



## Hearing Transcript

<b>Project:</b>	M60/M62/M66 Simister Island
<b>Hearing:</b>	Issue Specific Hearing 2 (ISH2) – Session 2
<b>Date:</b>	27 November 2024

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# TRANSCRIPT\_M60SIMISTERISLAND\_ISH2\_SESSION2\_26112024

Wed, Nov 27, 2024 6:14PM • 1:03:44

00:05

Thank you. The tyrant is now resumed. Can I just check that the live stream has commenced?

00:19

Okay? Thank you. And can everyone still hear me clearly? Great. Okay, so now we're going to move on to Item five. So population and human health. Can we start by looking at table 12.28 that's in ES chapter 12. A, P, P, 051, it might be helpful to have that on the screen. If you can, I'm basically going to ask the applicant to talk me through how the significant matrix was created and why the ratings given in it are considered appropriate. It might also be helpful if you were able to show the dmr, la, 104, table, 3.8 point one, and the Aima guidelines table 7.3 from which this table is derived, if you have access to those.

01:09

Thank you. Richard thuring, on behalf of the applicant, I'm going to introduce Miss Wade, who's the population human health lead, and she's online so and I can see the coming onto the screen now, so if I hand over to Miss Wade, and she'll be able to assist you with those points.

01:30

Thank you, Miss Wade.

01:33

Hello, yep. Are you showing the the tables? Not? Okay? It's okay. You

01:48

should be able to see as soon as we can in the room. Okay. Can

02:03

if I give like a little bit of background, so the standard for assessing population and human health for national highway schemes is set by dmr, la, 112, and that basically has two it almost covers two aspects, one aspect being land use and accessibility, and the other aspect being human health. And for this, when we reported this in the environmental statement, for this, this scheme, we actually presented the two aspects in their separate sections because they are sort of covering, yeah, quite different matters. La, 112 does not provide significance criteria for human health. And at the time of the scoping, which I think was back in 2021 there was no formal guidance on how to assess significance for human health in environmental impact assessment, and in our scoping report, we set out that we would follow

DMR be LA, 112, which only requires like the standard for reporting health outcomes in that just uses the terms neutral, positive, negative and uncertain. However, in its scoping opinion on behalf of the Secretary of State, it was pointed out that that that was not considered sufficient in light of the environmental impact assessment regulations, which require a judgment of significance to be made. And so I think in the scoping opinion, it said that we need to set out in the environmental statement the methodology for assigning significance and to report significance of effects. When we came to do the actual assessment, practice has moved on, or the guidelines has moved on a little bit insofar as the Institute of Environmental Management and assessment, or IEMA, as I tend to refer to it, as had produced the guide to determining significance for human health in environmental impact assessment, which is what you can see on your screens there, and this provides guidance for how to assign significance and the types of considerations to make for human health. It's quite a. A multi faceted, I think, is the term to use, because we consider a lot of things, such as policy, the strength of the scientific literature, the actual scale or magnitude of exposure to an impact issues around public concern. So there's a number of considerations that come into play, if you can just scroll up to table 7.3 in that guidance. Yep. So that provides a generic significance matrix. So what we were faced with when developing the approach to this assessment was balancing with following the dmr standard whilst incorporating significance. And the decision that we made was in light of paragraph, I think it's 7.1 Yeah. Paragraph 7.1, of that IEMA guidance states that the approach to significance may be adapted depending on the generic EIA sensitivity and magnitude matrix used by the project. So for that reason, we did refer to the generic matrix used in LA 104 the dmr to reflect the dmr standards. So that uses the terms neutral, slight mode of moderate or large. So we use the four points magnitude of impact, negligible, minor, moderate and major, which was it reflected sort of how we could apply for points of magnitude as per the IEMA magnitude criteria, but we did apply the dmr terminology, so there are some different words there. So for example, in the magnitude, we've used the term we've used the term major for magnitude, whereas in the IEMA guidelines, they use the term high. So there's some differences like that, but effectively we we tried to reflect the thinking in IEMA for significance, whilst using terminology more aligned to the dmr Reporting Standard.

07:53

And I consider that that is appropriate on the basis that the IEMA guidelines allow for you to adapt it, whereas la 112, is considered a standard by national highways, and so we are required to reflect that standard as much as possible In the way we report. Thank you.

08:22

Just considering your table, 12.28 which has been derived from these other two, you only have three levels of health sensitivity. Why are you only having three levels? Why are there not additional levels?

