

ExQ1: Tuesday 22 October 2024  
Responses due by Deadline 3: Tuesday 5 November 2024



## **TR010064: Application by National Highways for the M60/M62/M66 Simister Island Interchange Project**

### **The Examining Authority's Written Questions and requests for further information**

#### **Issued on 22 October 2024**

The following table sets out the Examining Authority's (ExA's) Written Questions and requests for information - ExQ1. If necessary, the Examination Timetable allows the ExA to issue a further round of written questions in due course. If this is done the further round of questions will be referred to as ExQ2.

Questions are set out using an issue-based framework derived from the Initial Assessment of Principal Issues provided as Annex C to the Rule 6 letter of 7 August 2024 [[PD-008](#)]. Questions have been formulated as they have arisen from representations, examination of the issues and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could provide a substantive response to all questions directed to them, or indicate that the question is not relevant to them for a reason. This does not preclude an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with an alphabetical code, followed by an issue number (indicating that it is from ExQ1) and a question number. For example, the first question on air quality is identified as AQ.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are answering a small number of questions, answers in a letter will suffice. An editable version of this table in Microsoft Word is available on request from the case team: please contact [M60SimisterIsland@planninginspectorate.gov.uk](mailto:M60SimisterIsland@planninginspectorate.gov.uk) and include 'M60/M62/M66 Simister Island Interchange Project' in the subject line of your email.

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### Abbreviations Used

<b>AADT</b>	Annual Average Daily Traffic
<b>AI</b>	Artificial Intelligence
<b>BMBC</b>	Bury Metropolitan Borough Council
<b>BNG</b>	Biodiversity Net Gain
<b>BoR</b>	Book of Reference
<b>CA</b>	Compulsory Acquisition
<b>ES</b>	Environmental Statement
<b>ExA</b>	Examining Authority
<b>DCO</b>	Development Consent Order
<b>dDCO</b>	Draft Development Consent Order
<b>GhG</b>	Greenhouse Gas
<b>GMLCSA</b>	Greater Manchester Landscape Character and Sensitivity Assessment
<b>HA</b>	Heritage Asset
<b>HRA</b>	Habitats Regulation Assessment
<b>LIR</b>	Local Impact Report
<b>LNRS</b>	Local Nature Recovery Strategy
<b>LNS</b>	Low Noise Surfacing
<b>m<sup>3</sup></b>	Cubic Metres
<b>MCC</b>	Manchester City Council
<b>NE</b>	Natural England
<b>NNPS</b>	National Policy Statement for National Networks (2024)
<b>NIR</b>	Noise Insulation Regulations
<b>NO<sub>2</sub></b>	Nitrogen Dioxide
<b>NPSNN</b>	National Policy Statement for National Networks (2015)
<b>OFH1</b>	Open Floor Hearing1
<b>PfE</b>	Places for Everyone
<b>PM<sub>2.5</sub></b>	Particulate matter less than 2.5µm in diameter (where the number denotes the particulate size diameter in micrometres)
<b>RPG</b>	Registered Park and Garden
<b>REAC</b>	Register of Environment Actions and Commitments (contained in the First Iteration Environmental Management Plan)
<b>PRoW</b>	Public Rights of Way
<b>RMBC</b>	Rochdale Metropolitan Borough Council
<b>SoS</b>	Secretary of State

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<b>SAC</b>	Special Area of Conservation
<b>SoCG</b>	Statement of Common Ground
<b>SPA</b>	Special Protection Area
<b>SuDS</b>	Sustainable Drainage Systems
<b>TP</b>	Temporary Possession
<b>VSC</b>	Very Special Circumstances
<b>UDP</b>	Unitary Development Plan

### **The Examination Library**

References in these questions set out in square brackets (eg [APP-100]) are documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[TR010064-000278-M60 Simister Island Examination Library.pdf \(planninginspectorate.gov.uk\)](https://planninginspectorate.gov.uk/TR010064-000278-M60%2F%2FM62%2FM66%2FSimister%20Island%20Examination%20Library.pdf)



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ExQ1	Quest ion to:	Question
<b>Broad, general and cross-topic questions</b>		
BCG. 1.1	Applicant	<p><b>The Equalities Act 2010</b></p> <p>[RR-035] raised a concern that elderly neighbours living in the vicinity of the Proposed Development may have difficulties being involved with the Examination. Clarify how you have had regard to the Equalities Act 2010 in relation to ensuring all those who may be affected by the Scheme can contribute fully to the Examination process or signpost to where in the Equality Impact Assessment [APP-152], or other application documents, this is covered.</p>
BCG. 1.2	All parties	<p><b>Artificial Intelligence</b></p> <p>The Planning Inspectorate has recently issued guidance in relation to the use of Artificial Intelligence (AI). Have you used AI to create or alter any part of your documents, information or data?</p> <p>If yes;</p> <ul style="list-style-type: none"> <li>• detail what material you have submitted which has been created using AI;</li> <li>• what systems or tools you used;</li> <li>• what the source of the information the AI based its content on was; and</li> <li>• what information or material the AI has been used to create or alter.</li> </ul> <p>In addition, if you have used AI, you should do the following:</p> <ul style="list-style-type: none"> <li>• clearly label where you have used AI in the body of the content that AI has created or altered, and clearly state that AI has been used in that content in any references to it elsewhere in your documentation;</li> <li>• tell us whether any images or video of people, property, objects or places have been created or altered using AI;</li> <li>• tell us whether any images or video using AI has changed, augmented, or removed parts of the original image or video, and identify which parts of the image or video has been changed (such as adding or removing buildings or infrastructure within an image);</li> <li>• tell us the date that you used the AI;</li> <li>• declare your responsibility for the factual accuracy of the content;</li> <li>• declare your use of AI is responsible and lawful; and</li> <li>• declare that you have appropriate permissions to disclose and share any personal information and that its use complies with data protection and copyright legislation.</li> </ul> <p>If you use AI for any future submissions into this Examination please ensure it is accompanied by the information as requested above.</p> <p><b>Bury Metropolitan Borough Council (BMBC) has not, and will not, use Artificial Intelligence in relation to this DCO.</b></p>

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ExQ1	Question to:	Question
BCG. 1.3	Bury Metropolitan Borough Council (BMB C)	<p><b>Development Plan Policies</b></p> <p>Provide full copies of any Development Plan policies that you have referred to in your Local Impact Report (LIR) [REP1A-001]. Should you refer to any additional Development Plan policies at any time in your future submissions then, if they have not already been provided, please also submit copies of these into the Examination.</p> <p><b>Places for Everyone Joint Development Plan Document (PfE) (adopted March 2024) - Please see separately submitted document</b></p> <p><b>Policies (in the order they are listed in PfE) - (ExQ1_BMBC Appendix 1)</b></p> <p>JP-Strat6: Northern Areas            JP-Strat7: North-East Growth Corridor            JP-S4: Flood Risk and the Water Environment            JP-S5: Clean Air            JP-J1: Supporting Long-Term Economic Growth            JP-G1: Landscape Character            JP-G8: A Net Enhancement of Biodiversity and Geodiversity            JP-P6: Health            JP-C4: The Strategic Road Network            JP-C5: Streets for All            JP Allocation 1.1: Heywood / Pilsworth (Northern Gateway)            JP Allocation 1.2: Simister and Bowlee (Northern Gateway)            JP Allocation 2: Stakehill            JP-D1: Infrastructure Implementation</p> <p><b>Bury Unitary Development Plan (adopted August 1997)</b></p> <p>EN6/4 - Wildlife Links and Corridors (ExQ1_BMBC Appendix 2)</p>
BCG. 1.4	Applicant	<p><b>Bury Unitary Development Plan (UDP) and Places for Everyone (PfE) Policies</b></p> <p>Following the adoption of the PfE Joint Development Plan, a number of policies within the Bury UDP have been replaced by policies within PfE although some remain as 'saved policies'.</p> <p>Notwithstanding your comments in [AS-007] page 2, please update 'The Case for the Scheme' [APP-146] clarifying the UDP policies which remain and those that have been replaced so that it is clear to Interested Parties which development</p>

ExQ1	Question to:	Question
		plan policies remain applicable to each environmental topic. Please also update the references to all referred emerging PfE policies so that they correspond with those in the adopted plan for similar reasons.
BCG. 1.5	BMBC	<p><b>Neighbourhood Plans</b></p> <p>Can you confirm whether there are any relevant made or emerging neighbourhood plans that the ExA should be aware of? If there are can you:</p> <ol style="list-style-type: none"> <li>1. Provide details, confirming their status and, if they are emerging, the expected timescales for their completion.</li> <li>2. Provide a copy of the made plan, or any draft / emerging plan, signposting to any relevant part.</li> <li>3. Indicate what weight you consider the ExA should give to these documents.</li> </ol> <p><b>There are no relevant made or emerging neighbourhood plans that the ExA should be aware of.</b></p>
BCG. 1.6	Applicant, BMBC and Interested Parties	<p><b>Central Government Policy and Guidance</b></p> <p>Are you aware of any other updates or changes to Government Policy or Guidance (including emerging policies), in addition to the National Policy Statement for National Networks (NNNPS) designated in May 2024, relevant to the determination of this application that have occurred since it was submitted? If yes, what are these changes and what are the implications for the application?</p> <p><b>Between 30 July and 24 September 2024, Government consulted on proposed reforms to the National Planning Policy Framework and other changes to the planning system. However, none of these proposed reforms are specifically relevant to the determination of this application.</b></p>
BCG. 1.7	Applicant	<p><b>Relevant Legislation</b></p> <p>Please provide a list of all relevant primary and secondary legislation that is important and relevant to the Proposed Development.</p>
BCG. 1.8	Applicant and BMBC	<p><b>Clarification</b></p> <p>The Statement of Common Ground (SoCG) with BMBC [REP2-006] has the status 'pending' for three matters. Clarify what this means and if these matters are agreed, not agreed or still under discussion.</p>



ExQ1	Question to:	Question
		The Applicant will address this question in due course.
Air Quality		
AQ.1.1	BMBC	<p><b>Greater Manchester Clean Air Plan</b></p> <p>Provide an update on the current position of the Greater Manchester Clean Air Plan, whether a draft of the document is available, the likelihood of it being published throughout the Examination and explain whether there are any matters that are important and relevant to this proposal.</p> <p>Proposals for a new Greater Manchester Clean Air Plan have been submitted to the Government for their review and comment. The latest Clean Air Plan proposals do not include a charging Clean Air Zone. The current proposal is for an investment-led Clean Air Plan which current evidence suggests will improve air quality faster than a Clean Air Zone.</p> <p>Under the updated Clean Air Plan proposals, the legal limits for nitrogen dioxide could be met by 2026 at the latest through:</p> <ul style="list-style-type: none"> <li>£51.1m investment in 40 new zero-emission electric buses, EV charging infrastructure at bus depots, and upgrading 77 buses to be Euro VI (clean air compliant). Local control of bus services through the Bee Network allows us to run zero-emission electric and clean air compliant buses in areas where nitrogen dioxide exceeds legal limits.</li> <li>£30.5m Clean Taxi Fund: To provide financial support to help every eligible hackney carriage and private hire vehicle licensed with a Greater Manchester authority by 1 October 2024 to upgrade to a cleaner vehicle and meet a new minimum emission standard by 31 December 2025. Funding would also be available to help owners of GM-licensed hackneys who meet the minimum emission standard upgrade to a zero emissions capable vehicle.</li> <li>£5m investment in local traffic measures: To manage traffic flow on roads in Manchester and Salford. This will bring nitrogen dioxide within legal limits on Regent Road and Quay Street.</li> </ul> <p>The Government will now review and comment on these latest proposals. The timescale for the publication and implementation of a Greater Manchester Clean Air Plan will depend on when the Government accept final proposals.</p> <p>The draft proposals have been submitted to Government.</p> <p>The Greater Manchester Clean Air Plan will address exceedances for nitrogen dioxide limit value on Greater Manchester Roads with the exception of the Strategic Road Network which is operated by National Highways. The Government have issued separate instructions to National Highways in relation to meeting nitrogen dioxide limit values on the strategic road network.</p>

ExQ1	Question to:	Question
		<p>The Greater Manchester Clean Air Plan, therefore, does not directly involve the motorways. Traffic flow on the motorways can have an impact on local road congestion which will impact on local air quality. However, the main problem areas for Greater Manchester in meeting the nitrogen dioxide air quality limit value by 2026 are in and around central Manchester. In view of this and the timescales for the implementation of the Simister Island scheme, it is considered very unlikely that this scheme will have any significant impact on the Greater Manchester Clean Air Plan.</p>
AQ.1.2	BMBC	<p><b>Air Quality Monitoring Status Reports</b></p> <p>Provide a copy of the most recent air quality monitoring status report and provide a summary of its findings that are relevant to the Proposed Development.</p> <p>The Greater Manchester 2023 Air Quality Annual Status Report is submitted separately (ExQ1_BMBC Appendix 3).</p> <p>The Local Air Quality Management (LAQM) monitoring results in 2023, identified 12 no. exceedances of the annual mean objective for NO<sub>2</sub> recorded across the city region at LAQM non-automatic stations and 2 no. at automatic monitoring sites (Manchester Oxford Road and Manchester Bridge Street). None of these locations are located within the Bury MBC area.</p> <p>The Greater Manchester Clean Air Plan (GM CAP) monitoring data (locations chosen to determine the impact of the Clean Air Zone, which will not be implemented) showed 64 locations where exceedances of the NO<sub>2</sub> annual mean limit value in GM were indicated, with a further 78 locations considered to be at risk of exceeding the limit. 5 no. of the exceedance were located within the Bury MBC (CAP_BURY_004, CAP_BURY_006, CAP_BURY_011, CAP_BURY_020 and CAP_BURY_033). The nearest diffusion tubes to the proposed development are located on local roads near Junction 17 and Junction 19 of the M60 and had a maximum concentration of 44.3µg/m<sup>3</sup>.</p> <p>The GM monitoring data indicates that air pollution generally decreased in 2023 compared with 2022.</p>
AQ.1.3	BMBC	<p><b>Air Quality Management Plans</b></p> <p>Do you have any air quality management plans that are of relevance and if so, have any findings been properly considered in the assessment of the proposed development and would the proposed development affect any objectives within any such plans? If plans exist, please submit a copy of these into the Examination.</p>

ExQ1	Question to:	Question
		<p>A 5-year Greater Manchester Air Quality Action Plan was developed and published in 2016. A review of the Action Plan was originally planned for 2021, however, the ongoing discussions over the Clean Air Plan has meant that the review has been delayed until the Clean Air Plan is finalised and approved.</p> <p>A copy of the Greater Manchester Air Quality Action Plan is submitted separately (ExQ1: BMBC Appendix 4).</p> <p>However, many of the actions in the plan have been superseded by the Clean Air Plan.</p>
AQ.1.4	BMBC, Manchester City Council (MCC) and Rochdale Metropolitan Borough Council (RMB C)	<p><b>Air Quality Objectives</b></p> <p>Can you advise whether the findings in Environmental Statement (ES) Chapter 5 [APP-044] of the proposed development would affect or have any impact on your local authority’s ability to meet local air quality objectives under the Environment Act 1995 and comply with the Air Quality (England) Regulations 2000, providing reasons as to why this would or would not be the case. Would any of the exceedances identified in annual mean Nitrogen Dioxide (NO<sub>2</sub>) in the ES and other increases identified to individual receptors have any impact on the council’s ability to meet local air quality objectives? Are there any areas that are required to become compliant within a certain timescale that could be affected?</p> <p>The air quality modelling and assessment carried out by the applicant, estimated concentrations of pollutants for 2029, the scheme’s anticipated opening year, at 557 worst-case human health receptors. The modelling predicted exceedances of the NO<sub>2</sub> Air Quality Objectives (AQO) in both the ‘without development’ scenario at seven receptors:</p> <ul style="list-style-type: none"> <li>R3, R81, R441, R447, R599, R600, R601 – located at Kensington Street, Whitefield, which lies to the north of the motorway and backs on to the M60 between J17 and J18.</li> </ul> <p>However, there are no exceedances predicted in the ‘with development’ scenario, so the scheme is predicted to reduce air pollution below the AQO at these locations due to the predicted reduction in congestion. The magnitude of the reduction at these seven locations is between -3.7 µg/m<sup>3</sup> and -4.0 µg/m<sup>3</sup>, so would be classed as a medium change. A total of 188 out of the 557 receptors modelled are predicted to see reductions in NO<sub>2</sub> as a result of the scheme.</p> <p>A total of 368 out of the 557 receptors modelled are predicted to see increases in NO<sub>2</sub> as a result of the scheme. However, the modelled concentrations are all well below the annual mean AQO for NO<sub>2</sub> of 40 µg/m<sup>3</sup>.</p>

