

M60/M62/M66 Simister Island Interchange

TR010064

7.18 Statement of Common Ground with Bury Metropolitan Borough Council

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

**M60/M62/M66 Simister Island Interchange
Development Consent Order 202[]**

7.6 Statement of Common Ground with Bury Council

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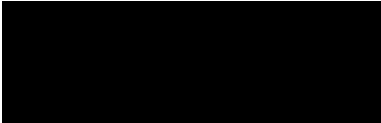
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STATEMENT OF COMMON GROUND

This statement of Common Ground has been prepared and agreed by National Highways Company Limited and (2) Bury Metropolitan Borough Council.

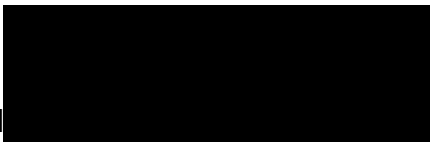
Signed 

Nicola Eastwell

Project Manager

On behalf of National Highways

Date: 14/10/2024


Signed 

Eamon O'Brien

Leader of Bury Council

On behalf of Bury Council

Date: 14/10/2024

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Paul Lakin

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On behalf of Bury Council

Date: 14/10/24

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Jacqui Dennis

Director of Law and Democratic Services

On behalf of Bury Council

Date: 14/10/24

1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the M60/M62/M66 Simister Island Interchange (the “Scheme”) following the application made by National Highways (the “Applicant”) to the Secretary of State for Transport, via the Planning Inspectorate (the “Inspectorate”) for a Development Consent Order under section 37 of the Planning Act (the “2008 Act”). A detailed description of the Scheme can be found in Chapter 2, The Scheme of the Environmental Statement [APP-057].
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the application documents. All application documents are available on the Inspectorate’s website.
- 1.1.3 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not yet been reached. SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared between 1) National Highways as the Applicant and 2) Bury Metropolitan Borough Council.
- 1.2.2 National Highways (previously known as Highways England) became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain, and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations, including in respect of the application, to be conferred upon or assumed by National Highways.
- 1.2.3 Bury Metropolitan Borough Council is the local authority of the Metropolitan Borough of Bury in Greater Manchester, England. It is a metropolitan district council, one of ten in Greater Manchester. It provides the majority of local government services in Bury.
- 1.2.4 Bury Metropolitan Borough Council is a prescribed consultee for the application under Section 43 of the 2008 Act as the host local authority.
- 1.2.5 Collectively National Highways and the Bury Metropolitan Borough Council are referred to as ‘the parties’.

1.3 Terminology

- 1.3.1 Within the table in Section 3, Issues of this SoCG, the terminology is as follows:
- “Agreed” indicates area(s) of agreement;

- “Under Discussion” indicates area(s) of current disagreement where resolution remains possible, and where parties continue discussing the issue(s) to determine whether they can reach agreement by the end of the examination; and
- “Not Agreed” indicates a final position for area(s) of disagreement where the resolution of the divergent positions will not be possible, and parties agree on this point.

1.3.1 It can be assumed that any matters not specifically referred to in Section 3, Issues of this SoCG, are not of material interest or relevant to Bury Metropolitan Borough Council and therefore have not been subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Bury Metropolitan Borough Council.

2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between the Applicant and Bury Metropolitan Borough Council in relation to the application is outlined in Table 2.1 below.

Table 2.1 Record of Engagement

Date	Form of Correspondence	Key topics discussed and key outcomes
13 May 2021	Monthly meeting	Scheme update and programme to Development Consent Order application submission Development Consent Order process and the role of Bury Metropolitan Borough Council Statement of Community Consultation (SoCC)
10 Jun 2021	Monthly meeting	Description of provisional Order limits for (Environmental Impact Assessment (EIA) scoping Review draft SoCC
8 Jul 2021	Monthly meeting	Discussion regarding issue of SoCC for 28d consultation Discussion regarding the Inspectorate’s scoping consultation
5 Aug 2021	Meeting	EIA Topic Engagement – Water & Drainage – Drainage lead <ul style="list-style-type: none"> • Drainage Strategy • Discharge rates • Known Lead Local Flood Authority (LLFA) issues
02 Sep 2021	Email from Applicant to Greater Manchester Archaeology Advisory Service (GMAAS)	The Applicant requested advice from GMAAS on the scope of detailed assessment and the needs for archaeological and/or geoarchaeological investigation to inform the EIA

Date	Form of Correspondence	Key topics discussed and key outcomes
21 Sep 2021	Monthly meeting	Summary of updates to provisional Order limits Statutory consultation programme update
22 Sep 2021	Email from GMAAS to the Applicant	GMAAS advised that the scope of the detailed assessment for cultural heritage should be determined by the results of the cultural heritage desk-based assessment. If areas of known sensitivity or potential are to be affected by the Scheme, then appropriate evaluation or mitigating works will be required. In general, it could be anticipated that the areas designated for attenuation ponds would potentially provide areas where trial trenching could be used if the desk-based assessment identifies any archaeological potential, whilst areas designated for storage, compounds or haul roads might benefit from rapid strip-map and recording or watching-brief exercises to cover large areas that might only be affected to shallow depths. GMAAS noted that it may be possible for some archaeological works to take place to allow the results to inform the EIA.
14 Oct 2021	Monthly meeting	Statutory consultation programme update Pre-consultation 'warm up' engagement Update on landowner meetings inc. local planning application knowledge
21 Nov 2021	Monthly meeting	Statutory consultation programme update Summary of emerging landscape and visual impact assessment Pre-consultation 'warm up' engagement
10 Dec 2021	Monthly meeting	Introduction to the Development Consent Order process
10 Feb 2022	Monthly meeting	Scheme update and next steps
24 Nov 2022	Meeting	EIA Topic Engagement – Water & Drainage – Drainage lead <ul style="list-style-type: none"> • Drainage Strategy - catchments • Ongoing drainage surveys
14 Dec 2022	Monthly meeting	Scheme update Statutory consultation programme update Review updated SoCC Detailed overview of Scheme inc. potential environmental impacts
19 Jan 2023	Monthly meeting	Scheme update inc. site surveys, EIA and ongoing engagement Statutory consultation update inc. SoCC
16 Feb 2023	Monthly meeting	Statutory consultation update inc. details of launch

Date	Form of Correspondence	Key topics discussed and key outcomes
		<p>Scheme overview and construction management</p> <p>Summary of key environmental topics</p> <p>Discuss proposals for Whitefield area</p>
09 Mar 2023	Applicant Email to GMAAS	<p>Provision of shapefiles for Scheme.</p> <p>Request for advice in relation to change to the Historic Environment Record (HER) since the original data was obtained (two years ago).</p> <p>Advice on the Applicant's intention to carry out trial trenching post the grant of a Development Consent Order.</p> <p>Noted that the scope of trenching has not changed since previously advised.</p> <p>Request for comments on scope or timing of trenching.</p>
14 Mar 2023	GMAAS email to the Applicant	<p>Initial thought that HER has not changed in the last 2 years, so a further dataset won't be necessary.</p> <p>Commitment to trenching is welcomed.</p> <p>Noted that timing of trenching can be chosen by the Applicant, but it is noted that the earlier that this can be done is for the better.</p> <p>Previous discussions on scope noted, but explained that advice can be provided following review of the desk based assessment.</p>
16 Mar 2023	Monthly meeting	<p>Statutory consultation progress update</p> <p>Whitefield update – consultation feedback, engagement with PRow officer and potential scope of surveys.</p> <p>Other queries – confirm that Bury Metropolitan Borough Council are represented by GM Minerals and Waste Planning Unit</p>
27 Mar 2023	Letter from Bury Metropolitan Borough Council	<p>Response to consultation from Leader of Bury Metropolitan Borough Council</p> <ul style="list-style-type: none"> • Full support for the Scheme benefits • Scheme will support growth in GM and Bury which will address local economic under performance • Supports proposed solution/option
17 Apr 2023	Email from Applicant to GMAAS, and GMAAS response.	<p>Applicant advised of revised Scheme provisional order limits, providing plan and drawing format. Noted that this would remove the site of Hughes l'th'Wood (3941.1.0) from the Scheme and perhaps change consideration of setting to Philips Park Gate Lodge and Piers.</p> <p>GMAAS response to acknowledge receipt.</p>

Date	Form of Correspondence	Key topics discussed and key outcomes
20 Apr 2023	Webinar for Bury STG	<p>Scheme overview</p> <p>Construction management</p> <p>EIA – explain process including publication of a Preliminary Environmental Information Report (PEIR) and the Environmental Statement. Also, summary of key environmental topics</p> <p>Update on consultation</p> <p>Scheme timeline</p>
18 May 2023	Monthly meeting	<p>Feedback from statutory consultation</p> <p>Contacts and requests for information</p> <p>Discussion regarding planned Development Consent Order Workshops</p>
19 May 2023	Meeting	Development Consent Order ‘Warm Up’ with Planning Team
20 Jun 2023	Email	Bury Environment Protection Team forwarded their response to the EIA Scoping Report – not previously shared externally.
21 Jun 2023	Monthly meeting	<p>Updates on Order limits and land assembly</p> <p>Discussion regarding planned Development Consent Order Workshops</p>
18 Jul 2023	Workshop	Development Consent Order Workshop 1 – Planning teams and Heads of Service
20 Jul 2023	Monthly meeting	<p>Key messages</p> <p>Consultation feedback</p> <p>Discuss need for supplementary consultation</p> <p>Discussion regarding planned Development Consent Order Workshops</p>
27 July 2023	Meeting	<p>EIA Topic Engagement – Water & Drainage – Drainage lead</p> <ul style="list-style-type: none"> • Scheme overview • Engagement to date • Flood Risk Assessment • Drainage Strategy
4 Aug 2023	Meeting	<p>EIA Topic Engagement – Water & Drainage – Drainage lead</p> <ul style="list-style-type: none"> • Scheme overview • Engagement to date • Flood Risk Assessment

Date	Form of Correspondence	Key topics discussed and key outcomes
		<ul style="list-style-type: none"> • Drainage Strategy
10 Aug 2023	Meeting	EIA Topic Engagement – Air Quality – Env Protection team <ul style="list-style-type: none"> • Scheme overview • Engagement to date • Summary of ES chapter inc. conclusions
11 Aug 2023	Meeting	Discuss potential timeline from application to the Secretary of State’s decision inc. key local authority activities – Relevant Representations, Local Impact Report, Examining Authority’s written questions, deadline submissions etc.
14 Aug 2023	Email from Applicant to GMAAS	Provision of the following draft documents for review and comment. <ul style="list-style-type: none"> • Chapter 2: The Scheme of the Environmental Statement • Chapter 6: Cultural Heritage of the Environmental Statement • Figure 6.1: Archaeological Assets of the Environmental Statement Figures • Figure 6.2: Built Heritage Assets of the Environmental Statement Figures • Figure 6.3: Historic Landscapes of the Environmental Statement Figures • Appendix 6.1: Cultural Heritage Desk-Based Assessment of the Environmental Statement Appendices
15 Aug 2023	Email from GMAAS	Confirming receipt of documents submitted on 14 August 2023.
17 Aug 2023	Monthly meeting	Update on supplementary consultation Stakeholder engagement update Local Impact Reports – overview of purpose inc. reference to the Planning Act 2008 and PINS Advice Note 1 Statements of Common Ground (SoCG) – overview of purpose and production for examination. Also examples from previous schemes
4 Sep 2023	Email from GMAAS to Applicant	GMAAS provided comments on the draft Appendix 6.1 Cultural Heritage Desk-Based Assessment describing it as <i>“detailed, well researched, useful and appropriate document providing a good overview of the scheme and assessment of various development impacts set against legislative and local policy. It makes use of appropriate</i>

Date	Form of Correspondence	Key topics discussed and key outcomes
		<p><i>datasets and analysis to establish the cultural heritage baseline for the development”.</i></p> <p>Noted that plan showing areas of temporary works or areas requiring stripping would be useful.</p> <p>GMAAS note agreement with paragraphs 1.4.1 and 1.4.2 which notes the trail trenching of on two historic settlements (HER 3919.1.0 and HER 3915.1.0) linked to measure CH1 in the EMP REAC, subject to agreed Written Schemes of Investigation.</p> <p>Noted that the earlier investigation can occur the better, but notes that based on an understanding of any archaeology being no more than local to regional significance, removal and recording (controlled by condition of consent) could be undertaken.</p> <p>Notes built heritage comments will be provided by Bury Metropolitan Borough Council Conservation Officer.</p> <p>Minor typographical errors noted with referencing.</p> <p>Agreement noted to proposed watching brief at HER 3921.0 – potential oven kiln.</p> <p>Agreement to evaluation of structures at HER 3919.0 (south of Mode Hill Lane), HER 3915.1.0 (off Corday Lane). Recommendation that evaluation of HER 3914.1.0 (Gravel Hill House) unnecessary.</p> <p>Request for watching brief for N/W Quadrant</p> <p>Note HGM7712 (Unsworth Moss) noting slight adverse effect and potential for archaeological material to be within peat.</p> <p>Noted for Chapter 6: Cultural Heritage “Overall GMAAS agrees with the treatment of cultural heritage in the report, and the methodologies offered for the investigation of archaeological assets that will be impacted by the development (as outlined in Section 6.11) seem appropriate”.</p> <p>Advised of no comments in relation to Chapter2: The Scheme of the Environmental Statement.</p>
23 Sep 2023	Site visit	Walk around site with planning team leads to familiarise the team with key areas inc. proposed works during construction.
27 Sep 2023	Monthly meeting	Stakeholder engagement update Development Consent Order Workshop 2 agenda Pike Fold Golf Course update
6 Oct 2023	Workshop	Development Consent Order Workshop 2 – Full team attendance covering all disciplines
19 Oct 2023	Monthly meeting	Discussed draft documents submission Update on SoCG production