08:36

There's a three levels of Yeah, sorry. The three levels of health sensitivity reflect la 112, which sets out that we should report sensitivity against high, medium or low, and provide justification as to how we assign that. So again, that was to comply with the dmr standard,

09:08

and could you just explain a bit more about when you're applying this significance? How do you decide if you've got, if you work it, you've got two options. So if you end up with a you've got slight moderate. How to decide whether it's light or moderate to apply, bearing in mind one would be significant and the other one wouldn't

09:27

be Yeah. So yep. So we are guided by that matrix, but then we are also guided by the criteria that you saw in Table 7.4 for the IEMA, it is a professional judgment. And you know, the criteria in IEMA, I mean, it's, it says that, you know, in that top row that some criteria do span categories. So it isn't a straightforward i. Necessarily follow it those high, high sensitivity, medium magnitude equals whatever. So it is a judgment made, and then we support each judgment made in the assessment with the narrative that accompanies it. So for every, every judgment of significance that we have made within the environmental statement chapter 12 for human health, we set out a narrative to justify why we consider an effect to be, for example, moderate significance as opposed to slight

10:45

and and all that information there's summarized in Table 12.38 and those passes at the summary table to give you the final distribution of health effects by ward.

10:58

Sorry, which is table so tables, oh, is that the very end? Yes, yeah. Finally,

11:07

after all, the summary, that's where you're summarizing.

11:13

So table 12.38 is a little bit different. Mean, it is a summary of those assessments, yes, but what we tried to do for that is to show the assessments in a more localized context, so by Ward, because we thought it would be helpful for people who may have an interest in A particular ward to actually see the assessment broken down by their neighborhood, if you like. So it helps to see the distribution and also by noting that we assigned different sensitivity to the populations in those wards for the reasons set out within the environmental statement, but it's a summary. Effectively, yes,

12:10

it would be helpful to me if in the post hearing submission, you could just supply a bit more the clarification that you've given in terms of how the table how table 12.28 was was developed. It's a bit more background than was included in chapter 12. And can we have that for deadline for please?

12:39

Yes, that should be possible.

12:41

Thank you. Thank

12:42

you very much for that. Does anyone get any comments on this before we move on to Item 5.2 okay, so I'd like to move on to the location of the construction compounds. The environmental scoping report so a PP 143 stated that the location for the main site compound was likely to be in the north east of the M 60 junction, 18 in land to the south of pike four golf club. It also noted that satellite compounds were envisaged to be in the land to the north, west southwest of the junction and a possible site access and storage area in the land adjacent to Prestwick Hayes football ground. Obviously, now the scheme has developed, and the main site compound is in a different location, and it's now shown to be off the land, off mode, Hill Lane in the North West quadrant, quadrant of the junction. It might be helpful to show a P, P, 057, so that's the figures two figures for the ES, chapter two on the screen. And if you could show temporary works sheet, one of five. So that's the electronic page, 16 of 20. Thank you. Thank

14:08

Sorry, I'm just returning on behalf of the applicant, just just whilst we're waiting for the figures to come up on screen. Forgive me, I just missed the last part, which I think is the critical bit as to the question you were looking to be directed on,

14:21

though you haven't you haven't missed anything. I haven't specifically asked my question. My question will be, can you explain the reasons behind the change the proposed location? Why is the main construction compound now in a different location from what was originally envisioned? Sure. Thank you. So

14:41

I think at scoping that was based on the early work, and would look particularly at where the significant works are going on, that there's a you'll appreciate, there's a fundamental link between the major work areas and where we might have facilities to support that work. And. Welfare officers and such like. Then, in coming on board, in that stage, around the time of scoping was being put in place, we've looked quite carefully at particularly the safety for road users of both the strategic road network and local road network in terms of getting access to those work areas. So there's a number of things going on with the site compound and what it's seeking to do, but certainly the safety of road users. Like I say, we need to bring staff need to come to site. The workforce needs to come site that's in their private vehicles. We are trying to keep the heavier duty construction vehicles, plant and such like, off the local road network for obvious reasons. And so we look to where we can. We need welfare support, cabins and such like compounds to support the works in each of the three quadrants, as you can see so on the figure that's usually displayed on screen. So we have, there's a need for a compound in each of the three quadrants shown, which is associated with the work in looking at where we can get access from the strategic road network, but then also where we can access where staff, if I'm going to site in my private vehicle, where we can bring those vehicles in. And so, you know, looking at the north or north east quadrant, south of Pikeville golf club. The how it is serviced by the local road network, clearly is not going to be appropriate for the majority of workforce coming to site. So that's the principal driver. There's a lot of work to do over there. There's other constraints. And so in terms of siting, you know, the main thing is, we bring that workforce to site. They need parking off the local road network. We don't want to clog up all the local roads with the workforce vehicles. They're private vehicles, if you like. And

so we're, you know, we're looking for enough space to work with the materials, work efficiently within the site, create, construct the infrastructure, but also bring those vehicles aside from the local road network.