ExQ1	Question to:	Question
		<p>Consequently, based on the air quality assessment submitted by the applicant, the proposed development will not impact the Council's ability to meet the NO2 AQOs by 2026 or within the shortest possible time.</p>
AQ.1.5	Applicant, BMBC, MCC and RMBC	<p><b>Air Quality Receptor Locations</b>            Figure 4.11 in [APP-146] illustrates the modelled change in Annual Average Daily Traffic (AADT) from 2029 and shows increases and decreases across both the strategic and local road network. Some of these locations, such as but not limited to Fairfax Road and Heys Road, are predicted to experience an increase in AADT. However, these locations have not been included as a receptor location in the air quality assessment results [APP-080].</p> <p><b>Applicant:</b></p> <ol style="list-style-type: none"> <li>1. Notwithstanding that the air quality assessment defines a 200 metre operational study area, explain why such locations have been excluded from the assessment results for air quality, particularly noting that as an example [APP-058] (sheet 9 of 12) identifies Fairfax Road and Heys Road as a location exceeding the annual mean limit for NO<sub>2</sub> in the 2018 base year.</li> <li>2. In the absence of including such locations within the assessment, explain how an assessment against paragraphs 5.11 to 5.13 of the NPSNN can be made.</li> </ol> <p><b>BMBC, MCC and RMBC:</b>            Do you consider that the receptor locations used for the human health and ecological air quality assessment as presented in [APP-080] and illustrated in [APP-058], [APP-059], [APP-060] and [APP-061] are appropriate or do you consider that additional locations should also have been included? If so, explain why and identify any additional locations you consider should be included.</p> <p>Bury Council is satisfied that the human health receptor locations modelled as part of the air quality assessment are appropriate. However, during the pre-application discussions in April 2024, the following issue with regard to the road link that were assessed in the air quality report:</p> <ul style="list-style-type: none"> <li>• APP-044, Paragraph 5.7.34 – The report states that: 'the annual mean NO<sub>2</sub> Limit Value is currently exceeded within the air quality study area adjacent to the A56 (PCM link 802017924) immediately to the north of M60 J17 and that compliance is unlikely to be achieved at this location until 2025 (in the absence of any other action), however, this link is not part of the Affected Road Network (ARN) and has therefore not been assessed for compliance, in line with Design Manual for Roads and Bridges, Document Reference: LA 105.'</li> </ul>

ExQ1	Question to:	Question
		<p>As the section of the A56 immediately to the north of J17 of the M60 is a congested road that leads onto a section of the M60 that will be impacted by the scheme, we enquired why this link was not included as part of the Affected Road Network.</p> <p>The answer from the Applicant was that there is a specific definition of the ARN set out in Section 5.4.10, and to be included roads must be within a distance and must also have a specific impact/change in traffic flow to be included.</p> <p>With regard to the ecological receptors, it is understood that Natural England have reviewed the ecological assessment and have accepted the conclusions of the assessment.</p> <p>With regard to Fairfax Rd-Heys Rd, the nearest diffusion tubes to the Fairfax Rd-Heys Rd route is CAP_BURY_001, which had an annual NO2 concentration of 32.5µg/m3 in 2023.</p>
AQ.1.6	Applicant	<p><b>The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023</b></p> <p>ES Chapter 5 [APP-045, paragraph 5.3.5] states the nearest PM<sub>2.5</sub> monitoring stations are the Defra managed Salford Eccles and Manchester Piccadilly sites and the local authority managed Salford M60 and Rochdale Queensway sites (located approximately 6.8km, 7.0km, 7.3km and 7.8km from the Scheme area, respectively). It advises that the above 2023 Regulations do not apply as the legislation is quoted as only applying at relevant PM<sub>2.5</sub> monitoring stations that existed immediately before the targets came into force (early 2023). It further states none of these sites are affected by the Scheme and the new PM<sub>2.5</sub> 2040 targets (and the interim targets) do not apply.</p> <ol style="list-style-type: none"> <li>1. Noting this issue has been raised by Friends of Carrington Moss [REP1-045], for the avoidance of doubt signpost to where in the legislation it is quoted as only applying at relevant PM<sub>2.5</sub> monitoring stations that existed immediately before the targets came into force.</li> <li>2. Notwithstanding your comments that the legislation only applies to existing monitoring stations, advise whether any new monitoring stations to measure PM<sub>2.5</sub> have been installed in proximity to the scheme and if so, when.</li> </ol>
AQ.1.7	Applicant / BMBC	<p><b>PfE Development Plan Policy JP-S5 (Clean Air)</b></p> <p>[REP1-045] states that there has been a 'selective consideration' of policies in PfE and refers to Policy JP-S5, which it considers is extremely important in relation to transport schemes.</p>

ExQ1	Question to:	Question
		<p><b>BMBC:</b> Paragraph 3.21 of the LIR [REP1A-001] refers to PfE Policy JP-S5 and its requirements. Paragraph 3.22 then states that the chapter 'Air Quality' further considers this matter although no specific reference is made to the policy in that section. Explain whether or not you consider the proposal complies with Policy JP-S5, providing reasons for your answer.</p> <p>Chapter 5 Air Quality of the Environmental Statement (ES) for the improvement works to the Strategic Road Network (SRN) reports on relevant air quality data and mitigation measures. The air quality assessment outlines that there are no adverse impacts of the Scheme during operation on air quality which will warrant a change to the design or additional mitigation measures.</p> <p>In addition, a construction dust impact assessment was undertaken in accordance with Institute of Air Quality Management (IAQM) guidance. This assessment concluded that in the absence of any adequate mitigation, there is a high risk from the demolition, earthworks, construction and trackout dust-generating activities associated with the proposed development. However, with appropriate mitigation measures implemented, it is anticipated that the dust generation and harmful emissions from construction site activities would not be significant.</p> <p>PfE Policy JP-S5: Clean Air requires planning applications for development that could have an adverse impact on air quality to submit relevant air pollution data so that adverse impact on air quality can be fully assessed and development only permitted where they are acceptable and/or suitable mitigation can be provided.</p> <p>Bury Council has no concerns at this time regarding the assessment methodology, potential impacts, mitigation measures, monitoring or compliance with policy with respect to air quality as set out within the ES and has no reason to disagree with the conclusion of the ES. Bury Council is therefore satisfied that the proposal accords with PfE Policy PF-C5: Clean Air.</p> <p><b>Applicant:</b> It is noted that your response to [REP1-045] on page 32 of [REP2-007] acknowledges that [APP-146] does not specifically assess the impact against PfE Policy JP-S5 although a response to the LIR, including Policy JP-S5, is provided in [REP2-008]. However, your response in [REP2-008] on page 4 does not specifically address the criteria in the policy. Explain whether or not you consider the proposal complies with Policy JP-S5.</p>
AQ.1.8	BMBC	<p><b>Mitigation and Enhancement</b></p> <p>Paragraph 4.25 of the LIR [REP1A-001] lists measures contained in the Outline Air Quality and Dust Management Plan [APP-128] to protect air quality from construction dust and to reduce emissions from all non-road mobile machinery (NRMM).</p>

ExQ1	Question to:	Question
		<p>Clarify whether you are satisfied that the proposed mitigation is appropriate. If so, explain why and if not, detail what additional measures do you consider should be included.</p> <p><u>Air Quality</u> Bury Council is satisfied that the proposed mitigation measures are appropriate and in line with the IAQM Guidance on the assessment of dust from demolition and construction (IAQM, 2023). It is understood that more details of the actions to reduce dust emissions will be provided in the subsequent iterations of the Environmental Management Plan (EMP).</p> <p><u>Pollution Control</u> Environmental Health agree that the list of measures for mitigation are satisfactory in the reduction of dust emissions and minimising emissions from construction plant and vehicles. The measures for reducing dust emissions will have a positive impact on reducing dust into the atmosphere by:</p> <ul style="list-style-type: none"> <li>• dampening down of surfaces</li> <li>• the planning site layout so that dusty activities are as far away from sensitive receptors</li> <li>• using screen and barriers</li> <li>• covering stockpiles so not blown by wind</li> <li>• regular monitoring of the site so changes can be made where necessary to reduce dust emissions</li> </ul> <p>The mitigation methods of minimising emissions from construction plant and vehicles will have a positive impact on reducing those emissions into the atmosphere by:</p> <ul style="list-style-type: none"> <li>• Following manufactures guidance and maintenance of plant and vehicles</li> <li>• Keeping engines off when not in use</li> <li>• Directing vehicle exhaust away from the ground and at suitable height to facilitate dispersal of exhaust fumes</li> <li>• Minimal movement of plant around the site</li> <li>• Generators to be sited as far away from sensitive receptors</li> <li>• The reduction in the use of diesel and petrol generators and moving forward to electricity, hybrid, hydrogen, solar and battery</li> <li>• Reduce speed limit of vehicles on site</li> <li>• Sustainable travel for workers</li> </ul>
AQ.1.9	Applicant	<b>Speed Limit and Emissions</b>

ExQ1	Question to:	Question
		Noting that the proposed Northern Loop would be subject to the National Speed Limit [APP-009], what impact would introducing a lower speed limit for traffic traversing the loop have on air quality figures and emissions in general?
AQ.1.10	Applicant	<p><b>Dust Assessment</b></p> <p>ES Chapter 5, paragraph 5.5.7 [APP-044] states that for the dust assessment, the limits of deviation could result in minor changes in the number of reported receptors in Table 5.21, but that this would not change the conclusions of the dust assessment. Can the Applicant identify the potential changes to the reported receptors for the dust assessment which could be affected through the limits of deviation.</p>
<b>Biodiversity (including Habitats Regulations Assessment)</b>		
BIO.1.1	Natural England (NE)	<p><b>South Pennines Special Protection Area (SPA), South Pennines Special Area of Conservation (SAC) and Manchester Mosses SAC</b></p> <p>Paragraph 5.2 of BMBC's LIR [REP1A-001] states that the South Pennines SPA, South Pennines SAC and the Manchester Mosses SAC are not referenced in the assessments and they raise concern that increased traffic on the M62 during operation could have potential significant effects on these European sites, in particular given the cumulative effect of the Northern Gateway PfE allocation.</p> <p>Provide a response to BMBC's comments confirming whether or not you consider that further assessment is required to these designations. If so, explain why and if not explain why not.</p>
BIO.1.2	BMBC and NE	<p><b>Proposed or Potential International Sites</b></p> <p>Are there any Potential SPAs, possible SAC and proposed Ramsar sites that could be potentially affected by the Proposed Development and should be assessed? If so, provide details why an assessment would or would not be required on any sites referred to.</p> <p><b>BMBC are not aware of any planned new international sites that would be affected by this development.</b></p>
BIO.1.3	Applicant and NE	<p><b>Other Plans and Projects</b></p>



ExQ1	Question to:	Question
		<p>Paragraph 3.2.10 of the Habitats Regulation Assessment (HRA) [APP-103] states that the other plans and projects included in the in-combination assessment that contribute to changes in traffic and predicted changes in air quality are illustrated in Figure 2-10 and 2-11 of the Transport Assessment [APP-149]. However, a description of the other plans and projects included in the HRA has not been provided in the HRA Report [APP-103].</p> <p><b>Applicant:</b> Confirm which other proposed projects or plans have been included in the HRA.</p> <p><b>NE:</b> Confirm that you are satisfied with the methodology used to determine these projects or plans.</p>
BIO.1.4	Applicant	<p><b>Impact of tree planting on peat</b></p> <p>NE have stated in the SoCG [REP1-017], page 25 that tree planting on areas of peat is not supported. Please signpost in the application documents where this would be secured as part of the mitigation requirements for the landscaping scheme.</p>
BIO.1.5	Applicant	<p><b>Avoidance of trees to United Utility Assets</b></p> <p>In your response [REP1-020] to the RR from United Utilities [RR-015], it is stated that the Applicant has refined the location of trees and shrubbery to ensure that they do not interact with existing assets. Clarify further what refinement has been undertaken, whether any updates are required to the application documents to incorporate any changes and if they have not, explain why not.</p>
BIO.1.6	Applicant and BMBC	<p><b>Greater Manchester Local Nature Recovery Strategy (LNRS)</b></p> <p>On page 35 of their SoCG with the Applicant [REP1-017], NE comment that Greater Manchester are now preparing an Local Nature Recovery Strategy (LNRS) in line with the LNRS Regulations and Statutory Guidance published in March 2023, with a planned adaptation for December 2024 which will replace the Prototype LNRS which has been used in the Biodiversity Net Gain (BNG) assessment. The Applicant in response has 'noted' their comments.</p> <p><b>Applicant and BMBC:</b> Explain how the adoption of such a document could change the BNG assessment and whether any scope exists for any changes to be incorporated into the final scheme for environmental mitigation. If not, explain why not and if so, explain how this can be incorporated and secured as part of the DCO.</p> <p>Publication of the LNRS is very unlikely to have any significant effect on the finalised BNG metric.</p> <p>The LNRS will supersede current strategic wildlife policies in the Bury Local Plan such as sites of Biological Importance and wildlife corridors.</p>

ExQ1	Question to:	Question
		<p>Currently the Motorways are classed as wildlife corridors in the Bury UDP and therefore any habitat loss within the motorway corridor is of strategic significance, with a buffer adjacent to the motorway that could be regarded as a location that was desirable. The majority of the site has no strategic significance.</p> <p>The proposed LNRS is built primarily on the same principles as the current Bury UDP policies, with some additional desk top information within the model to try and create grassland, woodland and wetland networks.</p> <p>Prototype GIS layers and the model has picked up the M66 motorway corridor and along the M60 passed Heaton Park as a woodland corridor and widened it beyond the Motorway embankment to include the plantation woodland on the golf course land to the east of the M66. It has not picked up the M60 through Whitefield or M62 towards Rochdale as strategic in any way. If adopted in its current format there would be little overall difference in the percentage of the site that is regarded as strategically significant.</p> <p>It is noted that it is now very unlikely that the LNRS would be adopted by December 2024. It is currently undergoing internal consultation with the local authorities prior to going out to a public consultation later in the Autumn. It is therefore unlikely to be adopted until after the determination of the DCO.</p>
BIO.1 .7	Applicant	<p><b>Exclusion Zones</b></p> <p>In response to the Environment Agency's (EA) queries on how the exclusion zones around different habitats and species would be determined, page 43 of the SoCG [REP1-018] provides a list setting out how the size of exclusion zones would be determined.</p> <p>To ensure this is captured, is it necessary for commitment B15 in the Register of Environment Actions and Commitments (REAC) [REP1-010] to be updated to incorporate the matters listed? If not, explain why not.</p>
BIO.1 .8	BMBC	<p><b>Biodiversity Net Gain</b></p> <p>In the SoCG with the Applicant ([REP2-006] page 37) it is stated that BMBC has not interrogated the BNG Assessment in depth due to BNG being exempt for NSIP projects. Whilst this is noted, the ExA in its recommendations and the Secretary of State (SoS) in its decision will need to decide the weight to attach to any BNG that could be delivered in its planning</p>

ExQ1	Question to:	Question
		<p>balance conclusions. As such, provide more detailed comments as to the suitability of the BNG Report [APP-012] and its findings.</p> <p><u>Use of Defra metric v3.1</u>                      This version of the metric is no longer utilised. However, when the project commenced, metric v2 was still in use and there are no issues with the use of this given the development is not subject to mandatory guidelines. Whilst the statutory metric does differ in a few ways, none of the changes since metric v3.1 are significant with regards this development.</p> <p><u>Strategic Significance.</u>                      It is noted that the Applicant has assigned nearly the entire site, other than developed land, as being of strategic significance for both the baseline and post development habitats. As noted in the response to BIO.1.6, only the motorway corridors are considered as being of strategic importance, with adjacent land being potentially in a desirable location. The error has occurred as a result of the Greater Manchester Combined Authority (GMCA) making the pilot LNRS model available on line. This was not meant to be used for the purpose of defining strategic significance, allocating nearly all parcels of land some form of significance.</p> <p>The baseline and post development habitats, other than the woodland units, have been amended, and as expected, given the amendment applied to both the baseline and post development habitats, it did not significantly alter the outcome, with net gain still achieved.</p> <p><u>Baseline Values</u>                      There are no obvious reasons to disagree with the baseline habitats and condition assessment. The two small parcels of lowland deciduous woodland that were identified had not been anticipated by the Greater Manchester Ecology Unit.</p> <p><u>Habitat Creation and Enhancement Proposals</u>                      The proposals all appear feasible with the majority with a low risk of failure.</p> <p>The gains are also spread over a wide number of parcels, the majority of which individually do not significantly affect the outcome should they fail to achieve habitat condition, which the only significant risks are:</p> <ul style="list-style-type: none"> <li>• The creation of Lowland mixed deciduous woodland a high value habitat, with a high technical difficulty;</li> <li>• The creation of a large parcel of other neutral grassland with a target of good condition.</li> <li>• Failure of the grassland to achieve fairly good results into a net loss.</li> </ul>