Date	Form of Correspondence	Key topics discussed and key outcomes
7 Nov 2023	Meeting	EIA Topic Engagement – Noise – Env Protection Team <ul style="list-style-type: none"> • Scheme overview • Engagement to date • Summary of ES chapter inc. conclusions
23 Nov 2023	Meeting	EIA Topic Engagement – Cultural Heritage – Conservation Officer <ul style="list-style-type: none"> • Scheme overview • Engagement to date • Summary of ES chapter inc. conclusions
30 Nov 2023	Monthly meeting	Discussion regarding upcoming meeting on draft Development Consent Order and explanatory memorandum Discussed topics/matters for inclusion in SoCG
11 Dec 2023	Meeting	Presentation of draft Development Consent Order and explanatory memorandum to Bury Metropolitan Borough Council planning and legal team. Presentation by legal advisors appointed by the Applicant. The draft Development Consent Order and the draft Explanatory Memorandum were shared with Bury Metropolitan Borough Council following the meeting
12 Jan 2024	Meeting	Coordination meeting with Pike Fold Golf Club secretary and Bury Metropolitan Borough Council planning team
17 Jan 2024	Meeting (evening)	Applicant update briefing to Bury Metropolitan Borough Council Councillors
18 Jan 2024	Monthly meeting	Discussed potential programme of activities moving forward including during the anticipated acceptance, pre-examination and examination stages Discussed planned sharing of draft EIA documents with Bury Metropolitan Borough Council
15 Feb 2024	Monthly meeting	Update on stakeholder engagement Update on recent meeting with the Inspectorate’s case team and the Applicant’s actions ahead of submission. Also confirmed the Inspectorate’s scheme webpage would be moving to Beta form
21 Mar 2024	Monthly meeting	Discuss Bury Metropolitan Borough Council adoption of Places for Everyone Update on stakeholder engagement Update on submission date Highlighted recent version of the National Policy Statement for National Networks (NPS NN) laid before parliament.

Date	Form of Correspondence	Key topics discussed and key outcomes
		Discussed Scheme local road network interfaces
17 Apr 2024	Monthly meeting	<p>Update on engagement inc. Hillock and Oakgate Community Association.</p> <p>Update on submission of application and planning for section 56 notifications.</p> <p>Summary of local highways interfaces.</p>
18 Apr 2024	Meeting	<p>EIA Topic Engagement – Air Quality – Env Protection team</p> <ul style="list-style-type: none"> • PM2.5 assessment • Scope of study area • Impacts on human health receptors
16 May 2024	Monthly meeting	<p>Update on engagement with environmental protection team regarding Air Quality.</p> <p>Update on acceptance, section 51 advice and section 55 checklist.</p> <p>Update on section 56 notification.</p> <p>Discuss next steps for Bury Council – develop statement of common ground, relevant representation, local impact report etc.</p>
6 Jun 2024	Meeting	<p>SoCG Workshop</p> <ul style="list-style-type: none"> • Scheme update and next steps • Review draft SoCG
20 Jun 2024	Monthly meeting	<p>Scheme update</p> <p>ExA procedural decision (17 June 2024)</p> <p>Next steps</p>
28 Jun 2024	Meeting	SoCG development discussion
17 Jul 2024	Monthly meeting	<p>Scheme update</p> <p>Summary of discipline specific engagement – air quality</p> <p>Summary of Relevant Representations</p> <p>Next steps – Production of Local Impact Report and Statement of Common Ground</p>
1 Aug 2024	Meeting with Senior Planning Officer	<p>Scheme overview</p> <p>Overview of statutory process</p>
15 Aug 2024	Monthly meeting	Examination update inc. discussion regarding hearings
6 Sep 2024	Meeting	SoCG development
10 Sep 2024	Meeting	Preparation for hearings

Date	Form of Correspondence	Key topics discussed and key outcomes
16 Sep 2024	Meeting	Engagement with Environmental Protection Team <ul style="list-style-type: none">• Air quality• Contaminated ground
19 Sep 2024	Monthly meeting	Updates on examination deliverables – deadlines 1/1A: <ul style="list-style-type: none">• Local Impact Report• SoCG

2.1.2 It is agreed that this is an accurate record of key meetings and other forms of consultation and engagement undertaken between 1) the Applicant and 2) Bury Metropolitan Borough Council in relation to issues addressed in this SoCG.

3 Issues

3.1 Issues agreed, not agreed or under discussion

3.1.1 Table 3.1 below details the issues which have been agreed, not agreed or are under discussion between 1) National Highways and 2) Bury Metropolitan Borough Council.

Table 3.1 Issues

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
Air Quality							
1	The acceptability of the construction dust assessment and mitigation	Chapter 5: Air Quality of the Environmental Statement [APP-045] The First Iteration Environmental Management Plan [REP1-010] Appendix A: Outline Air Quality and Dust Management Plan [APP-128] of the First Iteration Environmental Management Plan [REP1-010]	The assessment of the impact of construction dust as set out within Chapter 5: Air Quality of the Environmental Statement [APP-045] has been undertaken in accordance with National Highways' Design Manual for Roads and Bridges (DMRB) LA 105 Air Quality (Highways England, 2019) (DMRB LA 105). Bury Metropolitan Borough Council consider that based on the information submitted, the findings and conclusions of the construction dust risk assessment appear reasonable. It is understood that the Principal Contractor will consult Bury Metropolitan Borough Council prior to reviewing and updating the Air Quality and Dust Management Plan (AQDMP) and prior	The Applicant notes Bury Metropolitan Borough Council's position in relation to the conclusions of the construction dust assessment within Chapter 5: Air Quality of the Environmental Statement [APP-044]. The Applicant highlights that for construction dust Chapter 5: Air Quality of the Environmental Statement [APP-044] concludes that there are no significant effects resulting from construction dust with standard construction phase mitigation measures in place. These measures are included in Appendix A: Outline Air Quality and Dust Management Plan [APP-128] of the First Iteration Environmental Management Plan [REP1-010].	Yes	Agreed	28/08/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			to the completion of the Second Iteration Environmental Management Plan. Bury Metropolitan Borough Council would like to see a final version of the Air Quality and Dust Management Plan. Bury Metropolitan Borough Council accept that this will be secured through Requirement 4 of the draft Development Consent Order [REP1-004].	The Outline Air Quality and Dust Management Plan will be developed into Air Quality and Dust Management Plan through the Second Iteration Environmental Management Plan. The Second Iteration Environmental Management Plan will be produced prior to commencement of construction of the Scheme, as secured by Requirement 4, of the draft Development Consent Order [REP1-004] and will be substantially based on the First Iteration Environmental Management Plan [REP1-010] submitted with the application for development consent. The Applicant will consult with the relevant planning authority (Bury Metropolitan Borough Council) on matters relating to their function, prior to seeking approval from the Secretary of State of the Second Iteration Environmental Management Plan.			
2	The adequacy of the road traffic emissions phase assessment construction and	Chapter 5: Air Quality of the Environmental Statement [APP-044] Appendix 5.1 Air Quality Methodology [APP-	Bury Metropolitan Borough Council noted that the Air Quality model results have been compared to the Air Quality Objectives (AQOs) and Limit Values for NO2 and PM10. Bury Metropolitan Borough Council noted that new targets for PM2.5 were set out in the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 legislation (ETR	The Applicant notes paragraph 5.3.5 of the Chapter 5 Air Quality of the Environmental Statement ([APP-044]. The interpretation of The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 legislation was raised on the now consented A12 Chelmsford to A120 Widening scheme (A12 scheme) at their Development Consent Order examination. The A12	Yes	Agreed	26/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
	operational phases	079] of the Environmental Statement Appendices	<p>2023). However, Chapter 5: Air Quality of the Environmental Statement [APP-045] considers that the PM_{2.5} 2040 AMCT and interim AMCT (12ug/m³ by 2028) do not apply to the Simister Island Project because they only apply at monitoring stations.</p> <p>Bury Metropolitan Borough Council advised that in order to be satisfied that the proposed development poses a low risk to local air quality details of the decisions made for the A12 Chelmsford to A120 Widening scheme, which concluded that the Annual mean concentration targets (AMCT) set out in the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 legislation did not apply to the Scheme, where requested.</p> <p>Bury Metropolitan Borough Council has reviewed the A12 Chelmsford to A120 Widening Scheme and its consideration of PM_{2.5}.</p> <p>and notes that Section 2.2.3 of the Applicants Response addresses the potential impacts of the then newly published Fine Particulate Matter Regulations (PM_{2.5}) and concludes that the:</p> <p>Interim targets are not legally binding</p>	<p>scheme written submissions are available online in the Examination Library available on the National Infrastructure Planning project page (National Highway's response to ExQ2 [REP4-055 in the A12 scheme Examination Library]), and the particular response referred to is question 2.2.3. Broadly speaking, for the A12 scheme, the position as presented was that for the new PM_{2.5} targets for 2040, the PM_{2.5} target only applies at pre-existing monitoring stations and it does therefore not apply at other locations. The nearest PM_{2.5} monitoring stations to the Scheme are the Defra managed Salford Eccles and Manchester Piccadilly sites and the local authority managed Salford M60 and Rochdale Queensway sites (located 6.8km, 7.0km, 7.3km and 7.8km from the Scheme area, respectively). None of these sites are affected by the Scheme and therefore the new PM_{2.5} 2040 targets (and the interim targets) do not apply. Note, that the interim target (12µg/m³) is only used to track whether the PM_{2.5} 2040 target is on track and is not a legal target. The Secretary of State's Decision Letter for the A12 scheme is also available online (Secretary of State Decision Letter on the A12 scheme page on the National Infrastructure Planning website) and</p>			