17:06

Okay, I do have some questions about that later, but just concentrating on the location of the compound, obviously the main construction compound now is a lot closer to more residential properties than if it had been positioned in the north east of the quadrant. Just, I suppose, looking at it, and just want to clarify with the main site compound be active for the entirety of each working shift.

17:34

I wouldn't say definitely for every single working shift, but I think for the purposes of the discussion on what we've assessed, I think we've generally assessed that it's in constant operation for the duration of the scheme. Yeah,

17:44

so because during the summer hours, you've got 7am to 9pm plus you could have an extra hour either side for setup, there will be, sometimes we're doing 24 hour working. So I'm just trying to work out how, how active this main site compound is going to be for the during the scheme,

18:04

I think we've made it clear that we, for the purpose of the assessment, we've basically working on the basis that it will be in operation most of the time. Yeah, okay, yeah. I mean, so certain times that, you know, there'll be people present in the offices. If there's not a night shift on, if no one's going on, we will still have, we have crews that react to traffic management situations, that are on standby site, security personnel, things like that. So certainly. So when we talk about the operation of the compound to varying degrees, we would still consider that we're operating a compound if we've got a security guard on site, of course. So it is has personnel on it at all times, I would suggest. So

18:40

can you just give me a bit more evidence as to how you sort of balance the the impact of the site being so close to residence areas, as opposed to you've got to balance it with the access for your construction workers to get safely to

18:56

site. Yeah. I mean, you know, we've looked at so if we, if we take the point that there would be a compound in every of each one of those three quadrants, and there is now, you know, looking at how we would, perhaps we could expand any one of those compounds to accommodate the wider need for part on site, parking, if you like, as I described, you know, we're looking at at The areas that the north area, North East area, Egypt Lane Bridge. You've seen in consultation responses, a lot of concerns around that single track. Yeah, I'm not sure if I know you visit it so, so you've seen the conditions there, and the nature of the roads as you move further to the north east that they're not suitable for. Well, some some elements, some links there, not suitable for right vehicles. Generally, if we look to the south and the South West quadrant, off semester lane, near parent Thorn High School, there's proximity to

housing there. We are able in that area, off Mohill Lane, we're able to form the compound. Still have it a certain distance over properties, if we were to, if you like, if you were to transpose that compound area, which is based on our estimation, what construction staff would need if we were to transpose that into the other areas, particularly in that area of Sir Mr. Lane, I would suggest it would have a much greater impact on some of the properties there, and the schools and such like.

20:23

I suppose I'm more considering if it was located in the area to the south of the golf club, but you're saying in that location, it's access to the site, that that was a concern. It's

20:33

only one of the concerns. Yeah, we would, yeah, the site would have to expand significantly, over and above what is shown there at the moment, that the order limits. If you'd like to accommodate a site compound, it would. It's not quite as simple as just transposing that shape, because there is already a satellite compound shown in that area. But certainly access is a key consideration for that area. Here off the local road network for private vehicles, we there is significant work that's gone into forming and making sure that we keep the larger construction vehicles off the local road network. They're sort of on that plan, actually, and the plans that follow the more detailed plans, you can see the how we're proposing to access off the strategic road network. So we are just talking about private vehicles for staff coming to go to, then go to working in vans and such like. And the vans will be equipped such that they can go straight out to the street road network to get to the work areas. Then,

21:35

just want to turn to the council in your local impact report, that's rep one, a double Oh, one paragraph, 11.7 it was concluded that the site compound in this location of Mowed Hill Lane would have a negative impact to the residents in close proximity. And can you just provide a bit more detail in relation to the comments made in your local impact report about the potential impacts local residents. I

22:56

Yeah, thank

22:59

you very. Madam. Piers Riley Smith for the for the council, I may hand over to the officer if necessary. But as I understand, what that relates to is the lack of assessment of noise impact in relation to Mowed Hill lane, in terms of vehicular traffic, as I understand it, going up and down Mowed Hill lane, and then also impacts as to lighting and elements like that. So those were the concerns behind the finding.

23:30

And yes, leading on to that, I did have a question to the applicant, so we talked about motor Hill Lane would be used for the construction staff to access the site. So I understand from your response to Esq one, TTA, 1.2 your response was in met 3023, that you confirmed it was envisioned that be approximately 230, construction staff during the peak period accessing the site. Can you just give me a bit of detail of what you're proposing to do to ensure that these 230 workers doesn't equate to 230 private vehicle movements to access the site?

24:11

I think anticipating this, seeing the agenda item we've had, been having a look at this. I think if we can understand, so we just heard the comments from the council as well. I think probably we'll just come back to you in writing on that and breaking that down. We've certainly been looking at it. It's certainly a proportion of it. We do have the satellite compounds as well, and so there's a distribution, if you like, around that, yeah. So we can probably break that down if you actually in writing on it.