ExQ1	Question to:	Question
		<p>It is considered satisfactory for such a large parcel of grassland (over 18ha) that the economy of scale makes the target of good condition (or fairly good) more achievable, and the grassland is unlikely to be subject to high levels of disturbance.</p> <p>For the creation of lowland mixed woodland the risk of failure is considered to be higher (other broadleaved woodland being achieved instead). If this was the case, it would increase the number of units generated on the site post development, as the risk multiplier for the creation of this habitat is lower.</p> <p><u>Trading Rules</u> The metric fails the trading rules for woodland i.e. whilst achieving an overall net gain, there is a significant net loss of medium distinctiveness woodland units on the site. This loss is significant, equating to around 34 units. Under the statutory rules, this would require off-site compensation (which may be being provided based on previous discussions, but not yet confirmed).</p> <p>The applicant argues that the grassland creation more than compensates and notes the additional high value woodland that has been created. The grassland does more than compensate, as this is a much rarer habitat in Greater Manchester than the semi-mature broadleaved plantations that are being lost. Therefore, as not subject to mandatory net gain, the creation of medium distinctiveness grassland as mitigation for loss of other broadleaved woodland is supported.</p> <p><u>Delay in Habitat creation and Enhancement</u> There is a 2-year delay built into the metric by the applicant, between habitat loss and commencement of habitat creation and enhancement. This is fair, with the developer, presumably not in some cases able to commence and elsewhere preferring to wait until the main development is complete. As the development will take time to complete, this approach is considered reasonable. It also penalised the developer in the metric, the net gain being significantly higher if creation and enhancement was not delayed.</p> <p>It is assumed that some measures could however be commenced immediately (areas to be enhanced are not being lost so presumably enhancement could commence immediately) i.e. without delay, and some with only a one-year delay, as presumably operational activity in some areas will be completed earlier than others.</p> <p><u>User of Fairly Good</u></p>

ExQ1	Question to:	Question
		<p>Some of the enhancement measures have been assigned a condition target of fairly good. This is considered reasonable, as the condition criteria assessment for woodland is more complicated and covers a much wider range of scores than other habitats and occasionally throw an anomalous score.</p> <p><u>Hedgerow Units</u> It is accepted that net gain can be achieved well in excess of what is required, and as the scheme would not be subject to mandatory net gain, can be weighed against areas where net gain is weaker.</p> <p><u>River Units</u> As no direct loss of river units will occur within the guidance for metric 3.1, no further information is required.</p> <p><u>Conclusion</u> Overall, the findings of the metric are accepted. Whilst an error in defining what is strategically located has occurred, this impacts both the baseline and post development units and does not result in a significant change, with net gain still achieved.</p> <p>The main risk of failure to achieve net gain is linked to the creation of 18 ha of other neutral grassland in good condition. If this only achieve moderate condition a net loss would occur. However, a score of fairly good to good condition is achievable.</p> <p>The development would result in a significant loss of medium distinctiveness woodland habitat, i.e. fails the trading rules. However, the creation of medium distinctiveness grassland as compensation would be acceptable, as this is a rarer habitat in Greater Manchester than the broadleaved plantation that his lost. Additional off-site compensation may also be proposed, that has not been included within the draft DCO.</p>
<b>Climate</b>		
CC.1.1	Applicant	<p><b>ES Methodology</b></p> <p>ES Chapter 14 [APP-053], paragraph 14.5.1 advises that the construction phase Greenhouse Gas (GhG) emissions is based on the preliminary design for the Scheme. It then notes that several localised alterations have been made to the Scheme design since this point although the changes are considered unlikely to have a material influence on material quantities and likely GhG emissions compared to those presented.</p>

ExQ1	Question to:	Question				
		Explain the localised alterations that have taken place, why they would be unlikely to affect the GhG emissions compared to those presented in the ES and that it has incorporated a worst-case assessment.				
CC.1.2	BMBC	<p><b>Greater Manchester 2038 Carbon Neutrality Target and Climate Emergency Declaration</b></p> <p>Friends of Carrington Moss [REP1-045] has referred to a climate emergency declaration declared by all 10 districts in Greater Manchester. They have also referred to the Greater Manchester Strategy and that progress reports confirm that the region “<i>is currently well behind where it needs to be to achieve its ambition to be carbon neutral by 2038</i>”. The ExA also notes that PfE refers to the 2038 carbon neutrality target date.</p> <ol style="list-style-type: none"> <li>1. Submit details of any climate emergency declaration and the Greater Manchester Strategy, their status / position and whether or not they are important or relevant to the decision of this application.</li> </ol> <p>BMBC declared a climate emergency in 2019 and has made a commitment to be carbon neutral by 2038, in line with the other 9 local authorities in Greater Manchester. While this has no statutory basis and does not form part of the development plan against which planning decisions must be assessed, it is a material consideration and is relevant to this application as the scheme will have a negative impact on carbon emissions and therefore make this target harder to achieve. The Greater Manchester Strategy’s relevance here is to demonstrate that there is a cross-GM consensus to tackle carbon emissions and that it is of strategic importance.</p> <ol style="list-style-type: none"> <li>2. Provide further comments on the implications that the increased GhG emissions predicted from the proposed development, as acknowledged in your LIR ([REP1A-001], paragraphs 6.2 and 6.9) would have, if any, on BMBC’s ability to comply with any climate emergency declaration and the 2038 carbon neutrality target date.</li> </ol> <p>It is hard to predict what this schemes impact would be on BMBC’s ability to achieve the 2038 carbon neutrality date. However, the table below compares the Carbon Budget of the scheme to Bury Carbon budget estimated by the Tyndall Centre<sup>1</sup>:</p> <table border="1"> <thead> <tr> <th>Carbon Budget Period</th> <th>Recommended Carbon Budget (t CO2) Tyndall Centre</th> <th>Scheme Carbon Emissions taken from table 14.24 of the</th> <th>Percentage of carbon budget due to the schemes ghg emissions.</th> </tr> </thead> </table>	Carbon Budget Period	Recommended Carbon Budget (t CO2) Tyndall Centre	Scheme Carbon Emissions taken from table 14.24 of the	Percentage of carbon budget due to the schemes ghg emissions.
Carbon Budget Period	Recommended Carbon Budget (t CO2) Tyndall Centre	Scheme Carbon Emissions taken from table 14.24 of the	Percentage of carbon budget due to the schemes ghg emissions.			

<sup>1</sup> [Local and Regional Implications of the United Nations Paris Agreement on Climate Change](#)

ExQ1	Question to:	Question												
		<p style="text-align: center;"><b>Environmental Statement - Chapter 14 (t CO2)</b></p> <table border="1"> <tr> <td>2023 - 2027</td> <td>1800000</td> <td>38414</td> <td>2.13%</td> </tr> <tr> <td>2028 - 2032</td> <td>900000</td> <td>40513</td> <td>4.50%</td> </tr> <tr> <td>2033 - 2037</td> <td>400000</td> <td>17893</td> <td>4.47%</td> </tr> </table> <p>This table suggests that the scheme does have a significant impact on carbon emissions over its lifetime and therefore would make it more difficult for the Council to achieve its carbon reduction goals.</p> <p><sup>1</sup> <u>Local and Regional Implications of the United Nations Paris Agreement on Climate Change</u></p> <p>3. Noting that paragraph 6.9 of your LIR [REP1A-001] considers that the increase in emissions from the scheme would have a negative impact, provide comments as to whether or not the proposal complies with PfE policy JP-S2.</p> <p>PfE Policy JP-S2 Carbon and Energy – aims to deliver a carbon neutral Greater Manchester by 2038. This policy is primarily directed towards new residential and non-residential development rather than strategic infrastructure.</p> <p>PfP Policy JP-C4: The Strategic Road Network (SRN) – appears to be the correct PfP policy to direct the ExA to consider. This policy confirms local authorities (including BMBC) "will work with the Department for Transport (DfT), National Highways (NH) and Transport for the North (TfN) and Transport for Greater Manchester (TfGM) to ensure a co-ordinated approach to the planning and delivery of potential interventions on the SRN and at interfaces with the local street network, as Local Plans, site Masterplans and planning applications come forward in accordance with DfT, NH and other UK Government policy and guidance as applicable".</p>	2023 - 2027	1800000	38414	2.13%	2028 - 2032	900000	40513	4.50%	2033 - 2037	400000	17893	4.47%
2023 - 2027	1800000	38414	2.13%											
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2033 - 2037	400000	17893	4.47%											
CC.1.3	BMBC and any IPs	<p><b>Assessment Findings</b></p> <p>Do you agree with the methodology and assessment findings in ES Chapter 14, particularly in respect of estimated GhG emissions? If so, explain why and if not, explain why not.</p>												

ExQ1	Question to:	Question
		<p>The Council agrees with the methodology, which is sound and uses nationally recognised data sets. It uses a whole life cycle approach using guidance from PAS 2080, which is an appropriate approach.</p> <p>Whereas the Council agrees with the findings that have been produced by the methodology as stated before, the scheme should be compared with local emissions rather than national emissions to assess whether it has a significant impact.</p>
CC.1.4	BMBC	<p><b>Mitigation and Enhancement</b></p> <p>Paragraphs 6.4 and 6.5 of your LIR [REP1A-001] lists measures put forward by the Applicant to mitigate carbon emissions. Explain whether you are satisfied that the proposed measures are appropriate. If so, explain why and if not, detail what additional measures you consider should be included.</p> <p>Mitigating the carbon emissions of a scheme such as this, is not an easy task. Most of the emissions will be associated with the materials being used in construction and the emissions associated with users of the scheme, which are both very difficult to mitigate within the influence of the applicant. Considering this, the Council is satisfied that there is little more mitigation the applicant could do, however we would expect that significant effort will be made by the applicant to carry out the suggested enhancements that have been identified in 6.5 of BMBC's LIR.</p>
CC.1.5	Applicant and BMBC	<p><b>Implications of Recent Legal Judgements</b></p> <p>Does the judgement of the UK Supreme Court in <i>Finch R (on the application of Finch on behalf of the Weald Action Group) (Appellant) v Surrey County Council and others (Respondents)</i> [2024] UKSC 20 and the judgement of the High Court in <i>Friends of the Earth and Ors v SSDESNZ</i> [2024] EWHC 995 (Admin) have any implications on the assessments and findings for the Proposed Development given that they were handed down after the application was accepted?</p> <p>BMBC has liaised with the Applicant and will review and comment on the Applicant's response once that has been provided.</p>
<b>Compulsory Acquisition and Temporary Possession of land and Rights</b>		
CA.1.1	Applicant	<p><b>Statutory Undertakers</b></p> <p>The Book of Reference (BoR) [AS-010] includes a number of Statutory Undertakers with interest in land.</p>



ExQ1	Question to:	Question
		<ul style="list-style-type: none"> <li>i. Provide a progress report on negotiations with each of the Statutory Undertakers listed in the BoR, with an estimate of the timescale for securing agreement from them.</li> <li>ii. State whether there are any envisaged impediments to the securing of such agreements.</li> <li>iii. State whether any additional Statutory Undertakers have been identified since the submission of the BoR as an Application document.</li> </ul> <p>A number of Statutory Undertakers have requested that their Protective Provision wording should be used as opposed to that which is currently contained within the draft Development Consent Order (DCO) [REP1-004].</p> <ul style="list-style-type: none"> <li>iv. Provide copies of the preferred wording.</li> </ul>
CA.1.2	Applicant	<p><b>Category 3 Persons</b></p> <p>The Statement of Reasons (SoR) [APP-019], Section 4.7 briefly covers the assessment of Category 3 persons explaining that it was based on a worse-case assessment. The process is described in the BoR [AS-010].</p> <ul style="list-style-type: none"> <li>i. Please provide further details of the process for identifying Category 3 persons.</li> <li>ii. Please provide a map showing the locations of Category 3 persons.</li> <li>iii. Explain why the assessment can be considered 'worse-case'.</li> </ul>
CA.1.3	Applicant	<p><b>Unknown/Unregistered Land</b></p> <p>Diligent enquiry into land interests:          Could you summarise where you have not yet been able to identify any persons having an interest in the land, including any Rights over unregistered land?          What further steps will you be taking to identify any unknown Rights during the Examination?</p>
CA.1.4	Applicant	<p><b>Land Plans</b></p> <p>There is no plot 3/3 but there are two plots marked 3/4 on the Land Plans [AS-005]. Please correct.</p>
CA.1.5	Applicant	<p><b>Clarification</b></p> <p>Clarify why you are requesting permanent land Rights over Egypt Lane (including the verges) (plots 2/1at, 2/4e, 2/4f, 2/1au, 2/4i, 2/4g, 2/4h, 2/1ax, 2/16e ).</p>
CA.1.6	Applicant	<p><b>Clarification</b></p> <p>Clarify why you are requesting permanent land Rights over Pole Lane and land adjacent to it (plots 2/4b, 2/13a and 2/13b).</p>
CA.1.7	Applicant	<p><b>Clarification</b></p>

ExQ1	Question to:	Question
		Clarify why you are requesting permanent land Rights over land adjacent to Prestwich Heys Football Ground and Sandgate Road (plot 1/34).
CA.1.8	Applicant	<p><b>Clarification</b></p> <p>The Statement of Reasons [APP-018] states that plot 2/5e is required for 'all works'. Provide more detail as to why temporary possession of plot 2/5e (verge on Mode Hill Lane) is required.</p>
CA.1.9	Applicant	<p><b>Works Plans</b></p> <p>The Works Plans [AS-006] contain areas of white land, which are unexplained in the legend. The ExA consider Works Plans should be fully explanatory and indicate all land and its intended works. Amend the Works Plans, and fully annotate each area of land with a Work No.</p>
CA.1.10	Applicant	<p><b>Land Plans</b></p> <p>The Applicant's response in [REP2-007] to D1 submission [REP1-033] states "<i>The Applicant confirms that, in respect of plot 1/33b, no temporary land take is required, and the Applicant is seeking permanent Rights for access in connection with future maintenance of the Scheme only</i>". The Land Plans [AS-005] shows plot 1/33b as blue which is described as "<i>Land to be used temporarily and Rights to be acquired permanently</i>". Are there any other plots, which are shown as blue, where it is not intended that they will be used temporarily and only Rights are sought to be acquired? Consider how the plots could be coloured on the Land Plans to clarify where only Rights over land are being sought and provide revised Land Plans accordingly.</p>
CA.1.11	Applicant	<p><b>Funding</b></p> <p>The Department for Communities and Local Government (as it then was) Guidance relating to procedures for Compulsory Acquisition (CA) (September 2013) states that:  <i>"Applicants should be able to demonstrate that adequate funding is likely to be available to enable compulsory acquisition within the statutory period following the order being made, and that the resource implications of a possible acquisition resulting from blight notice have been taken account of."</i></p> <p>The Funding Statement [APP-019] indicates that the estimated costs of the Proposed Development would be £230m. The figure includes an allowance for compensation payments relating to the CA of land interests in, and Rights over, land and the temporary possession (TP) and use of land. However, it is not clear what proportion of those costs includes CA matters and whether it is sufficient.</p> <p>Confirm the CA costs separately from the project costs and explain how the figure for CA costs was arrived at.</p>

ExQ1	Question to:	Question
CA.1.12	Applicant	<p><b>Funding</b></p> <p>The Funding Statement [APP-019] sets out that funding would be underwritten by the Government as set out in the Department for Transport's "Road Investment Strategy for the 2015/16 to 2019/20 Road Period", which was updated in March 2020 for the period 2020-2025. To date no Road Investment Strategy has been published for a period beyond 2025. In light of this, confirm to the best of available knowledge, that the funds remain available for the Proposed Development.</p>
CA.1.13	Applicant	<p><b>The Equalities Act 2010</b></p> <p>Clarify how you have had regard to the Equalities Act 2010 in relation to the powers sought for CA and TP? Have any Affected Persons been identified as having protected characteristics? If so, what regard has been given to them?</p>
Cumulative and In Combination Effects		
CICE .1.1	BMBC	<p><b>Updates on development</b></p> <p>Provide an update on any submitted planning applications or any permissions granted since the application was submitted that could either affect the Proposed Development or be affected by the Proposed Development and whether these would affect the conclusions reached in the ES.</p> <p>Since the DCO application was submitted, 2 applications have been determined at Pike Fold Golf Course:</p> <p>70899 – Lawful development certificate for the proposed: Creation of additional 'Hole 17a', including a new green, tee area and sand bunkers, on land currently used as a golf practice area; Creation of a new golf practice area on land currently forming part of 'Hole 17' and adjacent grassland; Creation of a new tee area for 'Hole 18' at Pike Fold Golf Club, Hills Lane, Whitefield. Lawful development – 22/08/2024</p> <p>71105 - Lawful development certificate for proposed creation of new, and alterations to existing, tees, greens and bunkers on existing golf course at Pike Fold Golf Club, Hills Lane, Whitefield. Lawful development – 30/10/2024</p> <p>The above certificate of lawfulness applications were submitted to amend the layout of the golf course, as the works required as part of the DCO would affect the existing golf course. The proposed development would maintain a 18 hole course and ideally would be completed prior to any works commencing in this area of the site of the DCO (should the application be successful).</p>