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			<p>2040 targets only apply at Relevant Monitoring Stations that monitored for PM2.5 in 2023.</p> <p>Paragraphs 38 and 39 of the Department of Transport Decision Letter accept that the AQ Standards of 20ug/m3 P2.5 set out in AQ Standard Regulations 2010 are the most relevant for use in the assessment of the road scheme, stating that: <i>'The Secretary of State would point out that Government policy on how the 2040 target will be achieved is still emerging and therefore the Limit Values in the Air Quality Standards Regulations 2010 remain in force and are the most relevant limit for the purposes of this decision'</i>. Bury Metropolitan Borough Council accept this conclusion and have no further comments.</p>	<p>paragraph 39 discusses the PM_{2.5} targets in the context of that scheme.</p>			
3	Construction Phase Air Quality Impacts	<p>Chapter 5: Air Quality of the Environmental Statement [APP-044]</p> <p>Appendix 5.2: Air Quality Results [APP-080] of the Environmental Statement Appendices</p>	<p>Bury Metropolitan Borough Council reviewed the results of the construction traffic assessment presented in Appendix 5.2: Air Quality Results [APP-080] of the Environmental Statement Appendices and Chapter 5: Air Quality (Figures 5.8-5.9) [APP-060] of the Environmental Statement Figures. Bury Metropolitan Borough Council notes that based on the information provided, the findings and conclusions of the</p>	<p>The Applicant notes Bury Metropolitan Borough Council's position in relation to the conclusions of Appendix 5.2: Air Quality Results [APP-080] of the Environmental Statement Appendices and Chapter 5: Air Quality (Figures 5.8-5.9) [APP-060] of the Environmental Statement Figures.</p> <p>The Applicant highlights paragraph 5.10.15 of Chapter 5: Air Quality of the Environmental Statement [APP-044] that</p>	Yes	Agreed	28/08/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
		Chapter 5: Air Quality (Figures 5.8-5.9) [APP-060] of the Environmental Statement Figures raft Development Consent Order [REP1-004].	<p>construction phase traffic risk assessment appear reasonable.</p> <p>Bury Metropolitan Borough Council note that to be satisfied that the proposed development poses a low risk to local air quality the following information is required; A final version of the Air Quality and Dust Management Plan to demonstrate how dust emissions will be reduced throughout the construction phase of the scheme. Bury Metropolitan Borough Council accept that this will be secured through Requirement 4 of the draft Development Consent Order [REP1-004].</p>	<p>concludes in accordance with DMRB LA 105 significance criteria in Table 5.13, the overall residual effect of the traffic associated with the construction of the Scheme, on air quality, is considered not significant.</p> <p>The Outline Air Quality and Dust Management Plan will be developed into the Air Quality and Dust Management Plan through the Second Iteration Environmental Management Plan. The Second Iteration Environmental Management Plan will be produced prior to commencement of construction of the Scheme, as secured by Requirement 4, of the draft Development Consent Order [REP1-004] and will be substantially based on the First Iteration Environmental Management Plan [REP1-010] submitted with the application for development consent. The Applicant will consult with the relevant planning authority (Bury Metropolitan Borough Council) on matters relating to their function, prior to seeking approval from the Secretary of State of the Second Iteration Environmental Management Plan.</p>			
4	Operational Phase Air Quality Impacts	Chapter 5: Air Quality of the Environmental	Bury Metropolitan Borough Council reviewed the results of the operational traffic assessment presented in Appendix 5.2: Air Quality Results [APP-	The Applicant notes Bury Metropolitan Borough Council comments on the findings and conclusions of the	No	Not Agreed	26/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
		<p>Statement [APP-045]</p> <p>Appendix 5.2: Air Quality Results [APP-080] of the Environmental Statement Appendices</p> <p>Chapter 5: Air Quality (Figures 5.10-5.11) [APP-061] of the Environmental Statement Figures</p> <p>draft Development Consent Order [REP1-004].</p>	<p>080] of the Environmental Statement Appendices and Chapter 5: Air Quality (Figures 5.10-5.11) [APP-061] of the Environmental Statement Figures. Based on the information provided, the findings and conclusions of the operational phase traffic risk assessment appear reasonable.</p> <p>Bury Metropolitan Borough Council note that the assessment concludes that the operational phase will improve air quality. In order to demonstrate that the predicted improvements in air quality have been achieved, A programme of air quality monitoring (for NO₂) should be undertaken once the Scheme is operational to demonstrate that the predicted improvements in air quality have been achieved.</p> <p>Bury Metropolitan Borough Council notes the Applicant's position that there are no identified significant effects for air quality for the Scheme, as set out in paragraph 5.11.1 of the Chapter 5 Air Quality of the Environmental Statement [APP-044], there is no requirement to undertake future air quality monitoring where the assessment concludes no significant effects.</p> <p>Bury Metropolitan Borough Council also notes that the traffic flow monitoring to be carried out as part of the Post</p>	<p>operational phase traffic risk assessment.</p> <p>Chapter 5 Air Quality of the Environmental Statement [APP-044] discusses the air quality assessment and concludes that there would be no significant effects, due to air quality, during construction and operation of the Scheme from road traffic changes. The assessment of significant effects is based on the Design Manual for Roads and Bridges (DMRB) LA 105 (Air quality) definitions, which are explained in Chapter 5 Air Quality of the Environmental Statement [APP-044]. Closer to the Scheme, between M60 junction 17 and M60 junction 18 and around Simister, there is generally a reduction in air pollution concentrations (i.e., an improvement in air quality) with the Scheme in place. This reduction is due to either reduced congestion between M60 junction 17 and M60 junction 18 or, for Simister, due to traffic using the Northern Loop slip road (i.e., some traffic is moved further away).</p> <p>In response to Bury Metropolitan Borough Council's request for a programme of air quality monitoring, the Applicant notes that some schemes with predicted significant effects in relation to air quality undertake monitoring to</p>			

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			<p>Opening Project Evaluation (POPE) process to determine whether predicted flow rates were realistic could also be used to assess whether the predicted air quality impacts were accurate. However, we still consider that carrying out a programme of diffusion tube (NOx) monitoring would be a positive action to demonstrate to concerned local residents that local air quality had not been significantly worsened by the Scheme and that the predicted impacts of the Scheme were accurate. It is understood that the Applicant already monitors in certain locations within the vicinity of the motorway network and we do not consider that the extending this diffusion tube monitoring network would be an onerous requirement. This issue is not agreed.</p>	<p>assess compliance against Air Quality Objectives and/or Limit Values. However, as discussed in paragraph 5.11.1 of the Chapter 5 Air Quality of the Environmental Statement [APP-044], as there are no identified significant effects for air quality for the Scheme, there is no requirement to undertake future air quality monitoring. It should be noted that it is very difficult to prove the impact of a scheme, by itself, on air quality by monitoring future air quality. This is due to the typical year-to-year variations that occur due to differing conditions such as wind speed and direction, as well as year to year changes in vehicle emissions, which are changes not related to the Scheme. Typically, the impact on air quality from a scheme is assessed under the Post Opening Project Evaluation (POPE) process, which is undertaken on all major road schemes once it has been operational for one year and again 5 years post-opening. Other schemes under POPE have used monitored road traffic flows and speeds before and after a scheme is opened, to calculate a scheme-only change to emissions which are due to changes in traffic (as opposed to air quality changes due to metrological conditions or changing vehicle emissions).</p>			

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5	The acceptability of the ecological impact assessment - construction and operational phases	<p>Chapter 8: Biodiversity of the Environmental Statement [REP1-025]</p> <p>Appendix 5.2: Air Quality Results [APP-080] of the Environmental Statement Appendices</p> <p>Figure 5.9: Construction Ecological Assessment Results of the Chapter 5: Air Quality (Figures 5.8-5.9) [APP-060]</p> <p>Figure 5.11: Operational Ecological Assessment Results Chapter 5: Air Quality (Figures 5.10-5.11) [APP-061]</p>	<p>Following review of the specified documents, Bury Metropolitan Borough Council notes that's based on the information provided, the findings and conclusions of the ecological risk assessment appear reasonable.</p> <p>Bury Metropolitan Borough Council notes that at the stage of Scheme's Statutory Consultation , it was understood that Natural England has previously commented upon the potential impact on ecological receptors from air pollution.</p> <p>Following review of Natural England's relevant representation [RR-009] submitted to the Examining Authority on the 24 June 2024, Bury Metropolitan Borough Council is satisfied that the Scheme will have no adverse effects on the Rochdale Canal Special Area of Conservation from air pollution. Bury Metropolitan Borough Council has no further comments.</p>	<p>The Applicant notes Bury Metropolitan Borough Council's comments on the findings and conclusions of the ecological assessment.</p> <p>The Applicant notes that in Table 3.1 of the Statement of Common Ground with Natural England [REP1-017] Natural England confirmed that they are satisfied that the Scheme will have no adverse effects on Rochdale Canal SAC.</p>	Yes	Agreed	28/08/24

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Contaminated Land							
6	Adequacy of the desk study	Chapter 9: Geology and Soils of the Environmental Statement [APP-048] Chapter 9: Geology and Soils (Figures 9.1-9.4) [APP-069] of the Environmental Statement Figures Appendices 9.1-9.3 of the Environmental Statement [APP-106 to APP-108]	The desk study information provided section 2 of Appendix 9.3 Ground Investigation Report of the Environmental Statement Appendices [APP-108] appears to be sufficient to assess the potential risks at the site.	The Applicant notes this comment. The geology and soils baseline is set out in Section 9.7 of Chapter 9: Geology and Soils of the Environmental Statement [APP-048].	Yes	Agreed	29/07/24
7	Adequacy of the site investigation	Chapter 9: Geology and Soils of the Environmental Statement [APP-048] Appendix 9.3 Ground Investigation Report of the Environmental Statement	Bury Metropolitan Borough Council has reviewed Chapter 9: Geology and Soils of the Environmental Statement [APP-048] and Appendix 9.3 Ground Investigation Report of the Environmental Statement Appendices [APP-108] and is satisfied with the adequacy of the baseline conditions characterised across the Scheme.	The Applicant confirms that a programme of ground investigations has been carried out across the Scheme. The findings from the ground investigation have been utilised in characterising the baseline conditions across the Scheme. Full details can be found in Appendix 9.3 Ground Investigation Report of the Environmental Statement Appendices [APP-108].	Yes	Agreed	26/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
		Appendices [APP-108]					
8	Site Ground Conditions and Human Health Risk Assessment	Chapter 9: Geology and Soils of the Environmental Statement [APP-048] Appendix 9.3 Ground Investigation Report of the Environmental Statement Appendices [APP-108]	Bury Metropolitan Borough Council has reviewed Section 6.2 of Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108] and considers that The human health risk assessment appears reasonable.	The Applicant confirms that a human health risk assessment has been carried out across the Scheme. The findings of the human health assessment are set out in Section 6.2 of Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108]. The Applicant notes that the human health risk assessment has confirmed that there is no widespread soil contamination, within the Scheme boundary, that poses a risk to human health.	Yes	Agreed	29/07/24
9	Site Water Conditions and Controlled Waters Risk Assessment	Chapter 9 Geology and Soils of the Environmental Statement [APP-048]. Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108]	Bury Metropolitan Borough Council has reviewed Section 6.3 of Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108] and considers that the controlled waters risk assessment appears reasonable. Please note that the Environment Agency is the regulator of controlled waters.	The Applicant confirms that a controlled waters risk assessment has been carried out across the Scheme. The findings of the controlled waters risk assessment are set out in Section 6.3 of Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108]. The Applicant notes that potential construction and operation impacts from the Scheme on controlled waters from soil leachate and groundwater contaminant exceedances are not considered significant and do not warrant any remediation to facilitate the	Yes	Agreed	27/09/24

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				<p>Scheme. See Paragraph 9.8.10 and Paragraph 9.8.19 of Chapter 9 Geology and Soils of the Environmental Statement [APP-048].</p> <p>The Applicant notes the signed Statement of Common Ground with the Environment Agency [REP1-018] set out in detail the Environment Agency's position relating to Scheme impacts on controlled waters, and confirms that there are no matters outstanding or not agreed between the Applicant and the Environment Agency.</p>			
10	Site Ground Gas Conditions	<p>Chapter 9 Geology and Soils of the Environmental Statement [APP-048].</p> <p>Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108]</p> <p>Appendix J: Outline Contaminated Land Management Plan</p>	<p>Bury Metropolitan Borough Council has reviewed Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108] including Annex I which details the Ground Gas Monitoring Results.</p> <p>Bury Metropolitan Borough Council review highlighted areas of query with the recorded monitoring visits, raising concern that there was missing/excluded data and as such only a limited data set was considered within the risk assessment.</p> <p>Following engagement with the Applicant, Bury Metropolitan Borough</p>	<p>The Applicant acknowledges Bury Metropolitan Borough Council's comments in relation to the ground gas monitoring undertaken and confirms that the full scope of the ground gas monitoring is set out in Annex I of the Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108].</p> <p>The Applicant confirms that the Ground Gas Risk Assessment confirms that no remediation strategy is required but construction methods to manage risks associated with ground gas build-up in excavations and confined spaces are required, as set out in Table 7-4 of the Geotechnical Risk Register, and</p>	Yes	Agreed	27/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
		[APP-137] of the First Iteration Environmental Management Plan [REP1-010] draft Development Consent Order [REP1-004]	<p>Council are satisfied that the scope of the ground gas monitoring undertaken is acceptable and has no further comments to make.</p> <p>Bury Metropolitan Borough Council from our review of the Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108] also notes the following;</p> <p>The elevated concentrations of methane and carbon dioxide are associated with the made ground and glacial deposits. No putrescible materials or significant potential sources of gas were noted within these deposits.</p> <p>As the risks to adjacent properties from any elevated ground gas on site has previously been assessed as low and the scheme does not include the construction of any buildings with confined spaces. The only risks to human health are site workers during the construction phase and future maintenance works. This risk will be mitigated by suitable health and safety measures during the development.</p>	<p>secured through Commitment GS10 of the Register of Environmental Actions and Commitments of the First Iteration Environmental Management Plan [REP1-010] and Appendix J: Outline Contaminated Land Management Plan [APP-137] of the First Iteration Environmental Management Plan. The Outline Contaminated Land Management Plan [APP-137] will be developed into the Contaminated Land Management Plan as part of the Second Iteration Environmental Management Plan. The Commitments set out in the Register of Environmental Actions and Commitments and measures set out in the Outline Contaminated Land Management Plan [APP-137] are secured by Requirement 4 of the draft Development Consent Order [REP1-004].</p> <p>Bury Metropolitan Borough Council's comments on elevated concentrations of methane and the risk assessment of impacts to human health are noted.</p>			
11	Acceptability of the proposed remediation strategy –	Appendix J: Outline Contaminated Land Management Plan [APP-137] of the First Iteration	Bury Metropolitan Borough Council has reviewed Appendix J: Outline Contaminated Land Management Plan [APP-137] of the First Iteration	The Applicant notes Bury Metropolitan Borough Council's comments and confirms that he Outline Contaminated Land Management Plan [APP-137] at Appendix J of the First Iteration	Yes	Agreed	26/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
	where required	Environmental Management Plan [REP1-010]. Draft Development Consent Order [REP1-004]	<p>Environmental Management Plan [REP1-010].</p> <p>Bury Metropolitan Borough Council notes that the proposed remediation actions are acceptable,, and that as part of requirement 4 of the draft Development Consent Order [REP1-004] Bury Metropolitan Borough Council will be consulted on the Second Iteration of the Contaminated Land Management Plan.</p> <p>Bury Metropolitan Borough Council has requested that as part of any agreed remediation strategy, and where required by the relevant legislation, a Verification / completion report be provided to Bury Metropolitan Borough Council to demonstrate any agreed remediation actions have been completed.</p>	<p>Environmental Management Plan will be developed into the Contaminated Land Plan as part of the Second Iteration Environmental Management Plan for implementation during construction. Commitment GS2 in the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [REP1-010] commits to the identification of contamination and where appropriate securing remediation. Both the management plan and the Register of Environmental Actions and Commitments commitment are secured by Requirement 4 of the draft Development Consent Order [REP1-004], which specifies that the construction of the Scheme must be carried out substantially in accordance with the approved Second Iteration Environmental Management Plan. The Applicant will consult with Bury Metropolitan Borough Council (as the relevant planning authority) prior to seeking approval from the Secretary of State of the Second Iteration Environmental Management Plan. Currently, a written scheme and programme for remedial measures is not required for the Scheme. Requirement 6 of the draft Development Consent Order [REP1-004] relates to previously</p>			