24:38

Okay, yes. I mean, because I also note in your response to TTA 1.2 and also you stated this in paragraph 12, point 18.35, of chapter 12, that you are going to have a temporary access Negress formed from the motorway to the main compound. And what you say in response to our question, TTA. 1.2 is that access via Motil lane will remain an option for private cars accessing the site office throughout the construction period. Just can you just clarify when you say remain an option? Does that mean they don't have to use motor lane, they could use this access off the motorway, or is it envision some other access? Yeah.

25:18

Okay, so the key distinction is we would talk about Chapter Eight vehicles. So there'll be some people coming to work who then they have a company vehicle. If I had company van, which is chapter eight compliant, and they're the people that are trained to use those works accesses, if you like, that we would be temporary nature and formed off the strategic road network. So it's quite possibly the case that those people coming in, would choose just to come into one of the works accesses. But, you know, we're, we're not trying to say that there'll be a number, a good number of people coming in, in their private vehicles, which are not chapter eight compliant. Chapter eight. So Rosen street works, sort of reference, but the road works vehicles, if you like, and that, but particularly those people would have the training as well to safely operate those works access that they're not like a those construction accesses off the strategic road network, and not like a fully compliant designed slip road, or have you, that you and I could use as we if we left the building today, so the majority

26:14

of construction workers coming in, their private vehicles will not be able to they're not chapter eight compliant. They won't be able to get off the motorway. Definitely not safely, and they will have to use motor lane. There's no other access to that construction compound, to

26:28

that particular construction compound. Yes, we do have the other satellite compound, of course, which do have we talked yesterday about, that access off some Mr. Lane, but we're trying to get traffic off the local road network in those areas. You know, Sims, the lane parathyrm School in St, Mary's School peak times is incredibly congested, and, yeah, we don't want any more traffic in that location.

26:54

So when you provide your response about what you're going to do to ensure that these 230 workers isn't two separate, separate vehicle movements. Can you also maybe including that, how you're going



to maybe encourage people who do have chapter eight compliant vehicles to use, don't use mode Hill lane, use, use the access of the motorway, if, if that's safe to do so,

27:16

yep, that's fine.

27:18

Yes, okay, just looking at mode Hill Lane in the local impact report. So rep one, a double one from the council, is stated in paragraph 11.8 that due to the increased vehicle movement on the access egress road, the increased intensity in vehicle type is likely to cause surface damage degradation. This could result in intermittent, compact noise, compounding the significant adverse effects identified above. I think you just touched on that. But in question, the question one, so it's TT TTA, 1.3 about concern raising the relevant rep, excuse me, the

27:59

MO Hill language in a poor condition. You stated that the adopted length, sorry, choking. The adopted length was of a condition that was reasonably expected for using it. It sounds like you're contradicting your response, your question. Can you just clarify whether you think motor lane is in a in A good condition, suitable for access, for construction vehicles. Applause,

29:01

Piers while he's Smith at the council. And again, I may have necessary hand over to the officer, but I do have an answer to that. The discrepancy between the answers is based on the standard which is being judged, i e, the response in the ex q1 question is in relation to it being an adoptable standard in terms of a highway, it being safe and suitable for passage of ordinary traffic at all times of the year, so it meets that requirement in terms of it being an adoptable highway that can be used by traffic, the response given at 11.8 is in relation to from a noise perspective, and how that standard, still as it were, is in accordance with the adoptable standard, but is maybe it leads to the noise issues that are related. So I hope that explains the apparent

29:50

Yes, it does. So obviously, vehicles driving over power red surfaces, including potholes, account for more noise than those traveling over a surface. We from defects do. With this in mind, has the condition of motor Hill line been accounted for in the calculation of any noise arising from vehicles using it to access the site compound you

30:34

Thank you. Ma'am Richard, standing on behalf of the applicant. I'm not aware that it's been specifically assessed as the information have been provided so but I think the point relates to whether it exceeds thresholds. I mean, if it assists, we can perhaps better if I check that and then confirm in writing, so I don't misspeak,

31:03

yes, no, that's fine. I think where I'm going with this is that I wanted to ask, Are you going to assess the condition of mowed Hill line before you start using it, and based on the condition that you know it is at the moment, do you think you'll have to do any preconstruction work that that's where I'm going? Because where I'm concerned is, if you did need to do some preconstitution work, that section of mode Hill lane is outside the order limits. So how would that be accounted for in the draft development consent order? So that's where I'm going with that. Did you want to take that away as an action point?