ExQ1	Question to:	Question
CICE .1.2	BMBC	<p><b>PfE Allocation JP 1.1: Heywood / Pilsworth (Northern Gateway)</b></p> <p>The Applicant [REP1-020] acknowledges that part of the site allocation falls within the Order Limits where construction of the Northern Loop is proposed. It further states that the proposed overlap has been discussed with BMBC including representatives from the planning, legal, highways and land and property departments where discussions have established the Scheme does not compromise the delivery of the Northern Gateway.</p> <p>Elaborate further on these discussions and explain why it is considered the Proposed Development would not 'compromise the delivery of the Northern Gateway'.</p> <p>PfE Policy JPA1.1 states that development at the Heywood/Pilsworth allocation will be required to be in accordance with a comprehensive masterplan, design code and infrastructure phasing and delivery strategy. The emerging masterplan has been developed in full knowledge of the proposed Northern Loop and indeed includes reference to an indicative highway improvement area to reflect the proposal. The draft masterplan does not include any development parcels on land affected by the Northern Loop proposal. As such, the proposed Northern Loop would not compromise the delivery of the Northern Gateway.</p>
CICE .1.3	BMBC	<p><b>PfE Allocation JP 1.1 – Masterplan</b></p> <p>[REP1-035] states that an emerging masterplan is being drawn up for the JP 1.1: Heywood / Pilsworth site allocation where the site promoters are working towards submitting a planning application for early 2025.</p> <p>Would any emerging masterplan for this site have any implications for the Examination of this application and would it be an important and relevant consideration?</p> <p>PfE Policy JPA1.1 states that development at the Heywood/Pilsworth allocation will be required to be in accordance with a comprehensive masterplan, design code and infrastructure phasing and delivery strategy. The emerging masterplan has been developed in full knowledge of the proposed Northern Loop and indeed includes reference to an indicative highway improvement area to reflect the proposal. The draft masterplan does not include any development parcels on land affected by the Northern Loop proposal.</p>
CICE .1.4	Applicant	<p><b>Cumulative Effects with Northern Gateway PfE Allocation (JP 1.1 and JP 1.2)</b></p>

ExQ1	Question to:	Question
		<p>In response to written representations [REP2-007], it is stated that other than a part of the Northern Gateway which has planning permission within Rochdale Borough Council's area, the rest of the Northern Gateway is not included in the cumulative assessment. It is stated that it is only possible to include development in the assessment of cumulative effects where a sufficient level of detail is available and in the absence of any planning applications, a detailed assessment of cumulative effects on air, noise, light, vibration, water and carbon cannot be undertaken.</p> <p>Given that PfE is now adopted, and the site allocations includes details of the number of dwellings and floorspace for industry and employment uses, explain further why it is not possible to provide cumulative assessments.</p>
Design		
DES. 1.1	BMBC	<p><b>Design</b></p> <p>The National Policy Statement for National Networks (NPSNN) (paragraphs 4.28 to 4.35) and NNNPS (paragraphs 4.27 to 4.32) seeks good design for national network projects. Given the proposed size and scale of development, explain:</p> <ol style="list-style-type: none"> <li>1. What involvement has the council had to the design process?</li> <li>2. Whether you consider the proposal represents good design, particularly the aesthetic appearance of the proposed Pike Fold Viaduct and Pike Fold Bridge and if so why?</li> <li>3. Whether any further work is required to any aspects of the designs submitted as part of the application and if so why and if not, explain why not.</li> </ol> <p>(1) The Council has been in pre-application discussions with the Applicant since at least May 2021. Additionally, the Applicant has consulted with BMBC, as part of the statutory consultation held between March and April 2023.</p> <p>(2) BMBC considers that the proposal represents good design. Submitted document 7.6 Scheme Design Report (APP-151) demonstrates how the implementation of good design has driven the development of the Scheme. Section 4.3 of the Scheme Design Report sets out the Applicant's response to the Design Panel Review, which includes at (6) matters relating to Pike Fold Bridge.</p> <p>(3) BMBC does not consider that any further work is required to any aspects of the designs as it agrees the findings of the Scheme Design Report.</p>
DES. 1.2	BMBC	<p><b>Design Guides</b></p> <p>Does the council have any design guides or codes that are important and relevant to this application? If so, please submit these and explain how the Proposed Development has or has not addressed any content within them.</p>

ExQ1: Tuesday 22 October 2024

Responses due by Deadline 3: Tuesday 5 November 2024

ExQ1	Question to:	Question
		BMBC does not have any design guides/codes that would be relevant.
DES. 1.3	Applicant	<p><b>Embankments</b></p> <p>ES Chapter 2 [APP-041], paragraph 2.5.14 states as a general principle, embankments and cuttings would be 1:3 (1 in 3) gradient, with the exception of one retaining wall on the M60 eastbound between Sandgate Road and Haweswater Aqueduct underpass (chainage 2048 to 2310) at 1:2.5 (1 in 2.5) gradient. Similar commentary is provided in the Scheme Design Report [APP-151], paragraph 1.3.7.</p> <p>In the absence of any specific reference to this in the REAC [REP1-010] and notwithstanding the details shown on the Engineering Section Drawings [APP-011], clarify how this would be secured across the entirety of the development. Would any other areas of embankments and cuttings require gradients steeper than 1:3 apart from those identified? If yes, provide locations and lengths.</p>
<b>Draft Development Consent Order</b>		
<p><b>Please note:</b> The references to articles and requirements relate to the numbering of articles and requirements for the draft DCO that was submitted at D1 [REP1-004] unless otherwise stated.</p>		
DCO. 1.1	Applicant	<p><b>Precedents</b></p> <p>Notwithstanding that drafting precedent has been set by previous DCOs or similar orders, full justification should be provided for each power/ provision taking into account the facts of this particular DCO application.</p> <p>Where drafting precedents in previous made DCOs have been relied on, these should be checked to identify whether they have been subsequently refined or developed by more recent DCOs so that the DCO provisions reflect the SoS's current policy preferences. If any general provisions (other than works descriptions and other drafting bespoke to the facts of this particular application and draft DCO) actually differ in any way from corresponding provisions in the SoS's most recent made DCOs, an explanation should be provided as to how and why they differ (including but not limited to changes to statutory provisions made by or related to the Housing and Planning Act 2016).</p> <p>Provide a list of all the previous DCOs that have been used as a precedent for the drafting of this draft DCO or signpost where in the application documentation this can be found.</p>
DCO. 1.2	Applicant	<b>Interpretation – “bridleway”</b>

ExQ1	Question to:	Question
		<p>Your response to ISH1.A.06 [REP1-023, page 6] advises that the definition for bridleway has included reference to right of way on pedal cycles to incorporate wording within section 30(1) of the Countryside Act 1968. The ExA notes that this definition also contains restrictions including using mechanically propelled vehicles and that cyclists have to give way to pedestrians and persons on horseback.</p> <p>Therefore, to improve precision and for clarity, should the wording (highlighted in <b>bold</b>) '<b>within the meaning of section 30(1) of the Countryside Act 1968</b>' be added to the definition to ensure that similar restrictions within section 30 also apply to the dDCO? If not, explain why not.</p>
DCO. 1.3	Applicant	<p><b>Interpretation – “engineering drawings and sections”</b></p> <p>Article 2 defines “engineering drawings and sections”, which is thereafter referred to in article 6, requirement 3, Schedule 10 and the explanatory note. However, document reference TR010064/APP/2.8 [APP-011] is entitled ‘Engineering section drawings’. Please rectify this discrepancy.</p>
<b>Articles</b>		
DCO. 1.4	BMBC	<p><b>Human Remains</b></p> <p>Are you satisfied that an article has not been included in the dDCO in respect of human remains? If so, explain why and if not, explain why such an article would be required.</p> <p>BMBC is satisfied that such an article has not been included, at least on archaeological grounds. There is nothing on historical mapping or from any analyses of the area undertaken for the Cultural Heritage Desk-Based Assessment to suggest that any of the sites destined for archaeological investigation were ever used for burial purposes – neither recent nor during earlier periods. Archaeology, however, is unpredictable – and in the event of remains coming to light, work would cease immediately and relevant authorities would be contacted - first and foremost the district coroner, the applicant, and if found in an archaeological/historic context, the Greater Manchester Archaeological Advisory Service (GMAAS). From an archaeological viewpoint, any human remains encountered during archaeological works should be dealt with in accordance with the course of action described above, and if recording or even removal became a necessity, then in further accordance with published guidelines. A methodology to deal with expected or unexpected archaeological human remains is a common component of a Written Scheme of Investigation (WSI).</p>
DCO. 1.5	Applicant	<p><b>Clearways</b></p>

ExQ1	Question to:	Question
		It is noted that other made DCO's, such as but not limited to M3, M25 J10, M25 J28, A19/184, A19/A1058 Coast Road, A47 Wansford to Sutton and A47/A11 contain an article relating to clearways. Explain why such a provision has not been included in the proposed development
DCO. 1.6	Applicant	<p><b>Article 6 – Limits of Deviation</b></p> <p>The ExA notes the response to ISH1.A.13 in [REP1-023].</p> <ol style="list-style-type: none"> <li>1. Notwithstanding any 'flexibility', explain why the extent of deviation identified on the Works Plan [AS-006] is required for the drainage attenuation ponds and within the verges beside the motorway.</li> <li>2. Clarify what is meant by 'environmental mitigation features' and whether this includes the Environmental Mitigation Areas?</li> </ol>
DCO. 1.7	Applicant	<p><b>Article 8 – Consent to transfer benefit of Order</b></p> <p>It is noted that other made DCOs, such as but not limited to M3, M25 J10, M25 J28, have included the following provision within this article: 'If the benefit of the provisions of this Order relating to compulsory acquisition is transferred or granted to a transferee or grantee pursuant to this article and the transferee or grantee exercises those powers then the undertaker alone is liable for any compensation that is payable to another party as a consequence of the exercise of those powers by the transferee or grantee'. Explain why such a provision has not been included in the dDCO.</p>
DCO. 1.8	Applicant	<p><b>Article 13 – Classification of roads etc.</b></p> <p>It is noted that other made DCO's, such as but not limited to M3, M25 J10, M25 J28 and M54 to M6, contains provisions setting speed limits within this article which are then defined within a schedule. Explain why such a provision has not been included in the dDCO.</p>
DCO. 1.9	Any Affected Persons	<p><b>Article 30(2) – Time Period for taking Temporary Possession of land</b></p> <p>Is the 14 day period specified a sufficient period of time for receiving notice of intended entry from the undertaker, noting the comments from the Applicant in [REP1-023] page 21? If not, explain why a longer period of time would be required and what an appropriate period of time would be.</p>
DCO. 1.10	Applicant	<p><b>Article 30(9) – Right to acquire new Rights</b></p> <p>The article would provide the power for the undertaker to acquire new Rights over any part of land that has been subject to TP under Article 30(1)(a)(i). The Department for Communities and Local Government Planning Act 2008 Guidance for</p>



ExQ1: Tuesday 22 October 2024

Responses due by Deadline 3: Tuesday 5 November 2024

ExQ1	Question to:	Question
		<p>compulsory acquisition (paragraph 10 of Annex D) states that where it is proposed to create and acquire new Rights compulsorily they should be clearly identified.</p> <p>In the absence of any justification provided in the Explanatory Memorandum [REP1-006], explain:</p> <ol style="list-style-type: none"> <li>1. why this provision is necessary, providing details of any new Rights that would need to be acquired;</li> <li>2. how this provision would be reasonable, particularly with regard to justifying interfering with the Human Rights of those with an interest in the land that would be affected; and</li> <li>3. how this provision meets the tests for compulsory acquisition in the PA2008.</li> </ol>
DCO. 1.11	Applicant	<p><b>Article 33(2) – Apparatus and Rights of statutory undertakers in stopped up streets</b></p> <p>The ExA notes the alteration to the dDCO submitted at Deadline 1 [REP1-004] to paragraph (2) to change ‘utility’ to ‘undertaker’ and notes the reason provided for this in [REP1-016] page 16 is ‘to improve precision’. Explain further the reason for this change given that ‘utility’ is referred to in other paragraphs in the article and ‘statutory utility’ is defined in paragraph (8).</p>
DCO. 1.12	Applicant	<p><b>Article 36 – Felling or lopping of trees and removal of hedgerows</b></p> <p>Your response to Action Point 10 [REP1-024], page 6 states the Applicant has included revisions to Schedule 8 in the dDCO submitted at Deadline 1 [REP1-004] incorporating a further column specifying how each hedgerow is affected by the powers permitted by Article 36. However, no such change appears to have been included.</p> <p>Please confirm and incorporate the necessary revisions referred to in the Deadline 3 dDCO if omitted.</p>
<b>Schedule 1</b>		
DCO. 1.13	Applicant	<p><b>Further Development – criterion (c)</b></p> <p>The response on page 27 of [REP1-023] in response to ISH1.S1.09 is noted. Explain whether any restricted byways exist within the Order Limits to demonstrate that inclusion of this provision is necessary. If they are, why are they restricted and would it affect any CA powers?</p>

ExQ1	Question to:	Question
<b>Requirements</b>		
DCO. 1.14	Applicant / BMBC	<p><b>Requirement 5 – Landscaping</b></p> <p><b>BMBC:</b> In your response [REP1-032] to ISH1.S2.10 [EV5-003] you have agreed to the suggestions made. Provide wording that you consider would be appropriate to include.</p> <p>(1) hard landscaping and materials including colour, boundary treatment of any fences and walls, structures and street furniture;</p> <p>(2) existing trees to be retained, with measures for their protection during the construction period, which should be in accordance with the Appendix 7.5 Arboricultural Impact Assessment (Volume 6.3);</p> <p>(3) (d) proposed finished ground levels, which should include details of changes to existing land levels, gradients for areas, gradients for areas of permanent earthworks (such as sides of northern loop), and/or cross sections to illustrate slope profiles where embankments are formed; and,</p> <p>(4) implementation of timetables for the implementation and maintenance for all landscaping.</p> <p><b>Applicant:</b></p> <ol style="list-style-type: none"> <li>In your response [REP1-023] to ISH1.S2.10(1) which queried whether an additional criterion requiring details of hard landscaping and materials was required, you consider that Works to Public Rights of Way and maintenance tracks are beyond the scope of the landscaping scheme. Explain where in the dDCO such details would be secured.</li> <li>In your response [REP1-023] to ISH1.S2.10(3), it is stated that the engineering section drawings and requirement for proposed finished ground levels sufficiently detail the significant earth works and changes to levels ground proposed. Explain further how this information captures this detail.</li> </ol>
DCO. 1.15	Applicant	<p><b>Requirement 6 – Contaminated Land and Groundwater</b></p> <p>Sub-paragraph (2) includes wording that it is when the undertaker determines that remediation of the contaminated land is necessary. Explain why it is appropriate for this decision to be determined only by the undertaker? Would it be more appropriate for this matter to be determined by the risk assessment required under sub-paragraph (1) and the wording in sub-paragraph (2) substituted accordingly?</p>
DCO. 1.16	BMBC	<p><b>Requirement 9 – Archaeological Remains</b></p> <p>Reference is made in the NPS compliance tables [APP-147], page 79 that the exact scope of investigation work will be agreed with the Greater Manchester Archaeological Advisory Service (GMASS) in advance of fieldwork. Reference is also made in your LIR [REP1A-001], paragraph 9.8 that GMASS would approve any WSIs.</p>

ExQ1	Question to:	Question
		<p>Should GMASS be specifically referred to as a consultee in R9 or is it sufficient for reference to only be made to the council? If GMASS should be referred to, suggest a preferred form of wording.</p> <p>The Council should be the principal consultee. It is the council's responsibility to consult GMAAS as their archaeological advisors. Upon consultation, GMAAS will advise the council on scope of works and the suitability of any WSIs produced during the project, and the council would then forward finalised documentation to all relevant parties.</p>
Geology and Soils		
GS.1.1	Applicant	<p><b>Best and Most Versatile Land</b></p> <p>ES Chapter 9 [APP-048] Table 9.9 states that any unsurveyed land is deemed to be grade 3b as this is the predominate grade. Explain why this is appropriate. For worse case should it be assumed to be higher grade bearing in mind the NPSNN states that only little weight should be given to grades 3b and below?</p>
GS.1.2	Applicant	<p><b>Land Instability – Peat</b></p> <p>Chapter 9 of the ES: Geology and Soils [APP-048] states that peat is present within the Order Limits. Chapter 2 of the ES [APP-041] paragraph 2.6.17 states “<i>There may also be an activity of excavation and replacement where there are shallow soft organic soil deposits with isolated pockets of peat present beneath embankments. Where excavation of soft soils and peat materials is required, they would be replaced by a suitable engineering fill which may be sourced from site won fill or imported</i>”.</p> <p>One area of peat is indicated to be in the north-east quadrant in the location of the Northern Loop and Pond 1. Detail how much peat is estimated to require removal and what is planned to ensure the stability of the ground in this area to ensure safe construction of the proposed elements in this area. Describe what work was done to investigate alternative locations for the Northern Loop and Pond 1 which would avoid the area of peat.</p>
GS.1.3	Applicant and the Coal	<p><b>Land Instability – Coal</b></p> <p>ES Chapter 9 [APP-048] paragraphs 9.7.46 and 9.7.47 state that that the study area is within an area that could be affected by underground mining and that National Highways, 2023b, Geotechnical Data Management System identifies the western and northern extents of the study area as being Grade C: Medium Hazard in terms of Coal Mining which broadly correlates with the Coal Authorities designation that parts of the study area are within a Development High Risk area. The NPSNN</p>