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				<p>unidentified contaminated land and groundwater. This sets out the required process if unforeseen contamination is found at any time whilst constructing the Scheme. This requires consultation with Bury Metropolitan Borough Council (as the relevant planning authority) and the Environment Agency to be carried out, and, where required, a written scheme and programme for remedial measures will need to be approved by the Secretary of State. Any remediation must be carried out in accordance with the approved written scheme.</p> <p>The Applicant notes Bury Metropolitan Borough Council's request in relation to having sight of a verification/completion report to demonstrate any agreed remediation actions have been completed. The Applicant notes the consultation required with Bury Metropolitan Borough Council prior to the approval of any remediation strategy by the Secretary of State, and notes that where already required by legislation a verification/completion report will be produced.</p>			
Noise and Vibration							

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
12	Methodology of the Noise and Vibration Assessment	Chapter 11: Noise and Vibration of the Environmental Statement [APP-071] Appendix 11.3 Baseline Noise Survey Results of the Environmental Statement Appendices [APP-111] Figure 11.1b Noise Monitoring Locations and Areas of Application of Construction Noise Effect Levels of the Environmental Statement Figures [APP-071]	Bury Metropolitan Borough Council has reviewed Appendix 11.3 Baseline noise survey results of the Environmental Statement Appendices [APP-111] and it accepts the monitoring locations N1 to N5 highlighted in the assessment and agree these are reflective of the affected noise receptors. These include local residential areas and a local high school.	The Applicant notes Bury Metropolitan Borough Council's position in relation to the noise monitoring locations. The Applicant notes that full details of the noise monitoring locations are set out in Section 1.2 of Appendix 11.3 Baseline Noise Survey Results of the Environmental Statement Appendices [APP-111] and shown on Figure 11.1b Noise Monitoring Locations and Areas of Application of Construction Noise Effect Levels of the Environmental Statement Figures [APP-071].	Yes	Agreed	23/07/24
13	Vibration Impacts and Monitoring	Chapter 11 Noise and Vibration of the Environmental Statement [APP-050]. First Iteration Environmental	Bury Metropolitan Borough Council has reviewed Chapter 11 Noise and Vibration of the Environmental Statement [APP-050]. Bury Metropolitan Borough Council note that the assessment states that vibration will be below the threshold to cause damage to properties. Bury Metropolitan Borough Council raised a query as to how the	The Applicant notes Bury Metropolitan Borough Council's query in relation to construction vibration monitoring. The Applicant has carried out an assessment of likely construction noise and vibration effects, as presented in Chapter 11 Noise and Vibration of the Environmental Statement [APP-050]. The assessment of construction	Yes	Agreed	09/09/24

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		<p>Management Plan ([REP1-010].</p> <p>Appendix B: Outline Noise and Vibration Management Plan [APP-129] of the First Iteration Environmental Management Plan ([REP1-010]</p> <p>Draft Development Consent Order [REP1-004]</p>	<p>levels of construction vibration be monitored. Following engagement with the Applicant, Bury Metropolitan Borough Council is satisfied with the monitoring regime and control of vibration as set out in the First Iteration Environmental Management Plan [REP1-010] and Appendix B: Outline Noise and Vibration Management Plan [APP-129].</p>	<p>vibration indicates that at some locations within 100m of retaining walls piling or vibratory compaction works will be noticeable to people, with a maximum predicted level of 1.2 mm/s peak particle velocity (PPV) during piling and 1.9mm/s PPV during compaction. This is below thresholds for the onset of building damage as given in British Standard 5228-2:A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration.', which start at 15 mm/s Peak Particle Velocity for residential buildings.</p> <p>-The identified likely significant environmental effects from noise and/or vibration during construction will be monitored in accordance with commitment NV1 in the Register of Environmental Actions and Commitments, contained within the First Iteration Environmental Management Plan [REP1-010]. The monitoring of vibration from construction will include physical measurements and observational checks, which are set out in detail in Appendix B: Outline Noise and Vibration Management Plan [APP-129] of the First Iteration Environmental Management Plan [REP1-010].</p> <p>Details of the monitoring regime will be included within the Second Iteration</p>			

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				Environmental Management Plan, which will be developed from the First Iteration Environmental Management Plan [REP1-010] and is secured through Requirement 4 of the draft Development Consent Order [REP1-004]. This will include the locations where monitoring is to take place, the duration of monitoring, the specification for any noise and/or vibration measurements and the reporting requirements. The Applicant will consult with Bury Metropolitan Borough Council (as the relevant planning authority) prior to seeking approval from the Secretary of State of the Second Iteration Environmental Management Plan.			
14	Noise and Vibration Impacts Mitigation Measures	First Iteration Environmental Management Plan ([REP1-010]. Appendix B: Outline Noise and Vibration Management Plan [APP-129] of the First Iteration Environmental Management Plan ([REP1-010])draft Development Consent Order [REP1-004]	Bury Metropolitan Borough Council has reviewed the First Iteration Environmental Management Plan ([REP1-010] and Appendix B: Outline Noise and Vibration Management Plan [APP-129] of the First Iteration Environmental Management Plan ([REP1-010]. Bury Metropolitan Borough Council accept mitigation methods for the construction phase but sought further information on how residents will be kept informed, complaints procedures, community liaison through construction,	The Applicant notes that Bury Metropolitan Borough Council accepts the mitigation for the construction phase for noise and vibration. The Applicant notes measures to reduce the noise and vibration from construction activities are included in the First Iteration Environmental Management Plan [REP1-010] and incorporated into working practices. The First Iteration Environmental Management Plan includes an Outline Noise and Vibration Management Plan [APP-129] at Appendix B which details the management and monitoring processes	Yes	Agreed	09/09/24

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			<p>and notification of works outside of programmed scope of works.</p> <p>Following engagement with the Applicant and more detailed understanding of the commitments and measures set out in the First Iteration Environmental Management Plan ([REP1-010] and how this is secured through Requirement 4 of the draft Development Consent Order [REP1-004] Bury Metropolitan Borough Council is satisfied that the intended Scheme communications plan will be agreed in due course through the Second Iteration Environmental Management Plan.</p>	<p>to be introduced across all construction sites and compounds.</p> <p>The Outline Noise and Vibration Management Plan [APP-129] will be developed into the Noise and Vibration Management Plan as part of the Second Iteration Environmental Management Plan for implementation during construction and secured by Requirement 4 of the draft Development Consent Order [REP1-004]. The Applicant will consult with Bury Metropolitan Borough Council (as the relevant planning authority) prior to seeking approval from the Secretary of State of the Second Iteration Environmental Management Plan.</p> <p>The First Iteration Environmental Management Plan [REP1-010] also contains a Register of Environmental Actions and Commitments. As stated in commitment G3 of the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [REP1-010], the Principal Contractor will inform the public of the nature, timing and duration of particular construction activities and the duration of the construction works, for example, by newsletters, letter drops and liaison with the relevant planning authority.</p>			

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				<p>Commitment G3 also includes the commitment to produce a Communications Plan before work commences on site.</p> <p>Bury Metropolitan Borough Council's comments in relation to works outside of scope are noted. No works are planned that would fall outside the scope of the authorised works consented by any Development Consent Order granted for the Scheme.</p>			
15	Noise and Vibration Impacts Mitigation Measures – insulation and re-housing	<p>Chapter 11 Noise and Vibration of the Environmental Statement [APP-050]</p> <p>First Iteration Environmental Management Plan [REP1-010]</p> <p>Outline Noise and Vibration Management Plan [APP-129]</p> <p>draft Development Consent Order [APP-014]</p>	<p>Bury Metropolitan Borough Council has reviewed Chapter 11: Noise and Vibration of the Environmental Statement [APP-050]. Bury Metropolitan Borough Council notes that part of the essential mitigation identified includes implementation of a framework to determine eligibility for noise insulation and temporary re-housing. Bury Metropolitan Borough Council sought to understand how local residents will make an application for noise insulation scheme and re-housing, and what is the criteria for any given application.</p> <p>Following engagement with the Applicant and more detailed understanding of the commitments and measures set out in the First Iteration Environmental Management Plan ([REP1-010] together with the Outline</p>	<p>The Applicant notes Bury Metropolitan Borough Council's request for further clarification in relation to implementation of a framework to determine eligibility for noise insulation and temporary re-housing. The response provided below addresses operational effects and construction effects.</p> <p>Operational effects</p> <p>The Applicant's initial assessment under the Noise Insulation Regulations 1975 (as amended 1988) as presented in Chapter 11 Noise and Vibration of the Environmental Statement [APP-050] indicates that there are no residential dwellings that would meet the conditions for provision of secondary glazing (noise insulation), from predicted changes in road traffic noise from the operation of the Scheme. This will be reassessed</p>	Yes	Agreed	11/09/24

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			<p>Noise and Vibration Management Plan [APP-129], and how this is secured to be developed into the Second Iteration Environmental Management Plan through Requirement 4 of the draft Development Consent Order [REP1-004], Bury Metropolitan Borough Council is satisfied that the intended strategy for assessing eligibility for insulation and re-housing be agreed prior to the commencement of the authorised development.</p>	<p>following detailed design. In the event that this assessment changes and dwellings become eligible, they will be contacted in accordance with the Regulations.</p> <p>Details of the National Highways' Noise Insulation scheme and the qualifying criteria, are available online using the following weblink: https://nationalhighways.co.uk/our-work/environment/communities/noise/noise-insulation-scheme/</p> <p>Construction effects</p> <p>Section 11.9 of Chapter 11: Noise and Vibration of the Environmental Statement [APP-050] describes Scheme-specific noise and vibration mitigation measures, including those for construction.</p> <p>Commitment NV1 in the Register of Environmental Actions and Commitments, contained within the First Iteration Environmental Management Plan [REP1-010] commits to producing a Noise and Vibration Management Plan (NVMP) that will describe the strategy for the mitigation of construction noise and vibration. This will incorporate (but will not be limited to) the use of Best Practicable Means to minimise noise and vibration during construction, and</p>			

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				<p>procedures for the installation of noise insulation (if required) or provision of temporary rehousing (if required), and to ensure such measures are in place as early as reasonably practicable.</p> <p>The Noise and Vibration Management Plan will be developed based on the Outline Noise and Vibration Management Plan [APP-129] of the First Iteration Environmental Management Plan [REP1-010].</p> <p>Section B.6 Noise and Insulation and Temporary Rehousing of the Outline Noise and Vibration Management Plan [APP-129] sets out when, in the event that it is not practical to mitigate construction noise onsite or reduce construction noise exposure to tolerable levels, the Principal Contractor would, if required, offer noise insulation or temporary rehousing to qualifying parties subject to certain criteria and a described framework for determining eligibility for noise insulation or rehousing.</p> <p>The Noise and Vibration Management Plan will form part of the Second Iteration Environmental Management Plan for implementation during construction and secured by Requirement 4 of the draft Development Consent Order [REP1-004]. The</p>			

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
				Applicant will consult with Bury Metropolitan Borough Council (as the relevant planning authority) prior to seeking approval from the Secretary of State of the Second Iteration Environmental Management Plan.			
16	Noise and Vibration Impacts Mitigation Measures – Best Practical Means	Chapter 11 Noise and Vibration of the Environmental Statement [APP-050] First Iteration Environmental Management Plan [REP1-010] Outline Noise and Vibration Management Plan [APP-129] draft Development Consent Order [APP-014]	Bury Metropolitan Borough Council has reviewed Chapter 11: Noise and Vibration of the Environmental Statement [APP-050]. Bury Metropolitan Borough Council notes that the embedded mitigation states that Best Practical Means (BPM) throughout the process will be used. Bury Metropolitan Borough Council expressed concerned that information on what BPM constitutes was limited in the Chapter. Following engagement with the Applicant and more detailed understanding of the commitments and measures set out in the First Iteration Environmental Management Plan ([REP1-010] together with the Outline Noise and Vibration Management Plan [APP-129], and how this is secured to be developed into the Second Iteration Environmental Management Plan through Requirement 4 of the draft Development Consent Order [REP1-	The Applicant notes Bury Metropolitan Borough Council's request for further clarification in relation to BPM. Section 11.9 of Chapter 11: Noise and Vibration of the Environmental Statement [APP-050] describes Scheme-specific noise and vibration mitigation measures, including those for construction. Commitment NV1 in the Register of Environmental Actions and Commitments , contained within the First Iteration Environmental Management Plan [REP1-010] commits to producing a Noise and Vibration Management Plan that will describe the strategy for the mitigation of construction noise and vibration and will incorporate the use of BPM to minimise noise and vibration during construction. The Noise and Vibration Management Plan will be developed based on the	Yes	Agreed	09/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			004], Bury Metropolitan Borough Council is satisfied that the scope of BPM will be agreed prior to the commencement of the authorised development.	<p>Outline Noise and Vibration Management Plan [APP-129] at Appendix B of the First Iteration Environmental Management Plan [REP1-010]. The Noise and Vibration Management Plan will detail the management and monitoring processes to be introduced across all construction sites and compounds. In accordance with British Standard 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise (BSI, 2014a); and British Standard 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration (BSI, 2014b) BPM will be incorporated into the Noise and Vibration Management Plan. Examples of these BPMs are as follows:</p> <p>Appropriate selection of plant and construction methods: only plant conforming with or better than relevant national or international standards, directives or recommendations on noise or vibration emissions will be used. Construction plant will be maintained in good condition with regard to minimising noise and vibration output.</p> <p>Construction plant will be operated and maintained appropriately, following</p>			