31:38

Thank you, ma'am, yes. I've made a made a clear, clear note so that we can come back to on those points. Okay.

31:58

Does anyone else want to raise anything particularly on the construction compounds before we move? Compounds before we move on. Okay, so I wanted to move on to Item 5.3 so looking at the public rights of way, including the permitted pass through the horse water underpass, paragraph 5.184 of the national policy statement for national networks, states that the applicants are expected to consider where appropriate opportunities to improve access, and that Secretary of State should consider whether mitigation measures put forward by an applicant are acceptable, and where the requirements in respect of these measures might be attached to any granted development consents. So I understand from chapter 12 of the environmental statements, that's a P, P, 051, the council's local impact report. Rep, one, a double o1, and the response to E, S, q1, question, which is P, H, 1.7 that both the council and the applicant consider that the diversion of footpaths 28 A P r v and 29 A P r v and through an area of proposed ecological mitigation, would constitute modest enhancements for recreational walkers. And can we just show the environmental statement figures for chapter 12? That's a P, P, 072, and look at electronic sheet seven of 10, which shows the key population human health impacts, which is Sheet three or four. I

34:16

thank you. If you could zoom in to where those two footpaths are, so it's just to the south of the junction the South West quadrant.

34:37

Thanks. So I'd like to ask the applicant and the council, just to give a bit more details, why they think this footpath diversion should be considered a modest enhancement when these footpaths are scarcely used.

34:58

Thank you, ma'am and Bridget Stanley on behalf. The applicant, hopefully Miss Wade is still with us on the call and might be able to assist. I can see her hand going up, so allow Miss Wade to come in.

35:13

Yeah, Jennifer Wade for the applicant. This is why we judged it as a modest enhancement. And I think it is assessed. It's not assessed significant in terms of population and human health. However, we did consider that at the moment, those powers are scarcely used, but that in that area there will be some

planting and improved biodiversity, so we consider that it does help connect people better with nature, and may encourage the use of that route. Well, it's, I mean, the route has changed. So forgive that terminology, but may encourage use a little bit more, but we are not claiming that to be significant in population and human health assessment terms.

36:16

Okay, thank you, because I'm just trying to work. But wait, if anything I can, I can give this enhancement,

36:26

modest weight,

36:31

okay, thank you. Um, can I ask the council the same question? Please do?

36:51

Hey, ma'am piers, Riley Smith for the council, endorsing what has been said there by the applicant, both reflecting the low usage, but also the biological and biodiversity enhancements that will come from it. Also the additional point to add, from the council's perspective, as to why it's modest, as it were, is that the past will eventually be reconstructed because they're being diverted, and currently, therefore the surfacing, I'm, I'm told, is and even in places, the surfacing will remain the same. It will still be grasped. But the ability to, as it were, reconstruct it in modern standards, will mean it's, it will be flatter, it will be more appropriate. So again, it's not a significant enhancement in that way. But that's

37:38

modest for my site inspection. When we went out. Then we walked along past the top of Heaton Park. You couldn't actually see the access onto 28 APRA. They seem to be clear access. You could see the other end of the path the 29 a P Ra, but there's no sort of no sign of a path, because we're assuming most people it's a path that goes nowhere. Basically, you could stay on the stay on the heat and park path.

38:09

So yeah, just on that. Obviously, we tend to get complaints, if you like, for well used services. So what you're just saying now reflects that it's a foot bath that people don't generally use, if you like. So we would expect that there'll certainly be some improvement as to what you currently see on site.

38:37

Okay, so I just want to have a look now at the public right of way, 9w, h, i. It's on the same plan, but it's to the north northeast of the junction.

38:55

Okay, so currently, a long section of this footpath is running parallel to the M 66 southbound carriageway, and we walked along it during our unaccompanied site inspections and observed how close it was to the M 66 in response to Esq one question. PH 1.1 the applicant supplied an updated

version of table 12 point 15 from chapter 12, which included current information about the frequency of use of the public rights of ways and the routes that would be affected by the scheme, footpath nine which was assigned medium value as it was likely to be regularly used for recreation, and the recent survey determined the footpath has frequent use, given that the footpaths used frequently, can the applicant explain why Medium value was given to this rather than high.

39:46

Thank you. Ma'am. Richard, turning on behalf of the applicant again, because Miss Wade is joining us online. I'll just introduce her.

39:59

Um. I think even if something's used frequently, because we determined it was generally recreational, not connecting to sort of major populations with major destinations, that tends to come out as medium, perhaps you can find the sensitivity, sorry, the criteria that we use in the assessment. Let me just see. Sorry, excuse me. While I look for the table, I

40:53

so high, high is used for, you know, regional trails and promoted routes. Whereas medium is, is where we judge that routes might be closer to communities and used for recreational purposes. And it's, yeah, it's, I mean, it is a judgment, but I think the evidence that we had still suggests a medium value route, as opposed to high.