ExQ1	Question to:	Question
	Authority	2024 (which is an important and relevant document) paragraph 5.158 states “ <i>Applicants should submit a coal mining risk assessment as part of their application in specific Development High Risk areas</i> ”. Provide an appropriate risk assessment or explain why one is not required.
<b>Green Belt</b>		
GB.1.1	Applicant	<p><b>Impact on Openness</b></p> <p>The Case for the Scheme [APP-146], paragraph 6.8.15 considers that the substantial nature of the development, along with its permanence and other operational features mean that the Scheme would harm the openness of the Green Belt. However, in response to comments in Relevant Representations [REP1-020], a more ambiguous commentary is provided where impacts appear to be downplayed with terminology including ‘the Case for the Scheme [APP-146] concluded the scheme <i>could</i> harm openness’ and ‘the <i>potential impact</i> on the openness of the Green Belt is <i>now mainly limited to...</i>’ (emphasis added in <i>italics</i>).</p> <p>Provide an assessment of the harm on openness for each of the components of the development which are proposed in the Green Belt and whether openness would or would not be preserved.</p>
GB.1.2	Applicant	<p><b>Alternatives to Green Belt</b></p> <p>[APP-146] paragraph 6.8.24 and [APP-147] page 93 considers that there is a lack of alternatives with less impact on the Green Belt, given that the purpose of the Scheme is to improve an existing section of the Strategic Road Network where it is stated that “<i>it is not possible to pursue an option which is outside the Green Belt, unless the surrounding motorway network is relocated entirely</i>”. However, this does not explain or detail what consideration was given, if any, to alternative locations for the individual aspects of the proposal and whether or not they require a Green Belt location.</p> <p>Explain the alternatives that were considered for each of the components of the development which are proposed in the Green Belt and why they require a Green Belt location. You may wish to combine your response with GB.1.1 above.</p>
GB.1.3	Applicant and BMBC	<p><b>Assessment of ‘any other harm’</b></p> <p>Explain what consideration has been given to ‘any other harm’ (ie non-Green Belt factors) arising from the Proposed Development, in addition to harm by ‘reason of inappropriateness’, in your conclusions ([APP-146] for the Applicant and [REP1A-001] for BMBC)] as to whether very special circumstances (VSC) exist?</p> <p>Chapter 15 of the Council’s Local Impact Report [REP1A-001] summarises the assessment of impacts on a range of factors. Negative, non-Green Belt impacts have been reported in terms of:</p>

ExQ1	Question to:	Question
		<ul style="list-style-type: none"> <li>▪ Dust emissions (primarily construction);</li> <li>▪ Climate (primarily operational);</li> <li>▪ Landscape and visual (primarily construction);</li> <li>▪ Noise (construction and operational);</li> <li>▪ Vibration (construction); and</li> <li>▪ Traffic, transport and access (primarily construction).</li> </ul> <p>These would constitute the areas where 'any other harm' would arise within the context of paragraph 153 of the NPPF.</p> <p>Whilst it may not have been clear from Chapter 8 of the Council's Local Impact Report, all of the above factors have been fully considered by the Council when looking at the planning balance of the scheme and, in particular, the assessment of whether very special circumstances exist to justify inappropriate development in the Green Belt. The Council's view in respect of each of the above impacts is set out in the Local Impact Report and supplemented by responses to the ExA's Written Questions and requests for further information.</p> <p>In considering the above factors, the Council took account of whether these impacts would arise from construction phases or from the actual operation of the scheme. Whilst the impacts arising from construction are material, it is the Council's view that these will not exist in perpetuity and should therefore be regarded as temporary impacts.</p> <p>The Council concludes the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations – namely the need for the scheme; the benefits it will bring in terms of added capacity, the alleviation of congestion and in supporting economic growth; and the lack of alternative options. On this basis, it is the Council's view that very special circumstances exist to outweigh any harm to the Green Belt.</p>
GB.1.4	Applicant	<p><b>'Other Considerations'</b></p> <p>[APP-146, paragraphs 6.8.22 to 6.8.25] and [APP-147, pages 92 and 93] sets out why the Applicant considers that VSC exist. Paragraph 6.8.25 in [APP-146] states "it is considered that '<i>other considerations</i>' (in the form of the VSC which include the need and national benefits of the Scheme), outweigh any harm to the Green Belt".</p> <p>Explain where in the application documentation any 'other considerations' have been set out.</p>
GB.1.5	Applicant	<p><b>PfE Policy JP-G2</b></p>

ExQ1	Question to:	Question
		<p>Policy JP-G2 requires development, which involves the removal of land from the Green Belt, to offset the impact of removing land from the Green Belt through identifying and delivering compensatory improvements to the environmental quality and accessibility of remaining Green Belt in the vicinity of the site. Explain how the proposal has incorporated this.</p>
<b>Historic Environment</b>		
HE.1.1	BMBC	<p><b>Methodology – Study Area</b></p> <p>Are you satisfied with the size of study area described in section 6.6 of ES Chapter 6 [APP-045] and that it is sufficient to identify the likely significant effects to both designated and non-designated heritage assets (HAs)? If so, explain why and if not, explain why not.</p> <p>It is agreed the size of the study area as described in section 6.6 of ES Chapter 6 [APP-045] is sufficient to identify the likely significant effects to both designated and non-designated heritage assets.</p> <p>A buffer of 500m from the Order Limits for NDHAs has focused on the relevant baseline within the areas most likely affected by physical impacts and to give adequate archaeological context for them. It also allowed sufficient attention to be granted to the assets immediately outside the Scheme and consideration of their setting. The study area was also used to characterise the potential for unknown archaeological remains within the footprint of the Scheme which would also have the potential to be physically affected. A larger study area would capture a wider developed environment and potentially an excessive amount of data that would be surplus to requirements in determining context and potential. In conclusion the study area adequately allows the settings of the above ground built historic environment to be understood smaller study area might be deficient with regard to impact on setting of the built assets and potential archaeology.</p> <p>The larger study area for listed buildings is also considered adequate and has been utilised purely for the purpose of assessing the setting of designated heritage assets as being more sensitive to change within their settings from the potential impacts of the scheme. Designated heritage assets comprise Scheduled Monuments, Registered Battlefields, Conservation Areas, Registered Parks and Gardens, and Grade I, II* and II listed buildings, all of which are assessed as high value.</p> <p>It is agreed that that significant effects on the value of heritage assets arising from changes to setting are unlikely beyond 1km, and this was confirmed by the landscape and visual ZTV, the site walkover survey and the landscape and visual assessment (see Chapter 7: Landscape and Visual of this Environmental Statement (TR010064/APP/6.1)). This indicated that no designated assets outside the 1km study area have any visual relationship with the Scheme. The 1km study area for the Scheme was originally conceived due to the nature of the existing motorway infrastructure, the local topography and the</p>

ExQ1	Question to:	Question
		anticipated sensitivity of the receiving environment. The presence of intervening urban areas would also preclude any likely intervisibility with the Scheme by designated heritage assets beyond 1km.
HE.1.2	BMBC	<p><b>Methodology – Value of Heritage Assets</b></p> <p>ES Chapter 6 [APP-045], Table 6.9 identifies the value of HAs in the study area, which is based on the criteria listed in Table 1.1 in ES Appendix 6.1 [APP-081]. Does the council agree with the identified values? If not, explain why not and what an appropriate value should be.</p> <p>BMBC agrees with the identified values based on the criteria listed in Table 1.1 in ES Appendix 6.1[APP-081].</p>
HE.1.3	Applicant / BMBC	<p><b>Limitations of Study</b></p> <p>Paragraph 1.1.47 in [APP-081] states that no archaeological investigation has been implemented to ground truth the archaeological records used in the report, though this is planned for any post-submission period. It further advises that the results of geotechnical ground investigation have been utilised as indicators of ground conditions.</p> <p><b>Applicant:</b></p> <ol style="list-style-type: none"> <li>To what extent does the Ground Investigation Report [APP-108] cover archaeological assets, given that its main scope appears to establish the geology and soils baseline?</li> <li>Could this limitation result in the significance of any archaeological asset not being properly determined? If not, explain why.</li> <li>In the absence of any archaeological investigation to ground truth the archaeological records, notwithstanding your comments in [APP-147], page 76 explain further how the SoS can be satisfied that it can discharge its responsibilities under paragraphs 5.128 to 5.130 of the NPSNN?</li> </ol> <p><b>BMBC:</b> Are you satisfied that no archaeological trial trenching or intrusive investigation to ground-truth the presence or absence of buried archaeological remains has been undertaken and, in the absence of this, that the significance of any HAs have been properly identified? If so, explain why and if not, explain why not.</p> <p>BMBC is satisfied that the targets identified for archaeological investigation, inclusive of areas of unknown potential (as summarised in para 9.9 of LIR [REP1A-001]), are unlikely to identify/encounter archaeological remains of significance in the order above local to regional, and could be removed providing that an opportunity to record, analyse, report on,</p>

ExQ1	Question to:	Question
		<p>disseminate, and archive results is embedded as mitigation. This is based on knowledge of the area, the nature of sites/finds/remains in the wider area as detailed on the Historic Environment Record, landscape topography, and an understanding of the development of the site – including previous investigations and an appreciation of the scale of previous disturbances in certain areas – particularly associated with the existing road corridors and immediate environs. This is summarised in the Cultural Heritage Desk-Based Assessment – with the purpose of such a document aiming to understand, as far as is possible, the significance of Heritage Assets (both designated and undesignated) that could be impacted by a scheme, and to inform decision making regarding the scope of further investigation.</p> <p>The programme of archaeological trial trench investigation, or watching briefs, will allow sufficient time for reporting of the results upon completion of fieldwork. If something of significance is found during evaluation that requires further detailed excavation, opportunity should be afforded for BMBC (through their archaeological advisors) to speak with the field team and/or make a site visit. Decisions may be required for immediate extension of a trench/area of investigation 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>
HE.1.4	BMBC	<p><b>Non-designated Heritage Assets (HAs)</b></p> <p>Noting the content of paragraph 5.124 of the NNNPS and footnote 72 on page 59 of the National Planning Policy Framework, are there any non-designated HAs of archaeological interest which are demonstrably of equivalent significance to scheduled monuments that should be considered subject to the policies for designated HAs? If so, would this change the conclusions of the assessment and if not, why not?</p> <p>There are no known or suspected non-designated Heritage Assets of archaeological interest which are demonstrably of equivalent significance to scheduled monuments.</p>
HE.1.5	Applicant / BMBC	<p><b>Structure off Corday Lane (HER 3915.1.0)</b></p> <p>ES Chapter 6 [APP-045] and Commitment CH1 in the REAC [REP1-010] refers to the ‘Structure off Corday Lane (HER 3915.1.0)’, which is identified in Figure 6.1 [APP-062] as an asset located beside the slip road to the M66 northbound to the north-west of Junction 18. However, Corday Lane appears to be situated to the south-west of Junction 18 leading northwards off Heywood Road / Simister Lane. Is the reference to Corday Lane correct?</p>



ExQ1	Question to:	Question
		<p>Historically (pre- construction of the motorway network) Corday Lane extended through this area. Pole Lane, which today runs immediately south of Cowlgate Farm (located beside the slip road to the M66 northbound to the north-west of Junction 18) was previously part of the course of Corday Lane. The HER site (HER 3915.1.0) is correctly named.</p>
HE.1.6	BMBC	<p><b>Assessment Findings</b></p> <p>ES Chapter 6 [APP-045] Tables 6.10 and 6.11 and ES Appendix 6.1 [APP-081] Tables 1.2 and 1.3 provides an impact assessment during construction and operation. Does the council agree with the assessment findings in respect of significance of effect in the tables? If so, explain why and if not, explain why not.</p> <p>Regarding sites of archaeological interest that will be impacted by the scheme the findings in respect of significance of effect – at both construction and operation stages, are agreed. Despite the ‘moderate to major’ magnitudes of impact (amounting to potential truncation or removal of remains), the sensitivities or values of the archaeological sites/remains are inherently negligible to low (i.e. if remains of what is expected are indeed identified, they will be of no more than local to regional significance) – meaning that with mitigation measures in place (i.e. archaeological schemes of work to preserve by record), the ‘slight adverse’ significance of effect is a reasonable assessment.</p>
HE.1.7	Applicant	<p><b>Assessment of Harm to Significance of Heritage Assets</b></p> <p>ES chapter 6 [APP-045] Tables 6.10 and 6.11 predicts slight adverse effects during construction and operation. However, other than brief reference in [APP-045] paragraph 6.12.3 and [APP-147] page 79, which identifies ‘less than substantial’ harm to Heaton Park Registered Park and Garden (RPG), very little commentary is provided in the application documents to the extent of harm that could arise to the significance of HAs.</p> <ol style="list-style-type: none"> <li>1. Provide further information on the ‘less than substantial’ harm that is identified to arise to the significance of Heaton Park RPG ([APP-147] page 79) through changes to its setting. Where would this harm be most experienced?</li> <li>2. Would any harm arise to the significance of any other HAs where slight adverse effects have been predicted, including during construction? If so, what would the extent of harm be? If not, explain why not for each HA.</li> <li>3. Explain how the Applicant has given great weight in avoiding the ‘less than substantial’ harm to the HAs referred to in paragraph 6.12.3 of ES Chapter 6 [APP-045] in the chosen design of the scheme or signpost to where in the application documents this is explained.</li> </ol>

ExQ1	Question to:	Question
HE.1.8	BMBC	<p><b>Archaeological works and monitoring</b></p> <p>Your LIR ([REP1A-001], Paragraph 9.7) and SoCG ([REP2-006], page 42) advises that all archaeological work should be undertaken by suitably experienced and qualified archaeological contractor(s), funded by the applicant, and in accordance with guidance provided by the Greater Manchester Archaeological Advisory Service, who would also monitor the implementation of the works on behalf of BMBC and National Highways.</p> <p>Is the council satisfied that the wording in the Cultural Heritage Desk Based Assessment [APP-081] ensures this would be secured? If so, explain why and if not explain any additions that would be required.</p> <p>Paragraph 1.4.4 of the Cultural Heritage Desk Based Assessment (DBA) [APP-081] states that site or area-specific written schemes of investigation (WSIs) will be submitted to and approved in writing by the Secretary of State following consultation with the relevant planning authority. This is fine given that ‘consultation with the relevant planning authority’ means that GMAAS (as archaeological advisors to the planning authority) can comment on drafts of WSIs and ensure that scope of works and methodological details regarding analysis, reporting, dissemination and archiving are appropriate prior to submission of a final version to the Planning Authority (and from there to the Secretary of State).</p> <p>The DBA has assessed evidence, established significance, determined the potential impacts of the development on that significance, and created an objective baseline - from which decisions on the requirement for further works have been discussed openly between the applicant and GMAAS.</p> <p>The requirement for “all work to be 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 BMBC and National Highways” is embedded in the LIR and SoCG as a result of consultation following submission of the DBA. However, it would be appropriate to include that wording within an additional paragraph within the DBA (perhaps following paragraph 1.4.3) so that it can be assured across all documentation.</p>
HE.1.9	BMBC	<p><b>Archaeological works</b></p>

ExQ1	Question to:	Question
		<p>Your LIR [REP1A-001] Paragraph 9.9 advises that the area where pond 7 is proposed has the potential to contain possible survival of historic soil horizons, where works that require stripping of the current land surface will require a scheme of archaeological work.</p> <p>Does the Cultural Heritage Desk Based Assessment [APP-081] or commitments contained in the REAC [REP1-010] require updating to specifically refer to these works to ensure they would be secured as part of mitigation? If so, explain any additions that would be required and if not, explain why not.</p> <p><b>Yes, suggested addition into section 1.4 of the Cultural Heritage Desk Based Assessment [APP-081] and CH2 of the REAC [REP1-010]:</b></p> <p><b>“An archaeological watching brief (now referred to by the Chartered Institute for Archaeologists (CIfA) as archaeological monitoring and recording) to be undertaken during any surface-stripping or groundworks within in the north-west quadrant of the Order Limits (described as 50-100m NW of M60 J18 – the area that contains Pond 7 as shown in General Arrangement Sheet 2 of 5 (DCO Drawing No. TR010064/APP/2.2)), where possible survival of historic soil horizons was indicated by exploratory boreholes. Work would be carried out by archaeological contractors on behalf of the Principal Contractor during early-stage construction, in accordance with an approved Written Scheme of Investigation.</b></p>
HE.1.10	Applicant	<p><b>Policy Assessment</b></p> <p>In the comments justifying compliance with NPSNN paragraph 5.130, it is stated on page 76 of the NPSNN Accordance Table [APP-147] that “<i>The embedded design measures will ensure the Scheme will result in no significant adverse effects on the setting of heritage assets, including historic parks and gardens, historic buildings and archaeology</i>”. This statement does not address whether the scheme would sustain and where appropriate, enhance the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities.</p> <p>Based on findings of ‘slight adverse effects’ to some HAs in Chapter 6 [APP-045] and paragraph 6.9.10 states that no enhancement measures have been identified, provide further justification on how the scheme would comply with this policy and why no enhancement measures have been identified.</p>