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				<p>manufacturer's written recommendations or using other appropriate operation and maintenance programmes that reduce noise and vibration emissions.</p> <p>Use of audible reversing warning systems on mobile plant and vehicles will be of a type which, whilst ensuring that they give proper warning, have a minimum noise impact.</p> <p>Choice of routes and timings for the transport of construction materials, waste materials and personnel to reduce the risk of increased noise and vibration impacts due to the construction of the Scheme.</p> <p>Haul roads will be well maintained and avoid, where feasible, the use of steep gradients.</p> <p>All site employees will be reminded of their obligation to minimise noise on site.</p> <p>Community liaison will keep residents updated about upcoming works that will directly impact them via letter, email or a virtual information hub.</p> <p>Where possible, the Principal Contractor will use the quietest commercially available plant that is suitable for each specific operation.</p>			

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				The Noise and Vibration Management Plan will form part of the Second Iteration Environmental Management Plan for implementation during construction and is secured by Requirement 4 of the draft Development Consent Order [REP1-004]. The Applicant will consult with Bury Metropolitan Borough Council (as the relevant planning authority) prior to seeking approval from the Secretary of State of the Second Iteration Environmental Management Plan.			
Cultural Heritage – Archaeology							
17	Acceptance of datasets used for cultural heritage baseline.	Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081]	GMAAS Bury Metropolitan Borough Council have reviewed Appendix 6.1: Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081] and notes that it makes use of appropriate datasets and analysis to establish the cultural heritage baseline for the development.	The Applicant agrees with this position. Section 6.7 of Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081] sets out the baseline conditions for cultural heritage and the data sources that have been used to determine the baseline conditions. This includes the Greater Manchester Historic Environmental Record (HER) which was purchased from GMAAS and provided on the 15 March 2021. GMAAS noted on 14 March 2023 that the HER dataset provided in 2021 was not likely to have changed, and as such that the re-issue of the HER dataset was not likely to be required.	Yes	Agreed	04/09/2023

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18	Agreement of approach for investigation in specific HER locations or areas with the potential to contain archaeological remains	Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081]	Bury Metropolitan Borough Council agrees with the methodology set out in paragraphs 1.4.1 and 1.4.2 of the Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081] where Written Schemes of Investigation (WSIs) will be provided by a suitably qualified and experienced archaeological contractor(s), in consultation with Bury Metropolitan Borough Council, for the various identified sites/areas.	<p>The Applicant agrees with this position and notes that the trial trenching committed to (HER 3919.1.0 structures around Mode Hill Lane and HER 3915.1.0 structures off Corday Lane) is secured by commitment CH1 of the Register of Environmental Actions and Commitments (REAC) contained within the First Iteration Environmental Management Plan [REP1-010].</p> <p>The First Iteration Environmental Management Plan [REP1-010] will be developed into the Second Iteration EMP to be implemented during construction and is secured through Requirement 4 of the draft Development Consent Order [REP1-004].</p> <p>Furthermore, Requirement 9 "Archaeological Remains" of the draft Development Consent Order [REP1-004] secures the need for a Written Scheme of Investigation (WSI) to be submitted and approved by the Secretary of State, following consultation with the relevant planning authority. Where GMAAS is still acting as the archaeological advisor for Bury Metropolitan Borough Council they will be engaged in this process.</p>	Yes	Agreed	04/09/2023

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
19	Agreement on areas to be excluded from trial trenching	Chapter 6: Cultural Heritage of the Environmental Statement [APP-045] Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081]	Following engagement between Bury Metropolitan Borough Council and the Applicant in relation to the cultural heritage baseline for the Scheme specifically to consider Gravel Hill House (HER 3914.1.0), review of extracts from the developing ground investigation report for the Scheme, and taking into account the records which show that no trace of the building was identified during archaeological assessments undertaken in 1993, it is considered likely that that Gravel Hill House (HER 3914.1.0) has been erased by previous groundworks and truncation. Taking into account all of these factors Bury Metropolitan Borough Council agrees with the Applicant that the evaluation of the structures at Gravel Hill House (HER 3914.1.0) is therefore probably unnecessary.	The Applicant agrees with this position. Table 6.8 Cultural heritage baseline conditions of Chapter 6: Cultural Heritage of the Environmental Statement [APP-045] confirms the position that no trace of Gravel Hill House was identified during archaeological assessments undertaken in 1993. Para 1.3.9 of Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081] states that the site of Gravel Hill House (HER 3914.1.0) would not benefit from archaeological trial trenching given the asset's erasure as a result of the construction of M60 J18 and borne out by the ground investigation results, which demonstrated a complete removal of historic soil horizons at this location. No investigation of Gravel Hill House (HER 3914.1.0) has therefore been specified.	Yes	Agreed	24/02/22 and 04/09/23
20	Mitigation relating to HER 3921.1.0, site of a possible oven/kiln	Chapter 6: Cultural Heritage of the Environmental Statement [APP-045]	In an early review of a draft Chapter 6: Cultural Heritage of the Environmental Statement and engagement with the Applicant, Bury Metropolitan Borough Council recommended that HER 3921.1.0, the site of a possible oven/kiln, should be subject to an	The Applicant agrees with this position and notes that the archaeological watching brief committed to is secured in commitment CH2 of the Register of Environmental Actions and Commitments contained within the First	Yes	Agreed	12/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
		<p>First Iteration Environmental Management Plan [REP1-010]</p> <p>draft Development Consent Order [REP1-004]</p>	<p>archaeological watching brief during construction in accordance with an approved Written Scheme of Investigation.</p> <p>Bury Metropolitan Borough Council notes commitment CH2 of the Register of Environmental Actions and Commitments of the First Iteration Environmental Management Plan [REP1-010 and the mechanisms to secure this through Requirement 4 of the draft Development Consent [PD1-004], together with Requirement 9.</p>	<p>Iteration Environmental Management Plan [REP1-010].</p> <p>The First Iteration Environmental Management Plan [REP1-010] will be developed into the Second Iteration Environmental Management Plan to be implemented during construction and secured through Requirement 4 of the draft Development Consent Order [REP1-004].</p> <p>Furthermore, Requirement 9 "Archaeological Remains" of the draft Development Consent Order [REP1-004] secures the need for a WSI to be submitted and approved by the Secretary of State, following consultation with the relevant planning authority. This would include the archaeological monitoring and recording of the potential kiln site present on the HER.</p> <p>The Applicant will engage with Bury Metropolitan Borough Council at all stages of the Scheme, including the production of detailed method statement (WSI) covering the implementation of mitigation for HER 3921.1.0 (possible oven/lime kiln). The WSI for this and all other work on the consented Scheme will incorporate a statement that Greater Manchester Archaeology Advisory Service provide archaeological advice to</p>			

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				Bury Metropolitan Borough Council and will monitor the work once implemented, both on site and remotely.			
21	Unsworth Moss (HER 3878.1.0) and the potential for peat fringe landscapes to contain archaeological interest	<p>Chapter 6: Cultural Heritage of the Environmental Statement [APP-045]</p> <p>Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081]</p> <p>Chapter 9: Geology and Soils of the Environmental Statement [APP-048]</p> <p>Appendix 9.2: Agricultural Land Classification Survey Report of the Environmental Statement Appendices [APP-107]</p>	<p>Bury Metropolitan Borough Council notes that peat fringe landscapes can harbour archaeological material related to prehistoric use of the landscape from Mesolithic period, i.e. transient settlement, hunting areas, stone/flint tool preparation/maintenance areas, ritual deposition. Bury Metropolitan Borough Council notes the potential for there to be peat within Unsworth Moss (HGM7712) which would undergo change. The detail of construction depth or extent of impact of Scheme should be looked at in this area. Bury Metropolitan Borough Council notes the potential need for an augering survey/peat profiling to be carried out to find extents of surviving peat, and identify potential "islands" within the peat due to their potential to contain archaeological material.</p>	<p>Annex A of Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081] confirms that, based on review of the Ground Investigation Report (Appendix 9.3 of the Environmental Statement Appendices [APP-108]), the Moss at this location only has a low potential of the presence of buried peat.</p> <p>Para 1.3.12 of Appendix 6.1 Cultural Heritage Desk Based Assessment of the Environment Statement Appendices [APP-081] states Unsworth Moss (HER 3878.1.0) has limited potential for high vale organic remains, given the very low likelihood of surviving buried peat deposits.</p> <p>Para 6.4.10 of Chapter 6: Cultural Heritage of the Environmental Statement [APP-045] notes that GMAAS suggested hand-auguring could be used to establish the presence and profile of peat deposits, though known ground conditions in this location suggest no peat presence, based on the</p>	Yes	Pending	09/10/24

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		Appendix 9.3: Ground Investigation Report of the Environmental Statement Appendices [APP-108]		findings of the Ground Investigation Report (Appendix 9.3 of the Environmental Statement Appendices [APP-108]).			
22	Use of qualified archaeological contractors	Appendix 6.1: Cultural Heritage Desk Based Assessment [APP-081]	Bury Metropolitan Borough Council's review of Appendix 6.1: Cultural Heritage Desk Based Assessment [APP-081] identified that paragraph 1.4.2 refers to trial trench investigations of two sites being monitored "...by an agent to be appointed by National Highways", whilst paragraph 1.4.3 refers to a watching brief at one site being carried out "...by archaeological contractors on behalf of the Principal Contractor". Bury Metropolitan Borough Council would wish to see that all archaeological work is undertaken by suitably experienced and qualified archaeological contractor(s), funded by the Applicant, and in accordance with guidance provided by GMAAS who would also monitor the implementation of the works on behalf of Bury Metropolitan Borough Council and the Applicant. All works should take place in accordance with methodologies outlined	<p>The Applicant notes Bury Metropolitan Borough Council's comments in relation to the definition of the WSI and the use of suitably qualified archaeological contractors.</p> <p>The Applicant notes that the WSI for trial trenching will include the provision for archaeological monitoring of fieldwork (both on-site and remotely) by GMAAS, given their status as archaeological advisor to Bury Metropolitan Borough Council.</p> <p>The WSI will incorporate all current guidance and best practice on the investigation and recording of archaeological remains, including the relevant Chartered Institute for Archaeologists standard and universal guidance documentation for investigative fieldwork, and all facets of implementation, from mobilisation, health and safety, fieldwork and post-</p>	Yes	Agreed	12/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			<p>in appropriate WSIs, approved by Bury Metropolitan Borough Council, in advance of the onset of archaeological works. The WSIs will provide methodologies for the whole archaeological project, including the fieldwork, post-excavation analysis, reporting and report deposition, dissemination of results commensurate with their significance (i.e. summary statement, short article in a local journal, or production of a booklet to summarise all works undertaken during the development schedule for publication as part of a popular series, i.e. the Greater Manchester's Past Revealed series), and final archiving of finds, records and reports.</p>	<p>excavation. The WSI will stipulate the accession of the Scheme reports to the public domain as well as the archiving arrangements.</p> <p>It is standard practice for WSI to contain the requirement that archaeological contractors undertaking the work are suitably qualified to carry out the work in accordance with the approved WSI.</p>			
23	Timing of archaeological evaluation/investigation		<p>Throughout the pre-application engagement with the Applicant, Bury Metropolitan Borough Council has recommended that the earlier that archaeological evaluation/investigation work is completed in the development programme the better, as the results of the evaluative works can be used to inform any further requirement for detailed excavation..</p> <p>Bury Metropolitan Borough Council also recommends that in the event that something of significance is found during evaluation that requires further</p>	<p>The Applicant has noted Bury Metropolitan Borough Council's comments in relation to the timing of archaeological evaluation/investigation. The Applicant notes that the programme of archaeological trial trench investigation will allow sufficient time for reporting of the results upon completion of fieldwork.</p> <p>The pre-construction approval of the WSI detailing the methodologies applied (and pre-construction implementation of the trial trenching) is stated in commitments CH1 and CH2 of the</p>	Yes	Agreed	12/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			<p>detailed excavation, opportunity should be afforded for Bury Metropolitan Borough Council to speak with the field team and/or make a site visit. Decisions may be required for immediate extension of a trench to seek clarity of a potential feature/find. It may be beneficial to go straight into a further phase of more detailed excavation within the same mobilisation of staff and plant rather than waiting for a report and then making the decision for further work.</p> <p>Bury Metropolitan Borough Council acknowledges that Requirement 9 "Archaeological remains" of the draft Development Consent Order [REP1-004] requires consultation with the relevant planning authority (which would include GMAAS on behalf of Bury Metropolitan Borough Council) prior to Secretary of State approval of the written scheme investigation.</p>	<p>Register of Environmental Actions and Commitments in the First Iteration Environmental Management Plan [REP1-010].</p> <p>Commitment CH1 specifies that the trial trenching will be undertaken sufficiently prior to construction to allow reporting and the formulation of a robust approach to mitigation. The trial trench investigation report should be completed six months prior to the start of construction.</p> <p>The Applicant intends to implement archaeological trial trenching at the earliest opportunity upon grant of a development consent order by the Secretary of State</p> <p>The Applicant notes Bury Metropolitan Borough Council's comments in relation to consultation with Bury Metropolitan Borough Council during trial trenching. The Applicant notes that Requirement 9 "Archaeological remains" of the draft Development Consent Order [REP1-004] requires consultation with the relevant planning authority (which would include GMAAS) prior to Secretary of State approval of the written scheme of investigation. .</p> <p>The WSI for the trial trenching will contain the provision for Bury</p>			