41:27

I mean, the footpath would connect is probably used to connect Thompson village with the name escapes me, the village just to the west of the golf club. So if you had assigned it high rather than medium, would that have made a difference with the assessment in the ES?

41:52

I think I'd like to take that away and actually do a full analysis, rather than a off the cuff one. Now, if that's all right, and then we can come back to you and check is that, what is that acceptable?

42:06

Just Just, just review why it was medium rather than high. And yeah, whether there is a knock on effect, if you did change it, sure the conclusions in the yes, thanks.

42:16

Thank you.

42:17

So I understand from the applicant response. To its q1 question TTA 1.7 that this footpath was not identified in the stage one mode safety audit, and that it would be during detailed design that a risk assessment would be undertaken with respect to the proximity of the diverted footpath to the M 66 Can you just explain what would be considered in any future risk assessment, and what measures could be

considered to ensure the safety of those using the diverted footpath, if the scheme was to go ahead and

42:49

appearance for the applicant, for the applicant, sorry, too close there. Yeah. So ultimately, the Triple R, a piece, that's the road restraint risk assessment process would be undertaken for that particular element of the works, the risk assessment, we've considered the proximity of the footway to the new M 66 southbound diverge, as well as the adjacent sort of topography. So we've obviously got a new cut slope going in there, and a new embankment, generally where you're probably right of way. These are is either a certain distance away from the new alignment, or at the bottom of a new cut slope, for example, that would increase the risk of, obviously, an errant vehicle potentially leaving the road and conflicting with it, with users on the foot way. So those are the sort of factors we would consider, and in terms of mitigation of that, it's provision of steel safety barrier in the first instance, that's the sort of hierarchy that we start with. And obviously the the sort of severity of the provision of that safety barrier goes through a certain hierarchy as well, in terms of specification of resistance to to impact.

43:59

Yes, because at the moment, I mean, we've walked along it, it does feel very close to the motorway. Has anything been considered in terms of any planting that could be done in this location to screen the route, give those walking along it the feeling that they're a little bit further away from the motorway? Because I think if anything was done, then that could be considered an enhancement in this location.

44:32

And it appears for the applicant, yeah, so where it is feasible to plant on that embankment? I think that there is some planting outlined within the the environmental master plan to win the ES figures provided as part of the environmental statement. But yes, there will, there will be some screening opportunity, but it ultimately is dictated by that that sort of harmony between where the new embankment is located relative to the golf course, and how those two things sit those two elements sit in harmony. Do we. Other given, obviously the procedural to the golf course, to the to the highway itself.

45:07

Yes, I mean, if there was, if, if there was something detailed in the React that secured some sort of enhancement to that footpath. And then obviously we can give that some weight as an enhancement. Is there anything that you think could be included within the Jeff DCO to achieve this?

45:37

Thank you. Ma'am. Richard Thompson, on behalf of the applicant, we'll review what's in the react and how that obviously interacts with the DCM, and then come back to you in writing. That's okay. And I should say, well, we'll do that for

45:56

deadline for so in response to Esq, one question, phh, 1.2 the council stated that an application had been made to change the status of various footpaths, including part of footpath nine whi from a footpath

to a bridal way. And can the council just apply some more detail about this, and in particular, which section of this footpath is included in the application? Do

46:26

you might need to show the footpath on the screen to aid this. Thanks.

46:34

So John O'Connor, on behalf of Bayer Council higher authority, kind of hard to describe, isn't it? From that plan. Let me just get my drawing,

46:48

because I appreciate the nine the footpath does go quite a long way, connected to Egypt lane.

46:54

I understand nine Whitefield as it currently exists, from the bridge across to Pike fold golf club, all the way down where it turns east out towards Egypt's lane, out to a Whitefield out that way, And Egypt Lane itself a part of a general claim to upgrade to bridal way status. I think I've covered all of them.

47:30

So it so it would include the section that runs parallel to the end 66

47:35

as it currently runs parallel. Obviously, yes. And at

47:39

the end, as you're traveling north along that foot path, and you get to the lane at the top is there steps at the top of there.

47:49

Sorry, I'm not familiar at all with with that location.

47:54

So the proposal is, in the future, you this route would be looked at to convert from a foot way to a bridleway.

48:02

It will be subject to the process of determination, okay, so it's not necessarily the case that it would pass,

48:09

yeah. So the to make this to ensure this route could be suitable in the future to become a bridal way, is there any particular specification that you would need? I mean, in particular, I would be concerned about the proximity of the route to the motorway in terms of staffing, horses,

48:30

John o'clock on behalf of bury Council of higher authority, generally speaking, that obviously we would prefer wider way than currently exists, and I'm sure that had been raised as part of the understanding and that wasn't necessarily possible to be widened.