ExQ1		Quest	Question																
		ion to:																	
Landscape and Visual																			
LV.1.1	BMBC	<p><b>Landscape Character Assessments</b></p> <p>1. Provide a copy of relevant excerpts from the Greater Manchester Landscape Character and Sensitivity Assessment (GMLCSA) that are relevant to the Proposed Development, including the following landscape / townscape character areas:</p> <ul style="list-style-type: none"> <li>• LCA 19: Heaton, Prestwich, Whitefield and Stand Parklands;</li> <li>• LCA 26: Prettywood, Pilsworth and Unsworth Moss;</li> <li>• LCA 27: Simister, Slattocks and Healds Green; and</li> <li>• TCA Prestwich, Whitefield, Radcliffe and Unsworth Residential.</li> </ul> <p><b>Table 1. Extract from Table 4.2 of the GMLCSA (2018) related to LCA 19, 26, and 27.</b></p> <table border="1"> <thead> <tr> <th>Landscape Character Area (LCA)</th> <th>Landscape Character Type</th> <th>Sensitivity to Residential housing developments</th> <th>Sensitivity to Commercial/industrial developments</th> </tr> </thead> <tbody> <tr> <td>LCA 19: Heaton, Prestwich, Whitefield and Stand Parklands</td> <td>Historic Parks and Wooded Estate Farmland</td> <td>Moderate – High</td> <td>High</td> </tr> <tr> <td>LCA 26: Prettywood, Pilsworth and Unsworth Moss</td> <td>Mosslands and lowland farmland</td> <td>Moderate</td> <td>Moderate</td> </tr> <tr> <td>LCA 27: Simister, Slattocks and Healds Green</td> <td>Urban Fringe Farmland</td> <td>Moderate</td> <td>Moderate</td> </tr> </tbody> </table> <p>A copy of the full report is provided as there is reference to these areas and the associated types throughout (ExQ1_BMBC Appendix 5).</p>		Landscape Character Area (LCA)	Landscape Character Type	Sensitivity to Residential housing developments	Sensitivity to Commercial/industrial developments	LCA 19: Heaton, Prestwich, Whitefield and Stand Parklands	Historic Parks and Wooded Estate Farmland	Moderate – High	High	LCA 26: Prettywood, Pilsworth and Unsworth Moss	Mosslands and lowland farmland	Moderate	Moderate	LCA 27: Simister, Slattocks and Healds Green	Urban Fringe Farmland	Moderate	Moderate
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ExQ1	Question to:	Question
		<p>Below is a list of particularly relevant maps and sections:</p> <p>4. Table 4.1 demonstrates the relationship between Landscape Character Types and Landscape Character Areas 19, 26, and 27.</p> <ul style="list-style-type: none"><li>• Figure 4.1 shows the landscape character types.</li><li>• Figure 4.2 shows the Landscape Character Areas.</li><li>• Figure 4.3 maps the overall Landscape Sensitivity Assessment results for residential development / related transport infrastructure.</li><li>• Figure 4.4 maps the Sensitivity Assessment results for commercial/ industrial developments.</li></ul> <p>The relevant Landscape Character Type profiles are located on the following pages:</p> <ul style="list-style-type: none"><li>• Historic Parks and Wooded Estate Farmland pages 48-55</li><li>• Reclaimed Land/Wetlands pages 97-103</li><li>• Urban Fringe Farmland pages 104-111</li></ul> <p>The assessment does not include townscape character areas (TCA Prestwich, Whitefield, Radcliffe and Unsworth Residential).</p> <p>2. Whilst noting the content of paragraphs 3.26 and 3.27 of the LIR [REP1A-001], explain further how the extent the Proposed Development, in terms of its relationship with the landscape, design and the mitigation measures that have been proposed, has addressed any guidance, special qualities or sensitivities identified within the assessment and responded to these.</p> <p>The GMLCSA identifies that LCA 26 and 27 have moderate sensitivity to development (albeit residential and industrial). The Profiles for LCA 26 and LCA 27 provide guidance, which the proposed development has taken account of in the Environmental Masterplan and ES Chapter 7 through the embedded and essential mitigation measures as follows:</p>

		<b>Landscape Character Area</b>	<b>GMLCSA Guidance and opportunities for future development and landscape management/enhancement</b>	<b>Measure identified in the EM &amp; ES Chapter 7.</b>
		LCA 27	Utilise dips in the landform, including valley slopes, and existing tree/woodland cover to integrate new development into the landscape.	<p>The ponds will be designed to provide landscape integration and planting opportunities.</p> <p>Identified areas for natural grading of levels</p>
		LCA 27	Protect and where possible enhance semi-natural habitats and networks, including pockets of ancient and riparian woodland (e.g. Hopwood Woodlands LNR), patches of dry heath and acid grassland, remnant semi-natural grasslands, ponds and flashes.	Existing vegetation clearance within the temporary works areas will be minimised as far as practicable. Particular attention will be given to the retention of mature vegetation including individual trees, linear tree belts and woodlands.
		LCA26	Strengthen the stone wall and hedgerow network, using local gritstone for walls and locally prevalent and climate resilient species for hedges. Any new boundaries should reflect local characteristics, including the planting of a new generation of hedgerow trees.	<p>All planting and seeding will use native species as appropriate to the location and design, overseen by Ecologists and Arboriculturists.</p> <p>Hedgerow planting will be delivered in areas adjacent to the environmental areas, along the new highway boundaries and around ponds.</p> <p>Hedgerow tree planting will be delivered to strengthen new and existing hedgerows and further help integrate the motorway infrastructure into the local landscape.</p>
		LCA27	Ensure any new development does not dilute the strong field patterns associated with the landscape.	Planting will be delivered to link existing field boundary vegetation with other areas of existing vegetation in areas around the Northern Loop to

ExQ1	Question to:	Question						
		<table border="1"> <tr> <td data-bbox="479 268 689 549">LCA26</td> <td data-bbox="689 268 1218 549">Protect areas of semi-natural habitat including woodland, grassland and heathland which are locally designated as Sites of Biological Importance. Seek to enhance these where possible and provide linkages to form robust habitat networks.</td> <td data-bbox="1218 268 1935 549">improve habitat links and strengthen the local landscape pattern and character.</td> </tr> <tr> <td data-bbox="479 549 689 826">LCA 26</td> <td data-bbox="689 549 1218 826">Encourage the natural regeneration of woodland and wetland habitats within valleys (as well as new planting/habitat restoration) to improve their function in flood prevention and preventing diffuse pollution</td> <td data-bbox="1218 549 1935 826">Aquatic and marginal planting will be delivered at the ponds and swales to improve landscape integration and biodiversity.</td> </tr> </table> <p data-bbox="427 863 1973 927">As such, it is considered that the proposed development has addressed the guidance, special qualities and sensitivities identified in the GMLCSA.</p> <p data-bbox="427 967 2002 1098">3. Noting that paragraph 7.5.8 of ES Chapter 7 [APP-046] has scoped out the Bury Metropolitan Borough Council Landscape Character Assessment and the Rochdale Borough Council Landscape Character Assessment, explain the difference between these Landscape Character Assessments and the GMLCSA and whether or not this has any implications for the assessment findings in the ES.</p> <p data-bbox="427 1137 1980 1268">The Bury Metropolitan Borough Council Landscape Character Assessment (LCA) was published in 2009 (ExQ1_BMBC Appendix 6). The GMLCSA was published in 2018 in order to produce up-to-date landscape evidence to support preparation of the Places for Everyone Plan (formerly Greater Manchester Spatial Framework). The GMLCSA forms the basis for PFE Policy JP-G1.</p> <p data-bbox="427 1308 1980 1372">The Bury LCA identified the site as Fringe Settled Valley Pasture whereas the GMLCSA identifies the site as part Urban Fringe Farmland and part Mossland and lowland farmland.</p>	LCA26	Protect areas of semi-natural habitat including woodland, grassland and heathland which are locally designated as Sites of Biological Importance. Seek to enhance these where possible and provide linkages to form robust habitat networks.	improve habitat links and strengthen the local landscape pattern and character.	LCA 26	Encourage the natural regeneration of woodland and wetland habitats within valleys (as well as new planting/habitat restoration) to improve their function in flood prevention and preventing diffuse pollution	Aquatic and marginal planting will be delivered at the ponds and swales to improve landscape integration and biodiversity.
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LCA 26	Encourage the natural regeneration of woodland and wetland habitats within valleys (as well as new planting/habitat restoration) to improve their function in flood prevention and preventing diffuse pollution	Aquatic and marginal planting will be delivered at the ponds and swales to improve landscape integration and biodiversity.						

ExQ1	Question to:	Question
		<p>The report considers the GMSLCA's at paragraph 7.715 onwards and therefore it is considered that the ES assessed the most up to date landscape designations and the difference between the LCA and GMLCSA studies do not have any implication on the assessment findings.</p>
LV.1.2	Applicant / BMBC	<p><b>Special Landscape Area</b></p> <p>Paragraph 3.25 of the LIR [REP1A-001] states PfE Policy JP-G1 replaced UDP Policy EN9/1 Special Landscape Area. To what extent would this change any of the assessment findings in the ES?</p> <p>The Environmental Assessment found the following with regard to the Special Landscape Area/Landscape Character Areas:</p> <ul style="list-style-type: none"> <li>▪ During Construction: Partial loss of existing landscape features and addition of new noticeable features during construction on LCA 26: Prettywood, Pilsworth, and Unsworth Moss.</li> </ul> <p>Policy JP-G1 differs from UDP Policy EN9/1 (ExQ1_BMBC Appendix 7) in that it states that the Council should have regard to:</p> <ul style="list-style-type: none"> <li>▪ Topography, geology and drainage;</li> <li>▪ Land use and field patterns;</li> <li>▪ Semi-natural habitats and woodland cover;</li> <li>▪ Archaeology and cultural heritage;</li> <li>▪ Settlement, road pattern and rights of way; and</li> <li>▪ Views and perceptual qualities.</li> </ul> <p>The ES considers topography, geology and drainage (Chapter 9, 13), land use and field patterns (Chapter 12), semi-natural habitats and woodland cover (Chapter 8), archaeology &amp; cultural heritage (Chapter 6), rights of way (Chapter 7 and Chapter 12) and views and perceptual qualities (Chapter 7). As such, these factors have been considered and have informed the findings of the ES.</p> <p>Therefore, it is considered that the replacement of UDP Policy EN9/1 with PfE JP-G1 would not change the findings of the ES, as the same findings would remain regarding effect upon LCA 26, in addition to the further findings related to the views from PROW's and properties in the surrounding area (16.2 of the ES).</p>



ExQ1	Question to:	Question
LV.1.3	BMBC and any Interested Parties	<p><b>Assessment of Significant Effects</b></p> <p>Do you agree with the findings in respect of likely significant effects at the landscape / townscape receptors in ES Appendix 7.3: Schedule of Landscape and Townscape Effects [APP-084] and visual receptors in ES Appendix 7.4: Schedule of Visual Effects [APP-085]? If so, explain why and if not advise where any disagreement on the findings exist and how this may affect conclusions.</p> <p>BMBC agree with the findings in respect of likely significant effects at the landscape / townscape receptors and visual receptors. The assessments were undertaken by competent experts in accordance with relevant Regulations and Guidelines (as set out in ES Chapter 7 Landscape and Visual (APP-046)).</p>
LV.1.4	Applicant	<p><b>Visual effects from Pike Fold Golf Course</b></p> <p>[RR-013] raises concern regarding visual impacts on users of Pike Fold Golf Course. In response ([REP1-020] page 33), it is stated that an LVIA has looked at the landscape and visual impacts of the Scheme on users of Pike Fold Golf Course. Reference is then made to mitigation planting detailed in ES Figure 2.3 [APP-057] where in year 15, the landscape character and visual amenity impacts of the Scheme would be slight adverse, not significant.</p> <p>However, ES Chapter 7 [APP-046] paragraph 7.5.2 acknowledges that the change in views from within Pike Fold Golf Course has been assessed from two locations outside its boundary and there are certain locations where effects might be higher due to closer proximity or less noticeable due to distance to the scheme or intervening vegetation. Paragraph 7.5.1 advises that professional judgement has been used to assess effects from Pike Fold Golf Course.</p> <ol style="list-style-type: none"> <li>1. Explain whether any on-site fieldwork within the golf course has been undertaken to corroborate the findings in the ES and confirm whether any discussions with or requests to the operators/owners of Pike Fold Golf Course took place to arrange for necessary access to undertake such activities.</li> <li>2. To what extent can the ExA and ultimately the SoS be confident of the accuracy of the findings in the absence of a detailed assessment of visual effects from within this receptor?</li> </ol>
LV.1.5	Applicant	<p><b>Visual Effects at Warwick Avenue / Barnard Avenue</b></p> <p>Noting that very large adverse effects would be experienced during construction, and moderate adverse effects at operation year 1, provide photomontages for Year 1 and Year 15 from Viewpoint 27.</p>

ExQ1	Question to:	Question
		<i>Recognising that additional time may be required to produce a new photomontage, please submit this information at Deadline 4.</i>
LV.1.6	Applicant	<p><b>Viewpoint PM01</b></p> <p>The photomontage from Viewpoint PM01 [APP-067] contains a wooden pole which obscures the view of Pike Fold Bridge and part of the proposed golf netting. Please submit a revised photomontage microsited from this location avoiding features which obscure the view. <i>Recognising that additional time may be required to produce a new photomontage, please submit this information at Deadline 4.</i></p>
LV.1.7		<p><b>Visual Effects from Boz Park Public Open Space</b></p> <p>Visual effects from this receptor are assessed in viewpoints 12 and 13 in [APP-085] where ‘moderate adverse’ visual effects are identified at viewpoint 12 and ‘slight adverse’ effects at viewpoint 13 during construction and operation year 1. During site inspections [EV8-001], the ExA observed that the footpath through the park traversed over an area of raised ground situated to the north-east of the basketball court where open views towards Junction 18 was possible. The raised ground is apparent in the centre of representative viewpoint 13 [APP-064].</p> <p>Explain why this location has not formed part of the visual assessment from this receptor and provide an assessment of the visual effects from this position that would be experienced from the proposed development, accompanied by a representative viewpoint photograph.</p> <p><i>Recognising that additional time may be required to produce photography, please submit this information at Deadline 4.</i></p>
LV.1.8	Applicant	<p><b>Photomontages – General</b></p> <p>Explain why photomontages from summer at year 15 have been produced but not winter. In the absence of a winter photomontage, explain how the year 15 photomontages illustrate a worst-case scenario of residual effects given that ES Chapter 7 [APP-046] paragraph 7.10.38 states “<i>Without leaf cover during the winter months of Year 15 there are likely to be some remaining views of the Scheme and moving traffic. However, the structure of mitigation planting would provide some filtering to reduce views of the road and moving traffic</i>”?</p>
LV.1.9	Applicant	<p><b>Photomontages – Illustration of Trees</b></p> <ol style="list-style-type: none"> <li>Do the photomontages in [APP-067] at years 1 and 15 illustrate any existing trees that are proposed to be removed or have these been removed from the visuals? If they remain, provide annotations of those trees that are to be removed and explain how an accurate representation of the visual effects is possible.</li> </ol>

ExQ1	Question to:	Question
		2. [APP-082] paragraph 1.3.33 states that in year 15, woodland and individual trees would be 6-8m tall and shrubs with intermittent trees would be 4-8m tall. Explain whether the photomontages in [APP-067] for year 15 accurately represent this.
LV.1.10	Applicant	<p><b>Landscape and Visual Effects of Golf Ball Netting (Work No. 40)</b></p> <p>Whilst the general principle of installing the golf ball netting is understood, noting that it would be apparent from a number of viewpoints at operation year 15 (eg VPs 3, 6, 7/PM01,12 and 14) explain what evidence exists, and whether any assessments have been undertaken, to demonstrate that this feature, and its proposed extent (ie length and height) is necessary.</p>
LV.1.11	Applicant	<p><b>Heaton Park RPG</b></p> <ol style="list-style-type: none"> <li>ES Chapter 7 [APP-046] paragraph 7.7.17 refers to guidelines within the GMLCSA which seeks to ensure that any new development respects the character and historic qualities of RPGs (Heaton Park) and their settings. Explain further how the proposed development has achieved this.</li> <li>Noting that ES Chapter 7 [APP-046] paragraph 7.7.26 comments “<i>Elevated areas within Heaton Park allow views to the M60, although woodland within Heaton Park and along the highway boundary provides a high level of screening</i>” and paragraph 7.7.29 identifies visitors to Heaton Park as a visual receptor, explain why the Schedule of Visual Effects [APP-085] has not included an assessment of effects from within this receptor nor a representative viewpoint to allow the additional visual intrusion described in ES Chapter 6 to be more easily understood.</li> </ol>
LV.1.12	BMBC	<p><b>Suitability of mitigation</b></p> <p>Are you satisfied with the suitability of the proposed mitigation measures to minimise and reduce significant landscape and visual effects? If so, explain why you consider the requirements of paragraphs 5.159-5.161 of NPSNN 2015 and 5.144-5.168 of NNNPS 2024, and any relevant development plan policies, has been met. If not, explain why not and what other measures should be included.</p> <p>It is considered that the design, mitigation and enhancement measures outlined in Chapter 7.9 of the ES, including but not limited to the landscaping regime of hedgerow planting, creation of ponds, and tree re-planting is suitable as far as possible, while maintaining the operational requirements of the scheme. Whilst it is noted that some re-planting cannot take place and therefore the visual impact would remain in year 15 for residents of Warwick Close, Kenliworth Avenue and Barnard Avenue, the overall effect of the mitigation measures by year 15 would integrate the development back into the landscape</p>

