

# **M60/M62/M66 Simister Island Interchange**

**TR010064**

## **7.23 APPLICANT'S RESPONSES TO DEADLINE 3 SUBMISSIONS**

APFP Regulation 5(2)(q)

Planning Act 2008

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

Infrastructure Planning

Planning Act 2008

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

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

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**APPLICANT'S RESPONSES TO DEADLINE 3 SUBMISSIONS**

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<b>Regulation Reference</b>	Regulation 5(2)(q)
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## 1. Introduction

- 1.1.1. The Development Consent Order (DCO) application for the M60/M62/M66 Simister Island Interchange (the "Scheme") was submitted by National Highways (the "Applicant") on 2 April 2024 and accepted for Examination on 30 April 2024.
- 1.1.2. This document has been prepared by the Applicant to set out its responses to the Deadline 3 Submissions provided on the Inspectorate's Scheme webpage on the 7<sup>th</sup> and 11<sup>th</sup> November 2024. This document is submitted at Deadline 4 of the Examination.
- 1.1.3. Below is a summary of the deadline 3 submissions responded to in Table 2-1 which contains a full schedule of the Applicant's responses to some of the written submissions made at Deadline 3. In total, six submissions have been responded to as follows:
  - Friends of Carrington Moss Response to Examiner's Questions 1 [REP3-027].
  - Natural England's Response to Examiner's Questions 1 [REP3-028].
  - The Coal Authority's Response to Examiner's Questions 1 [REP3-029].
  - United Utilities Water Limited's Response to Examiner's Questions 1 [REP3-030].
  - Bury Metropolitan Borough Council's Response to Examiner's Questions 1 [REP3-031], [REP3-032], [REP3-033], [REP3-034], [REP3-035], [REP3-036], [REP3-037] and [REP3-038].
  - Rochdale Metropolitan Borough Council's Response to Examiners Questions 1 [REP3-040]

## 2. Applicant's Responses to the Deadline 3 Submissions

2.1.1. Table 2-1 below documents the Applicant's responses to the Deadline 3 Submissions.

**Table 2-1 - Applicant's responses to Deadline 3 Submissions**

Written Responses to the Deadline 3 Submissions Responding to the Examining Authority's First Written Questions					
Reference	ExA's Written Question Number	Question to	Examiners Written Question	Deadline 3 Response from Interested Party	Applicant's Response
<b>REP3-027 – Friends of Carrington Moss</b>					
REP3-027a	BCG.1.2	All Parties	<p>Artificial Intelligence</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? 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 of 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> </ul>	<p>Friends of Carrington Moss has not used artificial intelligence to create or alter any part of our documents, information or data</p>	<p>The Applicant notes Friends of Carrington Moss' response to ExQ.1.2. The Applicant has no comment.</p>

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			<ul style="list-style-type: none"> <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>		
REP3-027b	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>The emerging changes to the NPPF should be considered, despite the applicant noting that the NPPF "does not necessarily apply to Nationally Significant Infrastructure projects" (in their response to our previous comments). Paragraph 1.10 of the NNNPS<sup>(1)</sup> states that the NPPF "may be an important and relevant consideration in decisions on NSIPs". Paragraph 1.11 highlights the importance of achieving sustainable development that meets "the needs of the present without compromising the ability of future generations to meet their own needs" for both documents and paragraph 4.40 confirms that the "Secretary of State should be satisfied that applications for new national networks infrastructure have taken into account the potential direct and indirect impacts of climate change".</p> <p>With this in mind, we believe the recommendations from the Climate Change Committee that we mentioned in our previous representation should also be carefully considered when determining the outcome of this application.</p> <p>We note that the applicant suggests this scheme will deliver neither a product nor a service (see their response to our suggestion that the best practice principles of the Green Claims Code should apply). This should be taken into account when considering the need for the project!</p> <p>(1) <a href="https://assets.publishing.service.gov.uk/media/65e9c5ac62ff48001a87b373/national-networks-national-policy-statement-web.pdf">https://assets.publishing.service.gov.uk/media/65e9c5ac62ff48001a87b373/national-networks-national-policy-statement-web.pdf</a></p>	<p>The Applicant has responded to the changes proposed in the Consultation NPPF in the response to Examining Authority's question BCG.1.6 [REP3-023]. The Applicant has also assessed any relevant changes between the draft NPS NN (March 2023) and the NPS NN designated in May 024 in its additional submissions [AS-007].</p> <p>With regard to the reference to the previous mention of the recommendations from the Climate Change Committee and the Green Claims Code in the Friends of Carrington Moss Written Representation [REP1-045], the Applicant has no further response to that already provided against REP1-045b in the Applicant's Responses to Deadline 1 Submissions [REP2-007].</p>
REP3-027c	BCG.1.7	Applicant	<p><b>Relevant Legislation</b></p> <p>Please provide a list of all relevant primary and</p>	<p>Please ensure all relevant Environmental Legislation is included, for example:</p>	<p>The Applicant notes the Friends of Carrington Moss response. The Applicant observes that the correct legislation for assessing environmental impacts relevant</p>