48:56

Okay, can the applicant supply any more detail on this? I

49:06

if it helps. I do not have seen discussion about there's an issue with the width, but you are talking about different surfaces. I'm more concerned about, you know, it's different if it's a ride away from a footpath, in terms of proximity to the motorway, and whether in the location it's intended to be will be too close, and it won't ever be able to be converted to a bridal way.

49:26

Phil, I was simply applicant, yeah, I think I'll just refer to those. I think it's laid out in the so statement of common ground between the applicant and ferry council. So it's issue reference 41 so row 41 in the sscg. So there have been some discussions. And we were talking about where we're able within the scheme footprint, and where we may be able to have discussions. Yeah, like you say, you've referred to the surface and width, when, where there is. Is where we can look at that. You know, we'll be looking at the landscape requirement in due course of bury Council, and working through that. And so we'll discuss any kind of future aspirations, or whatever there is. Of course, you'll recognize the tension with the golf course, and, you know, extensive discussions going with them around the impact on their design of social life. So there's a few areas that are constrained, but where perhaps we don't have those constraints, then, as it says in row 42 you know, we're saying we'll continue to discuss with very Council. And

50:31

can I just ask the councilor? You content with how this is progressing?

50:37

There's a reason for council we are. And I think one of the important points to recognize is the basis on, I think all three of those applications, and I speak entirely neutrally as to whether they'll succeed or not, is that there's already a lawful use of these paths for as a bridal way, and it's just in effect the dmmo, the definitive map, needs to be upgraded. So already. I think has been mentioned. Parts of these footpaths, or parts of these public rights have weigh one quite close to the motorway already. So I think, I think in terms of trying to achieve Betterment for horse riders, well already, in fact, they're having to deal with if, again, hypothetically, they are being used and the use is lawful. I say nothing as to whether that's right or wrong, then they're already having to engage with those issues. Has

51:28

anyone else got anything to raise on this particular issue before we move on to the horsewatch underpass? Okay, so I understand from table 12 point 20 of chapter 12. So that's a P, P 051, that temporary closure of this permissive path would be required for six to eight weeks to allow for the

widening of the highway around the halls, water, aqueduct underpass, and works for the underpass structure. Can we just start with the applicant spending a few minutes to explain what works would be required to the underpass, including, why is it that you say that the horse water underpass permitted path is not directly impacted by the scheme?

52:18

A fellow listen to the applicant so the works involved at the M 60 level. So we, we talked yesterday about, you know, widening Lane capacities, additional hard shoulder. So one of the areas where we are undertaking a structure widening is actually across Hall water there, but that's at the M 60 level. But of course, to construct that, to create an access to form the widening to the structure, the concrete, then there'll be scaffolding put up and such like. And so that's, that's what's anticipated, and that's the reason for it. But it's, it's work. It's not works to the underpass down there. It's at MC level, which, of course, is quite a way up from the route that is currently

52:56

permissible. Changing that location, affecting the wing walls of the underpass.

53:03

We don't actually affect the wing walls, but we are just there's a deck, if you like, and that's being widened to accommodate additional household

53:15

does that mean the so the underpass itself wouldn't actually be extended in terms of the distance you're walking to the end pass.

53:24

That's correct, yeah. So it's, yeah, the widening of the additional width, if you like, and any extension to that overall structure, if you like, is it motorway, carriageway level?

53:33

And you're saying you couldn't do that work and keep that footpath open, that's

53:38

correct. The deck is there. We need to put some scaffolding up, false work to pour the concrete and actually widen that structure.

53:53

Yeah, so on this point, you said that you haven't included an upgrade to the horsewater underpass, because it's, it's not related to the to deliver the development. But if you actually included, if you were to include this, the upgrade within this application, would it? Could it be considered as associated development under the Act do?

54:26



Thank you so much. Turning on behalf of the applicant, I suppose to answer the question directly, potentially Yes, but obviously, as we said, because we're not actually directly impacting the underpass we wouldn't be doing works to it. So we've not had reason to consider that. I suppose the on the other point I'd make, in addition to what Mr. Emerson was saying earlier, it's just to note the status of this path, of course, with it being a permissive path, the whole point is that, you know, I know next. Can stop. Can stop the use of that path at any time. So stopping it for safety in order to undertake the construction activities is entirely consistent with its

55:16

status in your applicant's response to sq one question, P, H, 1.1 you updated the table 12 point 15 and confirmed that the permissive pass is used daily by pedestrians to connect to the communities from the north of the M 60 to facilities, including the high school in the south. And you detailed into table 1215 that this route can get very muddy. It's not lit. There's evidence of attracting antisocial behavior. Could we just share the photos of the underpass that are contained within Appendix D of Rep, 3023, you

57:05

Thank you. So a number of parties, including transport for Greater Manchester, transport for the North and the Design Review Panel commented that the path through the underpass should be improved. The Design Review Panel stated that the national highways should introduce better lighting and surfacing as a matter of urgency, and that was in a PP, 151 table, 4.2 in response to Esq one question, P, HH, 1.5 the council stated that they have safety concerns about this permissive path. Can the council just supply a bit more detail now on this, including what improvements you consider would be necessary.