ExQ1	Question to:	Question
		<p>as far as possible and is acceptable. Significant effects would remain at only one representative viewpoint (VP28) out of the 29 representative viewpoints assessed. This is in accordance Paragraph 5.164 of the NNNPS 2024, which states that the project should be designed, and the scale minimised, to avoid or where unavoidable, mitigate the visual and landscape effects, during construction and operation, so far as is possible while maintaining the operational requirements of the scheme. Paragraph 5.166 clarifies that adverse impacts can be minimised by landscaping schemes to soften the built form. Paragraph 5.159 and 5.160 of NPSNN 2015 are not materially different in this respect.</p> <p>Additionally, as referred to in the response to LV.1.1(2), it is considered that the proposal takes account of the findings of the GMLSCA and that the measures proposed in Chapter 7 of the ES and demonstrated in the Environmental Masterplan are in accordance with the guidance for each of the character area profiles. As such, the proposal is considered to be in accordance with the relevant development plan policy related to landscape and visual effects (PfE JP-G1).</p>
Material Assets and Waste		
MAW .1.1	Applicant	<p><b>Clarification</b></p> <p>Figure 10.1 [APP-070] is unclear due to the thickness of the lines indicating the Scheme outline and Order Limits. Please supply a clearer version.</p>
MAW .1.2	Applicant	<p><b>Quantities</b></p> <p>APP-049 para 10.5.7 states “<i>The quantities of material assets and waste predicted for the Scheme and used in this assessment comprise preliminary estimates consistent with the preliminary design information. Given that the estimated material required, and waste generated, may change between this assessment and eventual construction, a 15% uplift has been applied to all quantities</i>”. Explain how the 15% figure has been determined. Does the figure of 15% take account of the limits of deviation or is it on top of those worse case values? Explain how using 15% would represent a reasonable worse case.</p>
MAW .1.3	Applicant and BMBC	<p><b>Locally Sourced Materials</b></p> <p><b>Applicant:</b> APP-049 para 10.6.5 states “<i>It would be the Principal Contractor’s responsibility to source materials and manage waste during the construction of the Scheme. Typically they would look to use local (sub-regional) material sources and waste infrastructure wherever practicable to reduce the environmental impact and cost of transport, and support the economic well-being of the local communities</i>”. Detail what surveys or other investigations have been completed to determine if the use of locally sourced materials and waste infrastructure would be achievable. What amount of materials</p>

ExQ1	Question to:	Question
		<p>(percentage of total materials) are anticipated to be locally sourced and what amount of waste (percentage of total) are estimated to be processed by local waste infrastructure?</p> <p><b>BMBC:</b> Provide comment on whether you consider the commitment to use locally sourced materials and waste infrastructure wherever practicable would be achievable. If so, explain why.</p> <p><b>BMBC is unable to comment on whether such a commitment would be achievable.</b></p> <p><b>However, the Applicant will address this in their submission to ExQ1.</b></p>
MAW .1.4	Applicant and BMBC	<p><b>Circular Approach</b></p> <p><b>Applicant:</b> [APP-049] paragraph 10.7.6 states “<i>This is also supported by National Highways’ Sustainable Development Strategy and Action Plan (Highways England, 2017), which confirms that its key ambition covering manufactured capital is to push towards a ‘circular’ approach to the management of its resources; reduce its demand for primary resources extracted from the ground; and maximise the reuse of the resources already in use on the network. This focus on circularity is continued in the more recently published Environmental Sustainability Strategy (National Highways, 2023).</i>” Detail what surveys or other investigations have been completed to determine if a ‘circular’ approach would be achievable for this Scheme.</p> <p><b>BMBC:</b> Provide comment on whether you consider the use a ‘circular’ approach would be achievable for this Scheme. If so, explain why.</p> <p><b>BMBC is unable to comment on whether the use of a ‘circular’ approach would be achievable.</b></p> <p><b>However, the Applicant will address this in their submission to ExQ1.</b></p>
MAW .1.5	BMBC	<p><b>Mineral Safeguarding Areas and Peat Resources</b></p> <p>The LIR [REP1A-001] paragraph 3.57 states “<i>This matter is considered in paragraph 6.20.8 of The Case for the Scheme (Document ref: APP-146) which states that although the Order Limits include areas safeguarded for Minerals Safeguarding Areas, notwithstanding this, both mineral safeguarding sites and peat resources have been scoped out of this assessment on the basis that they are not resources that could be worked/extracted.</i>”</p>

ExQ1	Question to:	Question
		<p>Do you agree with the Applicant that MSA's and peat resources can be scoped out of the assessment?</p> <p><b>BMBC agree with the Applicant.</b></p>
MAW .1.6	Applicant	<p><b>Waste Management</b></p> <p>The NNNPS 2024 (which is an important and relevant document) within paragraph 5.71 states “...<i>Consideration should be given to circular economy principles wherever practicable, for example by using longer lasting materials efficiently...</i>”</p> <p>Explain how the requirement to use longer lasting materials efficiently has been addressed in the assessment.</p>
MAW .1.7	Applicant	<p><b>Waste Management</b></p> <p>[APP-049] describes the waste types likely to be generated by the Scheme and supplies forecast future landfill capacities for Greater Manchester and the north-west.</p> <ol style="list-style-type: none"> <li>1. Provide detail of the anticipated amounts of each waste type likely to be generated (in tonnes).</li> <li>2. Detail where this waste would be taken (distance from the Scheme) and what percentage of the forecasted available landfill capacity at each landfill site would be utilised if the Proposed Development was constructed.</li> <li>3. Confirm if you have consulted on the above with the appropriate authorities.</li> </ol>
MAW .1.8	Applicant	<p><b>Mass Haul Balance</b></p> <p>The Applicant's initial assessment of mass haul volumes for earthworks shows a net fill requirement of approximately 220,000 cubic metres (m<sup>3</sup>) to construct the new highway embankments and widenings. This volume excludes ponds which are expected to generate up to 40,000m<sup>3</sup> of arisings ([APP-049], paragraph 10.8.5).</p> <ol style="list-style-type: none"> <li>1. Provide more detail as to the amount and location (distances from the Scheme) it is proposed that suitable material will be sourced to satisfy the Scheme's estimated fill requirement.</li> <li>2. Explain how vehicle movements associated with hauling materials has been included in the assessment or signpost to where in the application documents this is covered.</li> </ol>
<b>Need</b>		
NE.1.1	Applicant	<b>Base Year</b>

ExQ1	Question to:	Question
		The Case for the Scheme [APP-146] paragraph 5.1.6 explains that to enable comparisons to be made between costs they need to be adjusted to a common base year. The year 2010 has been used for this purpose. Explain why it is appropriate to use 2010 rather than a more recent year.
NE.1.2	Applicant	<p><b>Addressing Capacity Constraints</b></p> <p>The Case for the Scheme [APP-146] paragraph 1.2.7 states “<i>If the capacity constraints on the northern section of the M60/M62 are not addressed, its impact on the wider transport network in the north could hold back growth across the region</i>”. Explain further how growth could be held back, including any practical examples, and any evidence that exists to support this assertion.</p>
NE.1.3	BMBC	<p><b>Boosting Northern Competitiveness</b></p> <p>The LIR [REP1A-001], paragraph 3.9 states “<i>It is considered that improvements to the SRN at Simister Island will support PfE’s growth objectives for the North East Growth Corridor and the wider Northern Areas</i>”. Can the council elaborate further on why and how it considers the proposed scheme would support PFE’s growth objectives and the wider Northern Areas?</p> <p>Greater Manchester benefits from a strategic location on the national motorway network, but some stretches of the city-region’s Strategic Road Network (SRN) are congested and unreliable. The SRN will be required to perform the function of facilitating the safe and efficient movement of people and goods and to ensure that Greater Manchester operates in an effective and efficient manner and fully fulfils its potential to deliver sustainable economic growth.</p> <p>Over recent years, the northern areas of Greater Manchester, namely Bolton, Bury, Oldham, Rochdale, Tameside, Wigan, and west Salford, have seen relatively low levels of growth overall compared to other parts of the city region, and this is forecast to continue. If current trends continue, then disparities between the northern and southern areas will increase, and this would be harmful not only to the prospects for the north, but also to those of Greater Manchester. Consequently, a key objective of the PFE is to rebalance the Greater Manchester economy by significantly boosting the economic competitiveness and output from the northern areas.</p> <p>The most significant proposed intervention in the northern areas is focused on the M62 corridor from Junction 18 (Simister Island) to Junction 21 (Milnrow), extending across parts of Bury, Rochdale and Oldham. This area is referred to as the North East Growth Corridor and the potential for this location to deliver transformative change has led to the formal designation of the Atom Valley Mayoral Development Zone (MDZ) covering the three key areas for growth at the Northern Gateway, Stakehill and Kingsway Business Park.</p>

ExQ1	Question to:	Question
		A key objective of the Northern Loop proposal is to address the current problem of congestion, which causes slow and unreliable journeys and reduces economic efficiency in the North East Growth Corridor area. In doing so, it will enable more effective and efficient movement of people and goods through and within the North East Growth Corridor area, making the area more attractive for investment and improving the economic efficiency of existing and new businesses within the Growth Corridor.
NE.1.4	Applicant	<p><b>Economic Case</b></p> <p>The Case for the Scheme [APP-146], paragraph 5.3.5 states “<i>The Scheme will also lead to an increase in the tax revenues received by the Government over the 60 year appraisal timeframe, primarily due to an increase in fuel consumption as more vehicles move at a faster speed (based on traffic model predictions). This gives a monetised benefit of £7.6 million</i>”. Provide evidence to support this statement, particularly if more vehicles become electric over the 60 year appraisal timeframe.</p>
NE.1.5	Applicant	<p><b>Journey Times for Right Turn Movements at Junction 18</b></p> <p>Figure 4.5 in [APP-146] shows the M62 westbound to M66 northbound and the M66 southbound to M60 westbound experiences the largest delays for right turn movements compared with off peak travel times. Of all the right turn options, M60 eastbound to M60 southbound experiences the smallest delay. Does this undermine the case for the proposed Northern Loop option? If not, why?</p>
NE.1.6	Applicant	<p><b>Journey Times for Through Junction Movements</b></p> <p>Figure 4.6 in [APP-146] shows the largest delay for through junction movements would be westbound M62 Junction 19 to M60 Junction 17. Paragraph 4.4.12 of [APP-146] states through movements eastbound from M60 Junction 17 to M62 Junction 19 generally show minimal delay in the AM peak and a slightly higher delay in the PM peak of around 1.5 minutes. Does this undermine the case for widening the M60 eastbound between Junctions 17 and 18? If not, why?</p>
<b>Noise and Vibration</b>		
NV.1.1	Applicant	<p><b>OFH</b></p> <p>Respond to the concerns raised by Mr Peake at the OFH1 in relation to noise and vibration.</p>
NV.1.2	Applicant	<p><b>Operational Vibration</b></p>



ExQ1	Question to:	Question
		The condition of the road surface is a significant factor in determining the likelihood of ground-borne vibration impacts. Ground-borne vibration is scoped out of the assessment as it is assumed that the new road surface will be adequately maintained to be free of irregularities over the long-term assessment period. Is the maintenance regime secured to ensure that ground-borne noise would not become a problem over the lifetime of the Proposed Development?
NV.1.3	Applicant	<p><b>Construction Noise</b></p> <p>ES Chapter 11 [APP-050] paragraph 11.8.7 states <i>“For the times of operation of the construction works themselves, activity time has been assumed to be 75% during each shift, allowing for breaks.”</i></p> <ol style="list-style-type: none"> <li>1. Please clarify if ‘activity time’ would include all the activities listed in Appendix 11.4 [APP-112]? If not, signpost to where in the application documents this is detailed.</li> <li>2. Explain how the figure of 75% has been determined and why it is considered reasonable. In your explanation of determining reasonable please provide the activity times (percentages) from other recent similar schemes for both summer and winter months.</li> </ol>
NV.1.4	Applicant	<p><b>Clarification</b></p> <p>ES Chapter 11 [APP-050] paragraph 11.8.10 states <i>“Working areas and construction activities for each phase, identifying the potential daytime construction impacts, are given in Tables 11.19 and 11.20. This excludes phase T as the works in this phase will be carried out only during the night-time.”</i> Clarify what is ‘phase T’ or signpost to where in the application this is explained.</p>
NV.1.5	Applicant	<p><b>Construction Noise at Night</b></p> <p>ES Chapter 11 [APP-050] paragraph 11.8.27 states <i>“DMRB LA 111 states that the use of any diversion route during night-time hours (23:00 to 07:00 hours) would be considered as a Major magnitude impact. This would be a significant effect if these occur for 10 or more nights in any consecutive 15 nights, or a total of more than 40 nights in any consecutive six-month period.”</i></p> <ol style="list-style-type: none"> <li>1. How likely is it that these time periods would be reached/exceeded and why?</li> <li>2. Which receptors would likely be affected if these levels were reached and what measures are proposed to prevent them being reached?</li> <li>3. What measures are proposed to be implemented prior to night-time working commencing to predict which receptors are likely to be affected?</li> </ol>

ExQ1	Question to:	Question
		4. What measures would be taken if the levels were predicted to be exceeded and how would these be secured within the DCO?
NV.1.6	Applicant	<p><b>Construction Noise at Night</b></p> <p>[REP1A-001] states “<i>The Applicant expects that some of the work will be carried out during night-time closures and weekend work, however during the noisiest phases of night-time working, the Applicant will aim to reduce adverse impacts to the shortest duration possible</i>”.</p> <ol style="list-style-type: none"> <li>1. Define what is meant by ‘shortest possible duration’.</li> <li>2. Explain what measures are proposed to ensure adverse impacts would be reduced to the shortest duration, or signpost to where this is covered in the application documents.</li> </ol>
NV.1.7	Applicant	<p><b>Construction Noise at Night</b></p> <p>[APP-146] Case for the scheme, paragraph 1.5.4 states “<i>Night time working is required for construction to maintain the operation of the motorway and for the safety of workers. Additional potential mitigation is being investigated to reduce these impacts and the Principal Contractor will work closely with the community to develop this further.</i>” Detail what ‘<i>additional potential mitigation</i>’ is proposed and how this would be secured within the DCO.</p>
NV.1.8	Applicant	<p><b>Noise Mitigation</b></p> <p>Existing noise barriers (which are to be retained) are shown in Figure 11.1a [APP-071]. Are any new locations for noise barriers (in addition to those existing) proposed? If not, why not.</p>
NV.1.9	Applicant	<p><b>Noise Mitigation</b></p> <p>[REP1-020] states “<i>As the installation of low noise road surface with better performance than a conventional low noise road surface is predicted to reduce road traffic noise levels with no resulting significant adverse effects additional mitigation is not considered necessary.</i>” ES Chapter 11 paragraph 11.10.33 explains resurfacing with better noise reducing properties than a conventional low noise surfacing (LNS) would only provide beneficial effects in the short term due to gradual increases in traffic growth over the time period, and an assumed reduction in performance of low noise road surfaces. Considering this, has the installation of environmental barriers or bunds to provide beneficial effects on noise over the long term been considered? If not, why not?</p>
NV.1.10	Applicant	<p><b>Noise Mitigation</b></p> <p>Chapter 11 of the ES [APP-050] states that surfacing with better noise reducing properties than conventional LNS will be implemented. Please provide a plan to indicate the extent of the various types of new surfacing proposed including any</p>

ExQ1: Tuesday 22 October 2024

Responses due by Deadline 3: Tuesday 5 November 2024

ExQ1	Question to:	Question
		surfacing of the existing highway network to be undertaken out with the application boundary. Please also explain what maintenance policies exist to ensure that future resurfacing would include low and very low-noise surfacing as an ongoing requirement and how this would be secured within the DCO.
NV.1.11	Applicant	<p><b>Noise Mitigation</b></p> <p>[APP-050] ES Chapter 11 paragraph 11.9.7 states that whilst providing a road surface with better noise reducing properties than a conventional LNS is required as essential mitigation for sensitive receptors where potential significant effects are likely, it would also provide road traffic noise reduction for other receptors within the study area. The Applicant therefore concluded that this would constitute an enhancement. How many receptors within the study area would benefit from this enhancement?</p>
NV.1.12	Applicant	<p><b>Noise Insulation Regulations (NIR)</b></p> <p>[APP-050] ES Chapter 11 paragraph 11.10.37 states “An initial assessment of possible eligibility for Part 2 of the NIR has identified that there are no dwellings where the road traffic noise criteria for eligibility for the provision of noise insulation would be met.” Detail how and when this initial assessment of possible eligibility for Part 2 of the NIR was undertaken.</p>
NV.1.13	Applicant	<p><b>Design Parameters</b></p> <p>Confirm whether the design parameters of the Proposed Development inputted into the noise model also make allowance for the proposed vertical limits of deviation sought within the dDCO or signpost to where in the application documents this is covered.</p>
Population and Human Health		
PHH.1.1	Applicant	<p><b>Public Rights of Way (PRoW)</b></p> <p>Table 12.15 of Chapter 12 of the ES [APP-051] details existing PRoW and other pedestrian and cycle routes in the study area. Please provide details regarding frequency of use for each of these routes and explain what surveys, if any, were undertaken and detail any other supporting data that was used to establish the information in Table 12.15.</p>
PHH.1.2	BMBC	<p><b>PRoW</b></p> <p>Have there been any applications to revise the status (eg closure, diversion etc) of any PRoW that may be affected by the Proposed Development? For example, 28aPRE, 29aPRE and 7WHI.</p>