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			secondary legislation that is important and relevant to the Proposed Development.	<p>The statutory basis for conserving ecology and biodiversity as set out in the Planning Practice Guidance (2), for example, Section 40 of the Natural Environment and Rural Communities Act 2006 (3) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector, which should be seeking to make a significant contribution to the achievement of the commitments made by government in its 25 Year Environment Plan (4) . Section 40, as amended by the Environment Act 2021(5) , includes a requirement to place a duty on all public authorities who operate in England, through introducing a 'biodiversity duty' to consider how they can conserve and enhance biodiversity, agree policies and specific objectives based on that consideration and deliver policies to achieve their objectives.</p> <ul style="list-style-type: none"> <li>• Wildlife &amp; Countryside Act 1981 (as amended)</li> <li>• Natural Environment &amp; Rural Communities (NERC) Act 2006 (including habitats and species of Principal importance)</li> <li>• The Town and Country Planning (Environmental Impact Assessment) Regulations 2011</li> <li>• The Conservation of Habitats and Species Regulations 2017 (as amended)</li> <li>• Hedgerow Regulations 1997</li> <li>• Protection of Badgers Act 1992</li> <li>• Wild Mammals (Protection) Act 1996</li> <li>• Countryside &amp; Rights of Way Act 2000</li> <li>• UK Biodiversity Action Plan (UK BAP)</li> <li>• Circular 06/2005 provides "administrative guidance on the application of the law relating to planning and nature conservation as it applies in England".</li> </ul> <p>(2) <a href="https://www.gov.uk/guidance/natural-environment">https://www.gov.uk/guidance/natural-environment</a>            (3) <a href="https://www.legislation.gov.uk/ukpga/2006/16/section/40">https://www.legislation.gov.uk/ukpga/2006/16/section/40</a>            (4) <a href="https://www.gov.uk/government/publications/25-">https://www.gov.uk/government/publications/25-</a></p>	to the Proposed Development is the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. (Reference to the EIA Regulations 2017 was included in the Applicant's response to ExA BCG.1.7, Appendix A [REP3-023]).

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				year-environment-plan (5) <a href="https://www.legislation.gov.uk/ukpga/2021/30/contents">https://www.legislation.gov.uk/ukpga/2021/30/contents</a>	
REP3-027d	AQ.1.4	BMBC, Manchester City Council (MCC) and Rochdale Metropolitan Borough Council (RMBC)	<b>Air Quality Objectives</b> 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 (NO2) 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?	The cumulative effect of this scheme, if approved, along with the developments proposed in the now adopted Places for Everyone Plan, should be considered.	The Applicant notes that, as stated during the Issue Specific Hearing 2 on environmental matters (ISH2) held on Wednesday 27 and Thursday 28 November 2024, the Applicant is undertaking a review of the Scoping Opinion request submitted to Bury Council in October 2024 for the Places for Everyone JPA1.1 development land allocation under application reference 71262, together with any other new planning submissions that would be potentially relevant to the cumulative effects assessment. In accordance with Action 3 of the Action Points from ISH2 [EV10-002], the Applicant will provide an update to the cumulative effects assessment at Deadline 5.
REP3-027e	AQ.1.5	Applicant, BMBC, MCC and RMBC	<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].  <b>Applicant:</b> <ol style="list-style-type: none"> <li>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 NO2 in the 2018 base year.</li> <li>In the absence of including such locations</li> </ol>	The identification of additional locations should take into consideration the anticipated impact of the now adopted Places for Everyone Plan.	The air quality receptors included in modelling, such as those shown on Figure 5.10: Operational Human Health Assessment Results, of the Environmental Statement Figures [APP-061], are for individual worst-case locations, such as residential houses. This is discussed further in the response to AQ.1.5 within The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023], BMBC's response [REP3-031] and Rochdale MBC's response [REP3-040], which were all submitted at Examination Deadline 3. All responses show agreement with the receptor locations.  Places for Everyone (PfE) does not include detailed plans of where individual buildings, including houses, will be located. Developers will be required to assess the air quality effects of future developments brought forward on sites allocated for development pursuant to PfE.