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				Metropolitan Borough Council to monitor the trial trench investigation and the flexibility to extend trenches where warranted to determine the presence, extent and significance of archaeological remains. The scope of trenching aims to provide sufficient data for Bury Metropolitan Borough Council to have a high degree of confidence in decision-making.			
Cultural Heritage – Built Environment							
24	Assessment of effect on heritage assets	Chapter 6: Cultural Heritage of the Environmental Statement [APP-045] Appendix 6.1 Cultural Heritage Desk-Based Assessment [APP-081] Figure 7.6 Representative Viewpoints 1-10 [APP-063] Figure 7.6 Representative Viewpoints 21-29 [APP-065]	Bury Metropolitan Borough Council has reviewed Chapter 6: Cultural Heritage of the Environmental Statement [APP-045] and Appendix 6.1 Cultural Heritage Desk-Based Assessment [APP-081]. Bury Metropolitan Borough Council notes that there are no listed buildings within the Order limits, and no part of the Order limits form part of a conservation area. There are Non-designated Heritage Assets (NDHAs) within the order limits identified through the Historic Environment Record (HER) and the Councils' draft Local List of Heritage Assets. There are historic hedgerows. Bury Metropolitan Borough Council is in agreement with the Scheme assessment of impact on the cultural heritage of the Order limits and its	The Applicant notes Bury Metropolitan Borough Council's response.	Yes	Agreed	06/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			<p>conclusions. Bury Metropolitan Borough Council is satisfied that there would be no total loss of heritage significance or significant harm caused to heritage assets or their settings.</p> <p>Bury Metropolitan Borough Council considers there would be no significant harm to or total loss of significance to any of the identified assets, notwithstanding mitigations, that would outweigh the public benefits of the Scheme.</p>				
Biodiversity							
25	Appropriate Assessment - Rochdale Canal Special Area of Conservation	Appendix 8.13 Habitats Regulations Appendix 8.13 Habitat Regulations Assessment Report of the Environmental Statement Appendices [APP-103]	Bury Metropolitan Borough Council has reviewed Appendix 8.13 Habitats Regulations Assessment Report of the An appropriate assessment has been provided with only the Rochdale Canal SAC scoped in to the report. I have no issues with this report and accept that it is very unlikely that the Scheme will have a significant effect on this SAC.	<p>Rochdale Canal SAC is scoped into Chapter 8: Biodiversity of the Environmental Statement [REP1-025] and a Habitat Regulations Assessment has been undertaken as summarised in Appendix 8.13: Habitats Regulations Assessment Report of the Environmental Statement Appendices [APP-103].</p> <p>The Stage 1 Screening Assessment within the Habitat Regulations Assessment at Appendix 8.13 of the Environmental Statement Appendices [APP-103] concluded that likely significant effects could not be discounted, as a result of the changes in</p>	Yes	Agreed	20/08/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
				<p>air quality from operational vehicle emissions on the M62 for the Rochdale Canal SAC when considered alone and in-combination with other plans and projects. The Habitat Regulations Assessment was therefore progressed to Stage 2 Appropriate Assessment.</p> <p>The statement to inform an appropriate assessment (Stage 2 of the Habitats Regulations Assessment) in Appendix 8.13 of the Environmental Statement Appendices [APP-103] concludes, beyond reasonable scientific doubt, that the Scheme will not adversely affect the integrity of the Rochdale Canal SAC during its construction or operational phases, either alone or in combination with other plans or projects. The Applicant notes that in Table 3.1 of the Statement of Common Ground with Natural England [REP1-017] Natural England confirmed that they are satisfied that the Scheme will have no adverse effects on Rochdale Canal SAC.</p>			
26	Appropriate Assessment - South Pennines Special Protection Area	Appendix 8.13 Habitats Regulations Assessment Report of the Environmental Statement	Bury Metropolitan Borough Council has reviewed Appendix 8.13 Habitats Regulations Assessment Report of the Environmental Statement Appendices [APP-103]. Following this review Bury Metropolitan Borough Council queried the lack of inclusion of the South	The Applicant notes Bury Metropolitan Borough Council's comments. Table 4.1 of Appendix 8.13 Habitats Regulations Assessment Report of the Environmental Statement [APP-103] sets out the screening criteria used to identify European sites based on	Yes	Agreed	10/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
	(SPA)/SAC or Manchester Mosses SAC.	Appendices [APP-103]	<p>Pennines SPA/SAC or Manchester Mosses SAC. Traffic on the M62 is regarded as having a potentially significant effect on both these European sites because of air pollution, and is understood to require screening for impacts on the identified SPA/SACs where leading to traffic increases. Whilst accepting that during construction, there is unlikely to be any increase in traffic with more likely a decrease in traffic as the works are avoided, on completion the improved network may lead to increased traffic movements along the M62 corridor. These may have potential significant effect on these European sites in particular given the cumulative effect of the Northern Gateway Places For Everyone allocation, which this will benefit in the long term. On this basis it was recommended that information be provided on why the South Pennines SPA/SAC and Manchester Mosses SAC have not been referred to, with evidence provided that traffic movements will not increase beyond the thresholds provided by Natural England for significant effect.</p> <p>Following engagement with the Applicant and an understanding of Natural England's position on the Habitats Regulations Assessment as detailed in their Relevant</p>	<p>National Highways' Design Manual for Roads and Bridges LA 115 Habitats Regulations Assessment. Criteria 5 relates to identification of sites potentially impacted by air quality, i.e. those within 200m of the affected road network (ARN) (as stated in paragraph 2.25 of National Highways' Design Manual for Roads and Bridges LA 105 Air Quality).</p> <p>Only a single European site, Rochdale Canal SAC falls within 200m of the ARN. South Pennines SPA/SAC and Manchester Mosses SAC are approximately 9km to the east and 8km to the south-west of the ARN respectively. Therefore, there is no potential impacts to these European sites through changes in air quality.</p> <p>Natural England have been consulted on the Habitat Regulations Assessment and agree with the methodology, assumptions and conclusions (as summarised within their Relevant Representation [RR-009]) and detailed within the subsequently signed Statement of Common Ground with Natural England [REP1-017].</p>			

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			Representation [RR-009] and the subsequent signed Statement of Common Ground with Natural England [REP1-017], Bury Metropolitan Borough Council has no further comment.				
27	Site of Botanical Importance (SBI)- Hazlitt Wood and other Site of Botanical Importance	Chapter 8: Biodiversity of the Environmental Statement [REP1-025]	Bury Metropolitan Borough Council has reviewed Chapter 8: Biodiversity of the Environmental Statement [REP1-025] and notes that Hazlitt Wood SBI lies immediately adjacent to the Scheme. Other SBI's such as Hollins Plantation SBI and Philips Park SBI are also in close proximity with hydrological linkage and issues relating to air quality if traffic levels increase. A significant number of other SBI's are also assessed. Bury Metropolitan Borough Council notes all are to be protected and accept that this is feasible based on the draft environmental management plans that have been provided. I would note that Hazlitt Wood is protected by the Heaton Park brick wall therefore any additional fencing would protect this heritage feature more than the SBI. Bury Metropolitan Borough Council agrees that direct effects relating to dust, debris and hydrological linkage can be avoided through following of best practice. Subject to the mitigation proposed in the First Iteration Environmental	Section 8.10 of Chapter 8: Biodiversity of the Environmental Statement [REP1-025] details the assessment of the construction and operation effects of the Scheme, including the effects on Hazlitt Wood SBI and all other SBIs within the study area. For construction effects Hazlitt Wood is assessed to have a slight adverse (not significant) effect, the other SBIs are either assessed as neutral (not significant) effects or as having no pathway to effect. For operational effects all SBIs are assessed as neutral (not significant) effects or as having no pathway to effect. As noted in paragraph 8.9.25 of Chapter 8: Biodiversity of the Environmental Statement [REP1-025], in order to prevent accidental encroachment of plant into Hazlitt Wood SBI which is situated 3m from the Order Limits, suitable exclusion zones, fencing and signage will be installed in accordance with commitments B5 and B15 in the	Yes	Agreed	20/08/24