57:47

Piers wellingsmith for the Council, as you've noted, some comments were made at pH one.ph h 1.5 as to the safety concerns, and I'll come on to them. I do think it is important to note, though, speaking in terms of the council as Highway Authority, it is important that the status of this is a permissive path. I It's not a public right of way. I it falls outside of, as it were, our jurisdiction as to public rights of way. However, in that context, I think the comments that were made, I think it's probably fair to say, unless my officer corrects me on this, unless John corrects me on this, that this is, as it were, a nice to have, rather than a necessary point. It we I know there's also a reference to the PFE policy as well in relation to it, but I don't think we'd go so far as to say it's necessary, but it's and the elements we've included there include surfacing, includes lighting. I think those photos illustrate that and the benefits that bring. But I think we do need to be careful, from the council's perspective, as to how we put the point given the status.

58:54

Yes, no, I appreciate that, but I also appreciate that. You know, even in the school catchment area, documents that the Council on their website, they show this as a route from the residential areas to the school, and if, without that access across, I can't remember, is it a 1.7 kilometer walking diversion route? Someone will probably know. So I know the applicant has stated, in response to question, phh, 1.6 that they're exploring opportunities to deliver some improvement through the national highways

designated funding for delivery outside the scheme. Um, now tell me a bit more about about that, please, and what that would involve.

59:38

And thank thank you very much filling on behalf of the applicant. And I think the key points to start with are, you know, national highways has this ability for people to make applications for for funding, but they are entirely separate and distinct to to the scheme, so that, I believe there's the. Has been a consultation process ongoing where people are able to put their views forward. They'd be considered, and then it be it considered as part of a bid process. But there's no guarantee that that funding would become available, or all that that work would be done. That's just what has the applicant, we would want to be careful to stress because, of course, as I said, and we've already referred carefully to the status of the path, and that there's a there's a no, no. There are essentially two options on the one is that it can remain a permissive path. There is an option that, of course, it could be closed.

1:00:41

And I suppose if it, if it was closed, that would cause severance issues just because of the way that is used between the two communities either side the motorway.

1:00:54

Thank you, Richard, turning on behalf of the applicant in relation to that path, albeit there are other routes avail of land they serve. I don't know that it would be severance in the strict use of the word

1:01:11

agreed, if, obviously, if there's nothing, if you're looking at things that are being done outside the scheme, and there's nothing in the Jeff development consent. We can't give any credit for that. And it is clear, clear, just looking at the photos, and obviously, we've, we've been down there, that anything you could do to that footpath will be, will be an improvement, and could be classed enhancement. So could I just a second, could you, can you consider, if there is anything you could include within the scheme that would make improvements to this, this on the path. On the path.

1:01:50

Thank you. Richard turning on behalf of the app, we note the comments. We understand the point from panel. We can update on the process that that is ongoing. Perhaps, Episode, a later deadline, but at the moment, those would be mine, my instructions.

1:02:10

I mean, if I could, if I could, put an action, an action point that you, you consider what, what could be done. Because, you know, even just sorting out the the servicing of the footpath, maybe cleaning some vegetation would would improve safety, and would improve, improve the footpaths, if there's anything you can consider, and then obviously, how you could secure that, how that could be secured in the draft development content harder, I'd appreciate that.

1:02:39

Thank you, Mum. Interestingly, on behalf of the applicant, so we understand the point. We'll take that away. Consider it with the team. Of course, there may be other things that don't involve securing it in the dcl for the reasons I've set out. But if, if that was something we were able to refer to, then we'll come back on that point in writing.

1:03:05

Okay, thank you. Does anyone else have any anything they'd like to raise on Agenda Item five, the room or online? I'm conscious we're about to move on to traffic and transport, and that might take a bit of discussion. So I'm wondering whether now, being that it's 10 to one, we take a adjournment for lunch now, if that's okay with everybody, okay, well, we'll adjourn now and we will come back at two o'clock. For those watching on the live stream. When we do come back, you will need to refresh your browser. Thank you. Applause.