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			<p>within the assessment, explain how an assessment against paragraphs 5.11 to 5.13 of the NPSNN can be made.</p> <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>		
REP3-027f	AQ.1.6	Applicant	<p><b>The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023</b>            ES Chapter 5 [APP-045, paragraph 5.3.5] states the nearest PM2.5 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 PM2.5 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 PM2.5 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 PM2.5 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 PM2.5 have been installed in proximity to the scheme and if so, when.</li> </ol>	<p>Whilst the Environment Act target legislation (6) (paragraph 12 (2)) does suggest that "every AQSR monitoring station which was in operation immediately before the coming into force of this regulation is a monitoring station for the purposes of these Regulations", the Act also has a provision (12 (3) (a)) for the Secretary of State to "establish new monitoring stations to measure PM2.5 levels for the purposes of these Regulations".</p> <p>This is not mentioned in ES Chapter 5. Given the distances to the existing monitoring stations, if a request for new monitoring stations is not made by the applicant or the Councils, it will be made by communities. Assuming such a request is approved, the targets will then need to be met. The lack of monitoring stations should not be used as a reason to abdicate responsibility for the health of local populations (humans or wildlife) and suggesting that air quality will improve because of reduced congestion, when there is a recognition that the scheme will induce additional traffic (and, therefore, increase congestion), is shameful.</p> <p>(6) <a href="https://www.legislation.gov.uk/ukdsi/2022/978034824295">https://www.legislation.gov.uk/ukdsi/2022/978034824295</a></p>	<p>At the time of the submission of the Environmental Assessment, including air quality, to the Planning Inspectorate in April 2024, Defra's interim guidance for the assessment of the PM2.5 Targets as set out in 'The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023' ('2023 Regulations') had not been published. In the absence of the interim guidance from Defra, the assessment considered whether the scheme would affect achievement of the PM2.5 Target regulations given that they only applied under the 2023 Regulations at qualifying air quality monitoring stations. As there were no qualifying air quality monitoring stations within the study area at the time of the assessment it was concluded that the scheme would not affect the achievement of the PM2.5 targets.</p> <p>However, the air quality assessment included in the Environmental Statement (ES) did consider the PM2.5 limit value (annual mean 20µg/m<sup>3</sup>, as defined in The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020). The assessment demonstrated there was no exceedance of the limit value, as all modelled PM10 concentrations were less than 20µg/m<sup>3</sup>. PM2.5 is a fraction of PM10 concentrations and therefore if the concentrations of PM10 are less than 20µg/m<sup>3</sup>, it follows that PM2.5 concentrations would also be less than 20µg/m<sup>3</sup>.</p> <p>Since the submission of the assessment, Defra published its interim planning guidance for PM2.5 Targets ('the interim guidance') on 4 October 2024 which sets out how</p>

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					<p>PM2.5 targets are to be assessed by Developers. The targets include an Annual Mean Target value of 10µg/m<sup>3</sup> and whilst the interim guidance reiterates the targets are determined against compliance at qualifying monitoring stations, it provides further guidance on how developers should consider the targets in their assessments. The interim guidance confirms the guidance applies to outdoor (ambient) air and instructs developers to consider PM2.5 concentrations at other locations, for example areas where there is relevant public exposure, where there is no qualifying air quality monitoring station.</p> <p>For the purpose of this response consideration has been given to the interim guidance and whether it materially affects the conclusion of the air quality assessment. It is the Applicant's view that the scheme is unlikely to impact on achievement of the annual mean PM2.5 target. The rationale supporting this position is as follows;</p> <ul style="list-style-type: none"> <li>• National Highways has installed approximately 60 automatic particulate monitors close to the strategic road network across England. All of the monitoring stations measured PM2.5 concentrations below the annual mean target of 10µg/m<sup>3</sup> in 2023.</li> <li>• The nearest automatic analysers to the scheme are located on the M602 and the M60 (between Junction 5 and 6), and both monitoring stations are within 15m of the carriageway. Given their proximity to the motorway they are considered to be representative of the PM2.5 concentrations experienced by the receptor R3 which has the highest modelled particulate concentration with the proposed scheme. Receptor R3 is located approximately 12m from the M60, which is a similar distance as the air quality monitoring stations, meaning that receptor R3 will experience similar levels of PM2.5 as measured at the air quality monitoring stations.</li> <li>• The annual mean PM2.5 concentrations recorded at the air quality monitoring stations in 2023 were 6µg/m<sup>3</sup> and 7µg/m<sup>3</sup> at the M60 and M602 analysers respectively. This illustrates that the 10µg/m<sup>3</sup> annual mean 2040 target is already achieved in 2023 and therefore the scheme will have no impact on the attainment of the PM2.5 by the target date of 2040."</li> </ul>