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			Management Plan [REP1-010] and the relevant management plans Bury Metropolitan Borough Council conclude that there will not be any likely significant effect on any of the SBI in close proximity to the site.	Register of Environmental Actions and Commitments , contained within the First Iteration Environmental Management Plan [REP1-010].			
28	Protected Species - Great Crested Newts	Chapter 8: Biodiversity of the Environmental Statement [REP1-025] Appendix 8.8 Great Crested Newt Survey Report of the Environmental Statement Appendices [APP-098] Appendix 8.15 Great Crested Newt District Level Licence Impact Assessment and Conservation Payment Certificate of the Environmental Appendices [APP-105]	Bury Metropolitan Borough Council has reviewed Chapter 8: Biodiversity of the Environmental Statement [REP1-025] and Appendix 8.8 Great Crested Newt Survey Report of the Environmental Statement Appendices [APP-098]. Bury Metropolitan Borough Council notes that Great crested newts are confirmed as present within the zone of influence of the Scheme, with ponds lost as a result of the development, though none of the ponds lost are confirmed breeding ponds. Bury Metropolitan Borough Council notes the findings of the reports, with the ponds in this location surveyed on numerous occasions with the presence of this population well known. The Applicant is committed to district licensing and has already obtained a certificate from Natural England. Bury Metropolitan Borough Council has no objection to this approach, and welcome that reasonable avoidance measures will also be applied. Bury Metropolitan	Working with Natural England the Applicant has secured a countersigned Great Crested Newt District Level Licence Impact Assessment and Conservation Payment Certificate (IACPC). The IACPC is provided within Appendix 8.15: Great Crested Newt District Level Licence IACPC of the Environmental Appendices [APP-105].	Yes	Agreed	20/08/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			Borough Council is satisfied that no further information is required and that the conservation status of this species can be maintained.				
29	Protected Species - Badgers	<p>Chapter 8: Biodiversity of the Environmental Statement [REP1-025]</p> <p>Appendix 8.14 Draft Badger Licence (Confidential) of the Environmental Statement [REP1-029].</p> <p>Statement of Common Ground with Natural England [REP1-017]</p> <p>First Iteration of the Environmental Management Plan [REP1-010].</p>	<p>Bury Metropolitan Borough Council has reviewed Chapter 8: Biodiversity of the Environmental Statement [REP1-025] and Appendix 8.14 Draft Badger Licence (Confidential) of the Environmental Statement [APP-104]. Bury Metropolitan Borough Council notes that Badger setts have been identified within the zone of influence of the Scheme. A license will likely be required from Natural England for closure of one outlier sett. No main setts are lost. The proposed development will also not fragment the territory of the badger clans effected as the motorway is already present and the scheme will simply widen the motorway.</p> <p>Bury Metropolitan Borough Council requested clarification in relation to the risks during construction of temporary habitat fragmentation and loss of foraging habitat as a result of construction activity, site compounds etc that may push badger in to attempting to cross the motorway.</p> <p>Following engagement with the Applicant, further review of the assessment presented in the revised</p>	<p>The Applicant notes that a revised Appendix 8.14: Draft Badger Licence of the Environmental Statement Appendices [REP1-029] was submitted at examination deadline 1, together with an updated Chapter 8: Biodiversity of the Environmental Statement [REP1-025], to reflect the previously reported progress made with Natural England in respect of the updated draft badger licence and LONI.</p> <p>Appendix 8.14: Draft Badger Licence of the Environmental Statement Appendices [REP1-029] has been reviewed by Natural England. Natural England issued a LONI for a badger licence for the Scheme on the 2 July 2024. The LONI is provided in Appendix A of the Statement of Common Ground with Natural England [REP1-017].</p> <p>Notwithstanding, the Applicant notes that construction activity around retained active setts is very limited and includes hedgerow planting, and construction of, and use of, an access track. It is assessed that use of the access track by construction vehicles would not cause a</p>	Yes	Agreed	20/08/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			Chapter 8: Biodiversity of the Environmental Statement [REP1-025] and Appendix 8.14 Draft Badger Licence (Confidential) of the Environmental Statement [REP1-029] submitted at deadline 1, together with evidence of the grant by Natural England of a Letter of No Impediment (LONI) within the Statement of Common Ground with Natural England [REP1-017], Bury Metropolitan Borough Council has no remaining concern relating to temporary fragmentation during construction.	severance impact, particularly considering badgers are mostly active at night. Although there would be a minor loss of foraging habitat within the vicinity of some setts due to the construction of temporary site compounds, this is not considered significant in the context of the available habitat within the wider landscape which would be accessible without badgers crossing the motorway. Therefore, as set out in Chapter 8 Biodiversity of the Environmental Statement [REP1-025], with mitigation as per Section 8.9 of Chapter 8 Biodiversity [REP1-025] and Appendix 8.14 Draft Badger Licence (Confidential) of the Environmental Statement [REP1-029], both of which are secured by the Register of Environmental Actions and Commitments within the First Iteration Environmental Management Plan [REP1-010], there would be no impacts to badgers due to severance during construction.			
30	Protected Species – Barn Owl	Chapter 8: Biodiversity of the Environmental Statement [REP1-025]	Bury Metropolitan Borough Council has reviewed Chapter 8: Biodiversity of the Environmental Statement [REP1-025] and Appendix 8.5 Barn Owl Survey Report (Confidential) of the Environmental Statement Appendices [APP-093]	The Applicant considers that the consultation undertaken in 2021 and 2022, as detailed within Section 2 of Appendix 8.5 Barn Owl Survey Report (Confidential) of the Environmental Statement Appendices [APP-093], is sufficiently robust on the basis that in addition to the desktop study using data	Yes	Agreed	10/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
		Appendix 8.5 Barn Owl Survey Report (Confidential) of the Environmental Statement Appendices [APP-093]	<p>Bury Metropolitan Borough Council notes that barn owl are known to be present in the locality, but no evidence of barn owl breeding within the zone of influence found.</p> <p>Bury Metropolitan Borough Council did raise a query in relation to use of data from the Manchester Raptor Group. Subsequent engagement with the Manchester Raptor Group confirmed that no new nest sites had been identified since 2021 beyond those already recorded in proximity to the Scheme. Bury Metropolitan Borough Council is therefore satisfied that no further survey information is required to support the conclusions of the Appendix 8.5 Barn Owl Survey Report (Confidential) of the Environmental Statement Appendices [APP-093] and Chapter 8: Biodiversity of the Environmental Statement [REP1-025]</p>	<p>from the Greater Manchester Ecology Unit (GMEU) and the County Bird Recorder, a full suite of field surveys were undertaken for the Zone of Influence for the Scheme which would have recorded any barn owl nests not identified by the desktop study. Manchester Raptor Group's annual report (2021) was used to determine the value of the barn owl population in the study area by providing context from the number of breeding pairs known in the Manchester region. The Applicant notes the feedback from Manchester Raptor Group that no new nest sites have been identified since 2021.</p>			
31	Nesting and Wintering Birds	<p>Chapter 8: Biodiversity of the Environmental Statement [REP1-025]</p> <p>Appendix 8.6 Breeding Bird Survey Report [APP-094]</p>	<p>Bury Metropolitan Borough Council has reviewed Chapter 8: Biodiversity of the Environmental Statement [REP1-025] plus the relevant Environmental Statement Appendices.</p> <p>Bury Metropolitan Borough Council notes that Breeding and winter bird surveys have been carried out. The results indicated no more than local</p>	<p>The Applicant notes Bury Metropolitan Borough Council's acceptance of the results of breeding and winter bird surveys, and the assessment of the significance of effect in Chapter 8: Biodiversity [REP1-025]. The Applicant notes Bury Metropolitan Borough Council's comments in relation to mitigation for bird nesting habitat. The Applicant highlights the mitigation set</p>	Yes	Agreed	20/08/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
		<p>Appendix 8.7 Wintering Bird Survey Report [APP-095]</p> <p>Appendix 8.7 Wintering Bird Survey Report Annex A (Figures 8.7.1-8.7.3) [APP-096]</p> <p>Appendix 8.7 Wintering Bird Survey Report Annex A (Figures 8.7.4-8.7.6) [APP-097]</p>	<p>interest. Standard precautionary working methods will be applied. Bury Metropolitan Borough Council is satisfied that no further information is required, and that the conservation status of this species can be maintained. Mitigation should be provided for loss of bird nesting habitat.</p>	<p>out in Commitment B15 and B21 of the Register of Environmental Actions and Commitments, contained within the First Iteration Environmental Management Plan [REP1-010], and Appendix D: Outline General Ecology Management Plan [REP1-012] of the First Iteration of the Environmental Management Plan [REP1-010].</p> <p>The First Iteration Environmental Management Plan [REP1-010] will be developed into the Second Iteration Environmental Management Plan for implementation during construction and is secured by Requirement 4 of the draft Development Consent Order [REP1-004].</p>			
32	Priority Species	Chapter 8: Biodiversity of the Environmental Statement [REP1-025].	<p>Bury Metropolitan Borough Council has reviewed Chapter 8: Biodiversity of the Environmental Statement [REP1-025] plus the relevant Environmental Statement Appendices.</p> <p>Bury Metropolitan Borough Council notes that species such as common toad, hedgehog, water shrew and brown hare are recorded or assumed to be present. The populations present will be displaced during construction, with precautionary working method statements in place during site clearance and construction. There are</p>	<p>The Applicant notes Bury Metropolitan Borough Council's comments in relation to other notable species and the mitigation specified in Chapter 8: Biodiversity [REP1-025].</p> <p>The Applicant highlights the mitigation set out in Commitment B26 to B29 of the Register of Environmental Actions and Commitments, contained within the First Iteration Environmental Management Plan [REP1-010], and Appendix D: Outline General Ecology Management Plan [REP1-012] of the First Iteration of</p>	Yes	Agreed	20/08/24

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			unlikely to be any long term significant effects as a result of the development proposal with reuse of the site possible on completion. Bury Metropolitan Borough Council is satisfied that no further information is required and that the conservation status of these species can be maintained.	the Environmental Management Plan [REP1-010]. The First Iteration Environmental Management Plan [REP1-010] will be developed into the Second Iteration Environmental Management Plan for implementation during construction and is secured by Requirement 4 of the draft Development Consent Order [REP1-004].			
33	Invasive Species (INNs)	Chapter 8: Biodiversity of the Environmental Statement [REP1-025] Appendix E: Outline Invasive Species Management Plan [APP-132] of the First Iteration Environmental Management Plan [REP1-010]	Bury Metropolitan Borough Council has reviewed Chapter 8: Biodiversity of the Environmental Statement [REP1-025] INNs are present within the site including Himalayan balsam and Japanese knotweed. Standard control and biosecurity measures are proposed. Bury Metropolitan Borough Council has no reason to doubt that these will be in line with best practice. Bury Metropolitan Borough Council is satisfied that no further information is required and that the risk of spreading these species is very low.	The Applicant notes Bury Metropolitan Borough Council's comments and highlights Appendix E: Outline Invasive Species Management Plan [APP-132] of the First Iteration Environmental Management Plan [REP1-010] details how the spread of invasive species would be prevented during construction of the Scheme. The First Iteration Environmental Management Plan [REP1-010] will be developed into the Second Iteration Environmental Management Plan for implementation during construction and is secured by Requirement 4 of the draft Development Consent Order [REP1-004].	Yes	Agreed	20/08/24
34	Protection of Watercourse	Appendix 13.1 Water Framework Directive Compliance	Bury Metropolitan Borough Council notes that comprehensive investigation of drainage and ground water appears to have occurred, Negative effects on	The Applicant acknowledges Bury Metropolitan Borough Council's deferral to the Environment Agency on such matters. The Applicant notes that the	Yes	Agreed	20/08/24

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	s and Ground Water	Assessment Report of the Environmental Statement Appendices [APP-116]	the Castle Brook and Whittle Brook are forecast due to loss of connectivity to groundwater sources for the minor tributary of the Castle Brook. There will also be anticipated positive effects due to the addition of SUDs ponds which will filter out sediment and pollution from the motorways with outfalls in to the Castle Brook tributary. Protection during construction is proposed for watercourses and Groundwater, that appear adequate. Bury Metropolitan Borough Council has no further comment to make on this issue and will leave to organisation such as the Environment Agency to check the technical details to ensure the proposed measures are adequate. Bury Metropolitan Borough Council defers the consideration of protection of watercourse and groundwater to the Environment Agency.	Statement of Common Ground with the Environment Agency [REP1-018] addresses the Environment Agency's position on water quality, ground water and SUDs, and confirms that there are no matters outstanding or not agreed between the Applicant and the Environment Agency.			
35	Peat	Chapter 8: Biodiversity of the Environmental Statement [REP1-025]	Bury Metropolitan Borough Council notes that an investigation of the potential for peat to be present has occurred. This has concluded that restorable peat is not present but that isolated patches of peat are that may indicate historic mossland in this locality, degraded beyond the point that restoration would be feasible. Bury Metropolitan Borough Council has no	The Applicant acknowledges Bury Metropolitan Borough Council's deferral to Natural England on such matters. The Applicant notes that the Statement of Common Ground with Natural England [REP1-017] addresses Natural England's position on the extent of peat within the Order Limits, whether this is restorable and construction mitigation, and confirms that there are no matters	Yes	Agreed	20/08/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			reason to doubt the findings of the report but defers to Natural England to check the technical details to ensure peat is not restorable.	outstanding or not agreed between the Applicant and Natural England.			
36	Priority Habitats, Ancient Woodland etc	<p>Chapter 8: Biodiversity of the Environmental Statement [REP1-025].</p> <p>Figure 2.3: Environmental Masterplan of the Environmental Statement Figures [APP-057]</p> <p>First Iteration Environmental Management Plan [REP1-010]</p> <p>Appendix N: Outline Landscape and Ecology Management Plan [APP-141]</p> <p>draft Development Consent Order [REP1-004].</p>	<p>Bury Metropolitan Borough Council has reviewed Chapter 8: Biodiversity of the Environmental Statement [REP1-025] Desktop and verification on the ground for priority habitats and ancient woodland was carried out. The priority habitats that will be directly lost are hedges, eutrophic standing water and lowland mixed deciduous woodland, with indirect effects to woodland and other habitats such as lowland fen possible due to hydrological connectivity and dust. The assessment concludes that none are significant. Bury Metropolitan Borough Council agrees with wetland sites, such as Hollins Vale SBI, receiving water from springs that are to the west of the SBI which is unaffected by the development. Mitigation and enhancement for loss of hedges is proposed.</p> <p>Bury Metropolitan Borough Council is satisfied that no further information is required and that the ancient woodland and priority habitats will not be notably effected and that the loss of priority habitats can be mitigated.</p>	<p>The Applicant acknowledges Bury Metropolitan Borough Council's acceptance of the assessment of effects on priority habitats. The Applicant highlights that loss of priority habitats would be mitigated through the implementation of mitigation as shown on Figure 2.3: Environmental Masterplan of the Environmental Statement Figures [APP-057]. Commitment LV5 and LV6 of the Register of Environmental Actions and Commitments , contained within the First Iteration EMP [REP1-010], relate to new planting. Appendix N: Outline Landscape and Ecology Management Plan [APP-141] of the First Iteration Environmental Management Plan [REP1-010] includes details of the maintenance of the landscape and ecological features including timescales. The Outline Landscape and Ecology Management Plan will be developed into the Landscape and Ecology Management Plan as part of the Second Iteration Environmental Management Plan for implementation during construction and developed into the</p>	Yes	Agreed	10/10/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
				Third Iteration Environmental Management Plan securing the long term commitments to aftercare. This is secured by Requirement 4 of the draft Development Consent Order [REP1-004]. Measures within the management plan would seek to ensure the condition of new and retained habitats is maximised.			
37	Biodiversity Net Gain	<p>Appendix: 8.12 Biodiversity Net Gain Report of the Environmental Statement Appendices [APP-102]</p> <p>Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [APP-057]</p> <p>Appendix N Outline Landscape and Ecology Management Plan [APP-141]</p> <p>Draft Development Consent Order [REP1-004].</p>	<p>Bury Metropolitan Borough Council has reviewed Appendix: 8.12 Biodiversity Net Gain Report of the Environmental Statement Appendices [APP-102]. The Scheme will result in the loss of grassland with additional loss of plantation woodland. On completion there will be a net reduction in the area of vegetated habitat, but the Scheme will create habitats of higher ecological value than those currently present. A Biodiversity Net Gain (BNG) metric has been provided that indicates a 3.68% increase on site for area based habitats and 58.5% increase for hedge lines. Given National infrastructure projects are currently exempt, from mandatory BNG, Bury Metropolitan Borough Council has not interrogated this in depth but given the habitats currently present and the area of land available post construction for habitat creation and enhancement, Bury Metropolitan</p>	<p>The Applicant has sought to maximise biodiversity delivery within the Order Limits through provision of new habitats within the landscaping scheme and enhancement of existing retained vegetation, forecasting an overall net gain of 3.68% for habitats and 58.50% for hedgerows and 0% for rivers and streams on-site post-construction, as detailed in Appendix 8.12 Biodiversity Net Gain Report of the Environmental Statement Appendices [APP-102] and shown on Figure 2.3 Environmental Masterplan of the Environmental Statement Figures [APP-057].</p> <p>The Applicant would manage these habitats in the long term as summarised in Appendix N Outline Landscape and Ecology Management Plan [APP-141] of the First Iteration Environmental Management Plan [REP1-010]. Implementation of the Environmental Masterplan and Appendix N Outline</p>	Yes	Agreed	20/08/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			Borough Council have no reason to doubt that net gain is possible on the site.	Landscape and Ecology Management Plan are secured by Requirements 5 and 4 of the draft Development Consent Order [REP1-004] respectively.			
Local Highways Impact							
38	Local Highways Impact – General Arrangement Plans	General Arrangement Plans [APP-005] Streets, Rights of Way and Access Plans [APP-008]	Bury Metropolitan Borough Council is content with current preliminary designs in terms of minimising impacts on local road network. The only variations to existing local highway network are around provision for maintenance access. All works on adopted local road network will be to a standard agreed by Bury Metropolitan Borough Council as the Highway Authority.	The Applicant notes Bury Metropolitan Borough Council's comments. The Applicant notes that the Scheme design includes the creation of new permanent maintenance accesses. These are provided throughout the Scheme to ensure that the infrastructure of the Scheme can be constructed and maintained safely. The Scheme maintenance accesses are detailed both on the General Arrangement Plans [APP-005] and on the Streets, Rights of Way and Access Plans [APP-008].	Yes	Agreed	02/09/24
39	Construction phase impacts on local road network – Outline Traffic Management Plan	Outline Traffic Management Plan [APP-150] First Iteration Environmental Management Plan [REP1-010] draft Development Consent Order [REP1-004]	Bury Metropolitan Borough Council has reviewed the Outline Traffic Management Plan [APP-150] and acknowledges that some levels of highway disruption will be unavoidable whilst the works are constructed. Bury Metropolitan Borough Council will work with the Applicant to ensure local disruption as a consequence of the construction is minimised. Bury Metropolitan Borough Council	The Applicant has developed the construction methodology (including utility diversion works, temporary construction access routes and diversion routes) in relation to the current design of the Scheme and the space available on the existing network. Details regarding the management of construction traffic are set out in the Outline Traffic Management Plan [APP-150].	Yes	Agreed	02/09/24