ExQ1	Question to:	Question
		<p>Three applications for Definitive Map Modification Orders to change the status of public footpaths to bridleway has been submitted to the Highway Authority. The relevant routes are –                      89BUR, 6WHI, part of 9WHI and 8 WHI                      50PRE, 46WHI, part of 9WHI and 8WHI                      12WHI (Pole Lane)</p> <p>The Highway Authority is processing the diversion of part of 6WHI at Brick House Farm and for 89BUR and 6WHI to be upgraded to bridleway status, with the agreement of the landowner.</p>
PHH. 1.3	BMBC and Unsworth Academy	<p><b>PRoW</b>                      Please confirm if footpath 7WHI, which is proposed to be diverted by the Scheme, is the same footpath which connects the school to the playing fields on the east side of the M66 via an underpass. Is the footpath through the underpass a PRoW?</p> <p>It is recorded as the same public footpath. The footpath through the underpass is recorded as a PROW with footpath status.</p>
PHH. 1.4	Applicant	<p><b>PRoW</b></p> <p>Please respond to the concerns raised by Mr Heaney in his OFH1 oral submission in relation to Mode Hill Lane and Pole Lane.</p>
PHH. 1.5	BMBC and Parrenthorn High School	<p><b>Permissive Path</b></p> <p>The Haweswater aqueduct underpass permissive path has been identified by the Applicant as the most direct route of access to Parrenthorn High School from the residential area to the north of the M60. Safety concerns have been raised through the relevant representations regarding both those using the path and with respect to the general condition of the underpass which the representations state encourages antisocial behaviour. Do you have any safety concerns related to the use of this permissive path or the underpass in general? If yes, please detail these concerns and explain, with reference to any policy support that may exist, whether upgrade to the permissive path under the motorway should be included as part of the proposed development.</p> <p>The Haweswater aqueduct underpass permissive path falls outside of the scope of the Scheme (because improvements to the underpass are not necessary to deliver the DCO Scheme). This is an agreed matter between the Applicant and BMBC at ref. 41 of the Statement of Common Ground (REP2-006).</p>

ExQ1	Question to:	Question
		<p>BMBC does have safety concerns in general. The route offers an alternative route away from busy trafficked roads and improvements could be made to surfacing, lighting and surveillance, which could make the route safer for pedestrians, many of whom are school children.</p> <p>PfE Policy JP-C5 – Streets for All, would support and justify the upgrade of the permissive path, as it seeks to ensure that (c) new and improved walking and cycling routes are delivered as part of the delivery of an integrated sustainable transport network; and (d) Maximising the ability of pedestrians and cyclists to navigate easily, safely and without delay, and minimising barriers and obstacles to their movement.</p>
PHH. 1.6	Applicant	<p><b>Permissive Path</b></p> <p>In response to [RR-057] the Applicant states <i>“The Applicant confirms that the enhancement of existing facilities such as the improvement of the Haweswater Underpass permissive path is not within the scope of the Scheme”</i> [REP1-020]. Paragraph 5.184 of the NPSNN states that Applicants should consider what opportunities there may be to improve access where appropriate. Explain why improvement to the Haweswater permissive path is not considered within the scope of this Scheme.</p>
PHH. 1.7	Applicant	<p><b>Mitigation - Enhancement</b></p> <p>Chapter 12 [APP-051] sections 12.9 and 12.17 are titled design, mitigation and enhancement measures. No measures are specifically identified as ‘enhancement’ within these sections. Does the Scheme propose any enhancement measures in respect of land use and accessibility and/or human health? If yes, detail the measures proposed and signpost to where in the application documents they are described and how they would be secured.</p>
Road Drainage and Water Environment		
RDW E.1.1	BMBC	<p><b>Flooding</b></p> <p>[RR-039] raises a concern about the flooding of a field adjacent to Parrenthorn Road. As the lead flooding authority for this area are you aware of this issue? If there is a current flooding issue, are you concerned that the Scheme may exacerbate this?</p> <p>It is understood that the flooding issues in this area relate to blockages nearer to the road. Although there is a potential to impact this area, the overall impact of the scheme will be to divert more flows towards better attenuation provision. As the final detailed design of the scheme is not yet completed, all drainage should still be considered as outline at this stage and</p>

ExQ1	Question to:	Question
		adjustments can be agreed prior to commencement if considered appropriate, as covered by Requirements 4 and 8 of the draft DCO, which relate surface and groundwater management, and surface and foul water drainage.
RDW E.1.2	BMBC	<p><b>Flooding</b></p> <p>[APP-052] ES Chapter 13 paragraph 13.11.10 states in relation to flood risk that “No monitoring would be required during the construction or operation phase as it would be highly unlikely that significant flooding would occur.” Do you have any concerns regarding the lack of monitoring in relation to flooding? If no explain why and if yes, please detail what measures/monitoring you consider should be included.</p> <p>Once detailed design of the scheme is completed it may highlight a localised need for monitoring in relation to specific flooding concerns, particularly during the construction phase.</p> <p>Requirements 4 and 8 of the draft DCO, which relate surface and groundwater management, and surface and foul water drainage will pertain.</p>
RDW E.1.3	Applicant	<p><b>Watercourse Protection</b></p> <p>In the SoCG the Environment Agency [REP1-018] requested that any temporary soil bunds within 10m of a watercourse (which would remain for several weeks) be seeded to minimise risk of erosion and siltation of the nearby watercourse. The Applicant has revised the REAC to include this provision in commitment W9 [REP1-010]. [REP1-014] Appendix F: Outline Soil Management Plan F.9.7 does not include any reference to this seeding requirement and states that stockpiles will be more than 10m away from any existing watercourse or drain. Should [REP1-014] Appendix F: Outline Soil Management Plan be amended to include commitment W9?</p>
RDW E.1.4	Applicant and BMBC	<p><b>SuDS (Sustainable Drainage System)</b></p> <p><b>Applicant:</b> The EA [REP1-018] have accepted that the Applicant will reword the Surface and Ground Water Management Plan of the second iteration EMP to incorporate H.9.2 which is a commitment to consideration of use of above ground SuDs as part of the temporary surface water drainage solution where feasible. Can this commitment be added to the first iteration EMP? If not, why not.</p>

ExQ1	Question to:	Question
		<p><b>BMBC:</b> Do you consider the commitment to only ‘consider’ the use of above ground SuDs as part of the temporary surface water drainage solution where feasible, rather than a commitment to ‘implement where feasible’ is sufficient? If no, detail what you would suggest would be an appropriate commitment.</p> <p>The applicant is committed to above ground attenuation for the permanent solution, but such a commitment would not be practical during construction as drainage may be subject to on-going changes to suit the construction stage. As, by definition, these are entirely temporary and would not form part of the final design, it would seem pointless placing additional constraints during the construction which may lead to logistical issues. It would undoubtedly be cost effective to utilise opportunities to implement the permanent SuDS scheme as part of the temporary solution where possible</p>
RDW E.1.5	BMBC	<p><b>SuDS</b></p> <ol style="list-style-type: none"> <li>Paragraph 3.15 of the LIR [REP1A-001] states “<i>PfE Policy JP-S4: Flood Risk and the Water Environment expects development to manage surface water runoff through sustainable drainage systems and as close to source as possible.</i>” Are you satisfied that the sustainable drainage systems proposed by the Applicant are as close to source as possible? <ul style="list-style-type: none"> <li>BMBC is satisfied that the scheme makes best endeavours to position the sustainable drainage systems as close to source as possible with the constraints of the scheme and associated land ownerships.</li> </ul> </li> <li>Paragraph 3.20 of the LIR [REP1A-001] states that BMBC consider that the scheme would comply with Policy JP-S4. Please supply further detail to explain why you consider the Scheme is compliant with Policy JP-S4. <ul style="list-style-type: none"> <li>PfE Policy JP-S4 states that “an integrated catchment-based approach will be taken to protect the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk, by various measures. These include:</li> <li>PfE Policy JP-S4 states that ‘An integrated catchment-based approach will be taken to protect the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk, by’ various measures. These include:</li> <li>(3) ‘Locating and designing development so as to minimise the impacts of current and future flood risk, including retrofitting or relocating existing developments, infrastructure and places to increase resilience to flooding;’</li> </ul> </li> </ol>

ExQ1	Question to:	Question
		<p>The Flood Risk Assessment (FRA) for the scheme demonstrates it is located in Flood Zone 1. Climate change has been considered as part of the assessment, with 0.1% (1 in 1000) Annual Exceedance Probability (AEP) event flood extents from surface water flood mapping used as part of the assessment. It is considered likely that the 0.1% (1 in 1000) AEP flood extents give a reasonable approximation of potential future 1% (1 in 100) AEP extents in a credible maximum climate change scenario.</p> <p>During operation, the Scheme would result in an increase in impermeable area due to the additional carriageway. Runoff from such areas would drain to new attenuation ponds that would restrict outflows to rates that do not increase flood risk (as detailed in the Drainage Strategy Report (Appendix 13.7 of the Environmental Statement Appendices (TR010064/APP/6.3)), therefore ensuring no increase to flood risk and no significant adverse effect. Paragraph 13.3 of the LIR confirms that the Council are satisfied with the principles outlined in this strategy.</p> <p>The FRA (Appendix 13.6 of the Environmental Statement Appendices (TR010064/APP/6.3)) demonstrates that the Scheme would not increase flood risk elsewhere and is appropriately flood resilient to increases in rainfall intensity, resulting from climate change. It would remain operational and safe for users in times of flood.</p> <p><i>(4) 'Expecting developments to manage surface water run-off through sustainable drainage systems and as close to source as possible. Development should achieve greenfield run-off rates unless it is demonstrated to be impracticable. District local plans should consider setting more detailed surface water drainage policies to reflect local circumstances, including alternative surface water discharge rates, such as in areas with critical drainage issues';</i></p> <p>Sustainable drainage scheme (SuDS) have been incorporated into the drainage design. Details of the SuDS measures included in the Scheme are included in the Drainage Strategy Report (Appendix 13.7 of the Environmental Statement Appendices (TR010064/APP/6.3)). Paragraph 13.3 of the LIR confirms that the Council is satisfied with the principles outlined in this strategy</p> <p><i>(5) 'Ensuring that sustainable drainage systems: i. Are designed to provide multifunctional benefits wherever possible, including for water quality, nature conservation and recreation; ii. Avoid adverse impacts on water quality and any possibility of discharging hazardous substances to ground; iii. Are delivered in a holistic and integrated manner, including on larger sites split into different phases; and iv. Are managed and maintained appropriately to ensure their proper functioning over the lifetime of the development';</i></p>




ExQ1	Quest ion to:	Question
		<p>Chapter 2, the Scheme of the ES (TR010064/APP/6.1) sets out the details of 4 attenuation ponds and the treatment ponds that will be provided as part of it. The five ponds are designed to be permanently wet to function as retention basins, providing water quality treatment and biodiversity benefits. Chapter 13 of the ES – Road Drainage and the Water Environment (Ref REP1-027), paragraph 13.5.2 states that all SuDS and drainage networks would be fully maintained and managed as per standard National Highways guidance and practice, in accordance with the SuDS Manual C753 (CIRIA 2015a). The Lead Local Flood Authority (LLFA) are satisfied that the ponds will not have an adverse impact on water quality and will be delivered in an integrated manner.</p> <p><i>(6) 'Securing the remediation of contaminated land and the careful design of developments to minimise the potential for urban diffuse pollution to affect the water environment'.</i></p> <p>Chapter 13 of the ES – Road Drainage and the Water Environment (Ref REP1-027), paragraph 3.19 describes the mitigation measures which have been identified to reduce impacts on the water environment from pollution, for example pollution from maintenance activities during the operational phases.</p> <p>Given the above, it is considered that the Scheme would be compliant with Policy JP-S4.</p>
RDW E.1.6	Applicant	<p><b>Maintenance</b></p> <p>Detail what the maintenance programme would comprise for the proposed attenuation ponds. Include estimated timescales for any maintenance works and what the work would involve.</p>
RDW E.1.7	Applicant	<p><b>Clarification</b></p> <p>[APP-135] H.5.3 and H.7.5 appear to be missing text. Please review this document and supply a corrected version.</p>
RDW E.1.8	Applicant	<p><b>Private Water Supplies</b></p> <p>ES Chapter 13, Section 13.5 [REP1-027] notes limitations regarding the identification of private water supplies. Can the Applicant confirm whether they are planning on undertaking further correspondence with landowners and users of potential private water supplies given the limited response to the questionnaires.</p>
<b>Traffic, Transport and Access</b>		
TTA. 1.1	BMBC	<b>Transport Modelling</b>

ExQ1	Question to:	Question
		<p>Are you satisfied with the transport modelling and the results of the traffic assessment as supplied in [APP-149]? In particular, do you have any concerns that the proposed scheme is predicted to cause an increase in traffic on the local road network ([APP-149] paragraphs 4.2.10 to 4.2.16)?</p> <p>BMBC is satisfied.                      Overall effects of the scheme on the local highway network would be minimal, with the Scheme resulting in more traffic remaining on the SRN network, rather than diverting off it to avoid congestion. With regards to specific issues raised by the traffic modelling                      4.2.10 references increased traffic on A56 Southbound. This would be a consequence of traffic rerouting onto a major classified route from minor local roads. The A56 is the preferred route for this traffic rather than more local roads.                      4.2.12 references 'noticeable reductions in through movements on the north/ south A56 corridor' this is welcomed by BMBC.                      4.2.16 references '...net effect...on performance of the M60 J17 roundabout is largely neutral...' this is appropriate to BMBC.</p>
TTA. 1.2	Applicant	<p><b>Construction Workers</b></p> <p>[REP1-020] states "The Applicant acknowledges that the operation of a temporary site compound during the construction phase will increase traffic on Mode Hill Lane." How many workers is it envisaged would be using the main site compound off Mode Hill Lane? Provide an estimation of the number of associated vehicle movements throughout the various construction phases. Describe any proposed measures aimed at reduced disruption caused by vehicles accessing the main site compound, or signpost to where in the application documents this information is detailed.</p>
TTA. 1.3	BMBC	<p><b>Construction Workers</b></p> <p>Relevant representation [RR-035] raises concern regarding the poor condition of Mode Hill Lane. Are you satisfied that Mode Hill Lane, in its current state of repair, would be suitable for use by construction workers to access the main construction compound? If not, what measures do you consider would be required to be undertaken to ensure that it would be suitable?</p> <p>Mode Hill Lane is adopted up to 55/72 Mode Hill Road. After this point (to the east), the highway is not adopted by BMBC as local Highway Authority.</p>

ExQ1: Tuesday 22 October 2024

Responses due by Deadline 3: Tuesday 5 November 2024

ExQ1	Question to:	Question
		 <p>The adopted length of Mode Hill Lane is in a condition for all traffic that may reasonably be expected to use it. The remaining length of Mode Hill Lane, which would be used to access the Scheme during construction and for future maintenance purposes, would be the subject of separate discussions between National Highways and the landowners responsible for this highways maintenance.</p>
TTA. 1.4	Applicant	<p><b>Construction Traffic</b></p> <p>Explain how the impact of construction traffic (including construction workers accessing site compounds) on the local road network has been assessed, or signpost to where in the application documents this is addressed.</p>
TTA. 1.5	Applicant	<p><b>Construction – Impact on Public Transport</b></p> <p>Is it anticipated that there will be disruption to public transport during the construction phase? If yes, explain the estimated extent of the disruption and describe what would be proposed to minimise it or signpost to where in the application documents this is covered.</p>
TTA. 1.6	Applicant	<p><b>Safety</b></p>

ExQ1: Tuesday 22 October 2024

Responses due by Deadline 3: Tuesday 5 November 2024

ExQ1	Question to:	Question
		Respond to the concerns raised by Mr Peake at the OFH1 with respect to safety of the operation motorway once it moves closer to residential properties.
TTA. 1.7	Applicant and BMBC	<p><b>Safety - PRoW</b></p> <p><b>Applicant:</b> ProW (9WHI) currently runs parallel to the M66 southbound carriageway. It is proposed that this PRoW would be diverted (moved sideways) to accommodate the proposed increased width of the M66. Please supply the Stage 1 Road Safety Audit for this footpath/location and accompanying response from the local highway authority.</p> <p><b>BMBC:</b> Do you have any concerns over the location of the proposed diverted PRoW 9WHI in relation to its proximity to the M66 carriageway?</p> <p><b>BMBC has no concerns.</b></p>
TTA. 1.8	Applicant	<p><b>Access</b></p> <p>Explain how parking, access (vehicular and pedestrian) for residents, businesses and emergency services would be managed and maintained during construction where the Order Limits run along or across the end of an existing road. If this information has been provided, signpost where in the Application documents it can be found. Make particular reference to the arrangements for Balmoral Avenue, Kenilworth Avenue, Warwick Close, Barnard Avenue and Warwick Avenue.</p>
TTA. 1.9	Applicant	<p><b>Access</b></p> <p>Section 3.22 of NPSNN states that new developments should “<i>seek to deliver improvements that reduce community severance and improve accessibility</i>”. Demonstrate the extent to which the Proposed Development has sought to address the NPSNN objectives.</p>