we asked for the land plans to be overlaid with current and future adopted highway boundaries, just so we could understand the existing and future relationships between the adopted highway and the land parcels as they are today and in the future. So.

40:01

Item 14 was for applicants and national highways, and again, that was to do with any discrepancies with regards to modeling and the need for any sensitivity testing to look at any remaining areas of dispute with regards to the adequacy of the modeling.

40:22

Can you both please consider if anything needs to be done and if it does need to be done, when it can be done and when it would be available to be reviewed? Please.

40:38

Item 15 was for the applicant, and it was with respect to the first written question, response to 15, dot 0.3,

40:47

whereby we had a discussion around the slip road closures and the use of the sign posted diversion route relating to All background traffic, not just the DCO construction traffic. So it's a response really just explaining to us how much traffic would use the signposting route on what the impacts of that would be, please.

41:17

Action 16, again, was for the applicant, and that was to revisit the content of the d2 safety report in line with the revised dmr content, CD, 122, to see if anything needs to alter in that

41:36

item 17, again for the applicants, again, it's In the context of the safety report, and we asked specifically for a location plan, which clearly sets out the locations of all of the departures from standard which we discussed yesterday,

41:54

item 18, again, sticking with the safety report was

41:59

in particular to do with departure for standard reference 10, and we asked for an additional explanation with regards to the appropriateness of that departure for standard

42:11

relating to taper widths given road safety context and highway considerations, rather than

42:19

Sainsbury's land availability and cost.

42:24

Item 19, again related to the departures for standard in the safety report, specifically 1112, and 13, and it related to us asking the applicant please to provide a response with respect to the appropriateness of shortening of visibility lengths of

42:46

due to changes in speed limits, and where those specific TROs will be secured in the DCO

42:56

item 20,

42:59

again related to the departures for standard and we ask for further information, really, with regards to whether it is appropriate to rely on something being an existing departure when the prevailing road conditions, in terms of the DCO layout, changing things and volumes of traffic changing things, if it remains appropriate to

43:23

justify that in part by it being a existing occurrence,

43:30

21 again, was for the applicant. And we again asked for, I think, is that the same as the other one? No, it isn't. 21 the applicant to come back, please on the Yeah, the safety audit issue raised by national highways, there was a timing issue with regards to when the safety audit was prepared, and therefore whether it complied with EG, 119,

43:55

Item, 22,

43:58

related to national highways comments yesterday with respect to scheme cost and the applicant's calculations and whether they included appropriate allowances for risk, bng, carbon reductions and VAT, etc. So if we could have a response from the applicant and national highways on that please, that would be helpful.

44:22

And item 23

44:25

again, with regards to funding and cost certainty, the applicant yesterday suggested that there was a side funding proposal which was issued to national highways, which excluded a bond provision. I think we just welcome any feedback national highways can give with regards to if that move matters on or and gets us any closer to satisfying your concerns.

44:55

Item 24 was for the applicant, and we asked for.

45:00

For

45:01

clarity, really, with regards to how you have taken into a consideration the potential for delays to commencement in respect of the assessment of the cost of the scheme, so inflation pressures, etc.

45:16

Item 25 was something which we posed for the applicant, national highways to joint councils and relevant IPs, and it was broad consideration as to whether the st modu suggestion of a requirement could be an appropriate mechanism to allow funding matters to be progressed. So a view on what St moderns have stipulated, please.

45:44

Item 26

45:46

something for the applicant,

45:49

please. Can you prepare and submit a note on sustainability which pulls together all of the areas of the ES which sign post compliance with the things we were talking about earlier, the 10 design principles, carbon, active, travel, etc, just a holistic document on that please.

46:10

Item 27

46:12

again for the applicant,

46:15

please. Can we have again, a sign posting or a new summary document which pulls together all of the key design changes which have arisen as a result of the consultation process. Please,

46:31

item 28

46:33

again for the applicants.

46:37

And we just want confirmation there, with regards to controls, with regards to the quality of the design going forward, we talked about the applicant's position of that being covered in the PCF process, but we just appreciate clarity, really, with regards to what your position is, with regards to quality Control going forward, how that will be achieved, and how that relates to the whole scheme and the strategic road networks. Please.

47:09

Item 29 was for the joint councils, and we asked for a position statement please with regards to the adequacy of the scheme design and what needs to be resolved at detailed design stage, and if that is secured acceptably via the DCM,

47:31

item 30 was for the applicant, please, and it was confirmation, really, With regards to why an external or independent review process a design panel has not been undertaken,

47:47

given what national highways were stipulating earlier today,

47:53

follow up part of that action please confirmation really is whether we are in a position where a review should still be undertaken at this stage, and whether it will be of benefit to

48:05

the examination of the scheme.