Ref	Issue	Doc Ref	Bury Metropolitan Borough Council Position	National Highways' Position	Agreement Likely	Status	Date
			<p>acknowledges the Applicant have planned works to limit the number and extent of road closures that will be required as it is recognised the disruption that this will cause on the local road network due to volumes of traffic being diverted. Bury Metropolitan Borough Council recognises the importance of the Stakeholder Management Plan to ensure the local community is fully conversant with the works and that the contractor is ensuring disruption including noise, dust and vibration as well as diverted traffic is minimised.</p> <p>Bury Metropolitan Borough Council recognises the need for highway diversions to facilitate the construction of the Scheme. Bury will work with the Applicant to minimise the impacts when these diversions are operational.</p>	<p>The Scheme construction methodology and phasing will continue to be developed with the aim of minimising the construction period and potential impact upon road users, and any noise and vibration impacts.</p> <p>The Outline Traffic Management Plan [APP-150] will be developed further, in consultation with the Local Highways Authority, into a Traffic Management Plan, secured by Requirement 10 of the draft Development Consent Order [REP1-004]. This will further detail the specific traffic management measures to be implemented during construction.</p> <p>The First Iteration Environmental Management Plan [REP1-010] also contains a Register of Environmental Actions and Commitments. The commitment to produce a Communications Plan is detailed in commitment G3. Commitment PHH17 relates to the appointment of a Community Liaison Manager in the pre-construction phase to oversee communication with residents, schools, landowners and other interested parties regarding construction activities, programme, and alterations to access routes and to respond to concerns and queries which may arise.</p>			

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				The Second Iteration Environmental Management Plan will be produced prior to commencement of construction of the Scheme, as secured by Requirement 4, of the draft Development Consent Order [REP1-004] and will be substantially based on the First Iteration Environmental Management Plan [REP1-010] submitted with the application for development consent. The Applicant will consult with the relevant planning authority (Bury Metropolitan Borough Council) on matters relating to their function, prior to seeking approval from the Secretary of State of the Second Iteration Environmental Management Plan.			
Public Rights of Way							
40	Diverted Public Rights of Way	Streets, Rights of Way and Access Plans [APP-008] draft Development Consent Order [REP1-004]	Bury Metropolitan Borough Council has no objection to the proposals for permanent stopping up and diversion of footpaths.	The Applicant notes Bury Metropolitan Borough Council's comments on the proposals for permanent stopping up and diversion of footpaths.	Yes	Pending	09/10/24
41	Diverted Public Rights of Way – enhancement	Streets, Rights of Way and Access Plans [APP-008]	Bury Metropolitan Borough Council hoped that alternative/diversion routes could be upgraded to bridleway but it is believed that there isn't the land to achieve that. Following engagement with the Applicant, Bury Metropolitan	The Applicant notes Bury Metropolitan Borough Council's position. The Applicant notes that permanent diversions will be provided for all Public Rights of Way affected by the Scheme. Numerous factors have been considered	Yes	Pending	09/10/24

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		draft Development Consent Order [REP1-004]	Borough Council accepts that it is outside the scope of Scheme for the public rights of way to be upgraded from Public Footpath to Bridleway.	<p>in the design and form (footpath/bridleway) of the permanent diversions that include, but not exclusively, proportionality of any mitigation to the assessed effects, land acquisition, connectivity with existing footpaths/bridleways and physical factors of the existing network. It is not within the scope of the Scheme to upgrade the status of any of the public rights of way, or permissive footpaths, including those being diverted.</p> <p>Pole Lane and Egypt Lane will continue to be connected via the public footpath which will be re-aligned around the new Northern Loop and to the east of the M66 before tying back into the existing alignment south of Hills Lane bridge over the M66. However, in designing the scheme, the Applicant has sought to avoid positioning permanent infrastructure which would prevent the potential upgrade of the route to a bridleway in future.</p> <p>Providing improvements to the underpass beneath the M60 at Parrenthorn Road is outside the scope of the Scheme because they are not required in order to deliver the improvements needed to the M60/M62/M66.</p>			

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				More information about impacts on Public Rights of Way is included in Streets, Rights of Way, and Access Plans [APP-008] and summarised in Chapter 2: The Scheme of the Environmental Statement [APP-057].			
42	Diverted Public Rights of Way – Enhancement of 9WHI	Streets, Rights of Way and Access Plans [APP-008] Draft Development Consent Order [REP1-004]	Bury Metropolitan Borough Council has previously considered the possibility of upgrading Public Footpath 9WHI to bridleway and it would be beneficial if the diversion could be constructed with a surface and width that would facilitate that upgrade in the future. Following engagement with the Applicant, Bury Metropolitan Borough Council note the potential opportunity in ongoing routine engagement through the implementation of the Scheme for discussions of options of surface construction of 9WHI where consistent with the approved landscape scheme.	The preliminary Scheme design secures a diversion of footpath 9WHI around the new highway infrastructure, the extent of which is within the scheme Order limits. The creation of a bridleway is outside the scope of the scheme. The Applicant notes that at this time we cannot commit at this stage to creating a suitably wide 'corridor' within the landscaping scheme, south of Pike Fold Golf Course. However, we do recognise emerging plans for the Northern Gateway site, noting that we will review Bury Metropolitan Borough Council proposals in due course as we develop the detailed landscaping scheme which, under Requirement 5, is subject to formal consultation with Bury Metropolitan Borough Council, prior to approval and commencement of the authorised works. With respect to the surface construction along any proposed route, it may be possible upon completion of the main	Yes	Agreed	01/10/24

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				<p>works to discuss options with Bury Metropolitan Borough Council's. The area south of Pike Fold Golf course will have seen extensive use as a temporary working area. It may well be possible to leave a surface construction consistent with the approved landscape scheme which is suitable for equestrian use. These discussions can be held prior to implementation of the approved landscaping scheme as part of our ongoing routine engagement with Bury Metropolitan Borough Council during construction.</p> <p>Consideration of Bury Metropolitan Borough Council proposals will always prioritise compliance with the authorised works to deliver the diverted footpath in accordance with the made Order, functional operational requirements of maintenance accesses in this area and the delivery of essential environmental mitigation of the Scheme.</p>			
43	Process for diversions/extinguishments of Public Rights of Way	Streets, Rights of Way and Access Plans [APP-008] draft Development Consent Order [REP1-004]	Bury Metropolitan Borough Council notes the Scheme's intention to divert Public Rights of Way and sought clarification as to whether applications for diversions/extinguishments will be sent to the Secretary of State rather than Bury Metropolitan Borough Council. Bury Metropolitan Borough Council notes that sufficient time will need to be	The Applicant notes that the draft Development Consent Order [REP1-004] will provide for the alteration/diversion/stopping up of public rights of way and commits to the provision of public rights of way to be re-opened. Schedule 4 'Permanent Stopping up of Streets and Public Rights of Way' of the draft Development	Yes	Agreed	10/09/24

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			given to ensure the relevant orders have been fully processed before physical changes are made on site.	Consent Order [REP1-004] sets out at Part 2 those Public Rights of Way to be stopped up for which a substitute will be provided during construction with reference to the Streets, Rights of Way and Access Plans [APP-008]. Following making of the Development Consent Order by the Secretary of State powers will be available to stop up the Public Rights of Way as set out in Schedule 4 of the draft Development Consent Order [REP1-004] without the need to seek separate consents from BMBC.			
Surface Water Drainage							
44	Drainage Strategy	Drainage Strategy Report [APP-122]	<p>Bury Metropolitan Borough Council has reviewed the Drainage Strategy Report [APP-122] and can advise that it is content with approach to modelling.</p> <p>Bury Metropolitan Borough Council is content with proposed discharge rates for all networks which interface with lead local flood authority catchments, noting that there will be no exceedance of baseline discharge rates, and that there will be some improvements.</p> <p>Bury Metropolitan Borough Council notes that climate change allowance sensitivity testing up to 40% has been carried out by the Applicant. Based on the result of this 40% climate change</p>	The Applicant notes Bury Metropolitan Borough Council's acceptance of the Drainage Strategy subject to the provision of exceedance flow paths being shown on a drawing. The Applicant notes that Requirement 8 of the draft Development Consent Order [REP1-004] requires, prior to the commencement of the authorised development, the Secretary of State's agreement to written details of the surface and foul water drainage system following consultation with the relevant planning authority. The written details normally comprise of an updated Drainage Strategy Report. As part of the work that will be done at the stage of discharge of requirements, the Applicant	Yes	Agreed	26/09/24

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			allowance sensitivity testing results, Bury Metropolitan Borough Council are satisfied in principle with Drainage Strategy Report [APP-122] subject to exceedance flow paths being illustrated on a drawing at an appropriate stage of detailed design. to inform the suitability of the design to ensure any flood volumes are directed such that no significant issues result.	will consult with Bury Metropolitan Borough Council and where appropriate any exceedance flow paths can be provided on a drawing.			
Acquisition of land and the creation of new rights							
45	Acquisition of land and the creation of new rights	Statement of Reasons [APP-018] Book of Reference [AS-010]	Bury Metropolitan Borough Council do not object to the acquisition of Bury Metropolitan Borough Council's land and creation of new rights across Bury Metropolitan Borough Council's land as identified in the book of reference.	The Applicant confirms that discussions will follow to determine the most appropriate and efficient land acquisition strategy.	Yes	Agreed	16/08/24
Draft Development Consent Order [REP1-004]							
46	Principle Powers and Articles	draft Development Consent Order [REP1-004]	Bury Metropolitan Borough Council were consulted on drafts of the Development Consent Order in December 2023 and January 2024. Bury Metropolitan Borough Council returned a response of "no comment" on the pre-application draft articles but noted a request for early engagement regarding the Applicant's programme to consult in accordance with the schedule of Requirements.	The Applicant confirms the intention to carry out early and sustained engagement with Bury Metropolitan Borough Council, in particular during the consultation stages of the process to discharge the Requirements. The Applicant notes the submissions made at examination deadline 1 relevant to the Development Consent Order including;	Yes	Agreed	10/10/24

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			<p>Bury Metropolitan Borough Council refers to the Applicant's Deadline 1 submission [REP1-032] for the latest position on the draft Development Consent Order [REP1-004]. Bury Metropolitan Borough Council has no further comments to make within this Statement of Common Ground. Where required any further comments would be made through submissions to the scheduled examination deadlines.</p>	<p>draft Development Consent Order [REP1-004]</p> <p>Explanatory Memorandum [REP1-006]</p> <p>Applicant's response to ISH1 supplementary agenda [REP1-023]</p> <p>Written submissions following September hearings and responses to Action Points for Issue Specific Hearing 1 (ISH1) [REP1-024]</p> <p>The Applicant notes Bury Metropolitan Borough Council's intention to provide any further comments through the submissions to the scheduled examination deadlines, and notes agreement with this approach.</p>			