48:08

31 was an action for national highways, and it was in the same context, really, with regards to the PCF process and your national highway design panel review requirements. You mentioned some documents and some guidance notes, if you could just set out clearly all of those sign posts to us, please, so that we have a full understanding of that. Thank you.

48:36

32 is for the applicant, and please, can the applicant identify any differences between the PCF process that has been followed and what that what their position would be with regards to alignment or not, with regards to What would fall out of a design panel process? Do?

49:03

33 for the joint councils, please, please. Can you review and confirm if the provisions with regards to environmental, sorry, the I'll start again. I'll start for a breath,

49:20

joint councils with regards to environmental barriers and the provisions with regards to how they will be consulted on how they will be approved,

49:33

whether they are appropriately secured via the React and the DCO, please do

49:45

34 is for the applicant, and it's with regards to landscape effects. And in particular, it relates to the landscape effects, given the visualizations that are before the examination, with respect to the gender.

50:00

Items whereby we were seeking clarity, really with regards to the impact on local landscape areas, barn farm and the moderate adverse effects on Sheldon cottages, please.

50:15

Item 35 again for the applicant, and it was really for extra clarity with regards to which landscape visualization points were considered in addition to those which are before the examination and why they were ultimately discounted.

50:40

And item 36 was with respect to the tree coverage and growth we were discussing this morning. And please, can the applicant provide a signposting document on what assumptions and tree growth rates had been taken forward within the assessments in the 15 year visualizations, etc,

51:06

37 related to hedgerow impacts. And we just would appreciate confirmation from the applicant as to whether the DCO changes in that regard, and the altered powers, altered alter the findings of the landscape assessment that's before us, please.

51:27

And 38 was with respect to heritage assets. And again, it's an action for the applicant, please. Can you confirm the timescales and lengths of any September geophysical surveys, including, ideally any likely subsequent evaluation, trenching and when we might be expected to have sight of A report of any findings, please.

52:01

39 was with respect to the noise mitigation that we discussed in Stoke orchard on stoke road. And again, it's for the applicant. With regards to any extra information you wish to submit with respect to the delivery and timing of that

52:18

highway Mitigation Scheme. Please

52:26

Fauci again for the applicant, and again, it's with the respect to noise mitigation, and it was our discussion about the primary contractors involvement, really, with regards to monitoring, surveying and determining the need for any appropriate rehousing or glazing mitigations, etc. And if there is anything you can do to help us, it goes beyond the current version of the MP in that respect, please.

53:02

And I think that's actually quite similar to the next

53:06

point, 41 I think there's probably two points which are the same there,

53:11

which, yeah, really just seek to bridge the gap between what's before us in the first iteration EMP and the second emp, with regards to noise mitigation

53:23

42

53:25

is again for the applicant, and it was really to understand specifically what the noise impacts are at ELMS cottage, and what the applicant's current position is with regards to The need or otherwise for any mitigations there, please.

53:46

43 is again for the applicant, and we were seeking clarity there please. If Natural England are expecting any further information with regards to the issue, we were talking about

54:02

two meter excavation depths, and the Atkins suggestion in the statement of common ground that there could be an update to the ES please, just

54:15

item 44

54:17

was for the Environment Agency, and it was for confirmation, really, with respect to the content of requirements eight and 11 and whether they are now drafted acceptably given the provisions which are also included relevantly in the React please.

54:38

And last, but by no means least, is 45 and again, it's for the applicant. Please. Can you check the consistency between the language used and the commitments within the React and the DCO documentation, please?

54:54

And I saved more than a few breaths by not explaining that all of those are.

55:00

Are expected at deadline four please. Thank you.

55:06

Appreciate that's quite a long list, having gone through day and a half of but having heard that list, are there any

55:16

parties unclear on anything that we're seeking from anybody.

55:28

Okay? Well, that's helpful. Thank you very much. We will aim to get that list onto our website pretty promptly, so that you'll be able to refer back to it should you need to.

55:43

So then that takes, really just to clarify whether there is anyone who has any other business that they would wish to raise at this point,

55:53

and I'll just check virtually again, whether anyone who's not directly in the room has anything further they would wish to add, or any other business matters.

56:06

No that, that's

56:09

fine then. So just really bring this hearing to a close. Thank everyone for their contributions and attendance over the last couple of days. And

56:21

so just five to three. Close issue, specific, hearing three. Thank you. Thank.