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REP3-027g	AQ.1.7	Applicant / BMC	<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> <p><b>BMC:</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><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>	<p>We believe there should be a detailed review of all the PfE Policies and how they apply to the scheme. Examination Question GB.1.5 identifies, for example, that Policy JP-G2 requires development which involves the removal of land from the Green Belt to deliver compensatory improvements. Those compensatory improvements should be tangible and visible within the scheme documentation.</p>	<p>The Applicant's response to AQ.1.7 in relation to PfE Policy JP-S5 is provided in The Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) [REP3-023] submitted at Examination Deadline 3. BMC's response to AQ.1.7 is provided in Response to ExQ1 [REP3-031] also submitted at Examination Deadline 3.</p> <p>In relation to PfE Policy JP-G2, the Applicant's response to ExQ1 GB.1.5 is included in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023] submitted at Examination Deadline 3.</p> <p>BMC's Local Impact Report [REP1A-001] and response to ExQ1 BCG.1.3 in Response to ExQ1 [REP3-031], confirm PfE Policy JP-G2 is not identified by BMC as a relevant policy for this Scheme. Whilst, the Applicant has included an assessment of Policy JP-G2 in the Case for the Scheme [REP3-018], this is only in relation to that part of the Policy that directly relates to the Green Infrastructure Network. The part of the Policy relating to delivering compensatory improvements for the removal of Green Belt is not applicable to this Scheme as the applicant is not proposing to remove land from the Green Belt. The very special circumstances for developing in the Green Belt are set out in the Case for the Scheme [REP3-018].</p>
REP3-027h	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 BMC'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 BMC's comments confirming whether or not you consider that further assessment is required to these</p>	<p>PfE Policy JP-G8 makes specific reference to these SACs ("Where appropriate, development should: mitigate air pollution impacts on Manchester Mosses SAC; mitigate urban edge, functionally linked land and recreation disturbance impacts on the South Pennine Moors SAC/SPAs; and assess and potentially mitigate boat movement, water pollution, and light spillage and shading impacts on the Rochdale Canal SAC").</p> <p>It should also be noted that the cumulative effect of traffic using this part of the SRN will not be limited to JPA1.1 and JPA1.2 (Northern Gateway). It is anticipated that traffic from other allocations will also cause increased air pollution in the area due to the lack of sustainable passenger and freight transport solutions. This should also be taken into consideration in the response to BIO.1.</p>	<p>Please refer to item reference REP1-09x in the Applicants comments on BMC's LIR [REP2-008], item 26 of the Statement of Common Ground (SoCG) with BMC [REP2-006] and Natural England's response to ExA First Written Questions BIO1.1 [REP3-028] (also included in this table at REP3-028a).</p> <p>As detailed within item 26 of the SoCG with BMC [REP2-006], Table 4.1 of Appendix 8.13: Habitats Regulations Assessment Report (HRA) of the Environmental Statement Appendices [APP-103] sets out the screening criteria used to identify European sites based on National Highways' Design Manual for Roads and Bridges LA 115 Habitats Regulations Assessment. Criteria 5 relates to identification of sites potentially impacted by air quality. South Pennines SPA/SAC and Manchester Mosses SAC were screened out of further assessment based on their distance from the Scheme.</p>

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			designations. If so, explain why and if not explain why not.		<p>There are no potential impacts to these European sites through changes in air quality due to the Scheme and, as such, no requirement for mitigation.</p> <p>Only a single European site, Rochdale Canal SAC was screened into the assessment, for changes in air quality, due to its location within 200m of the ARN. The Applicant's HRA (Appendix 8.13: HRA Report of the Environmental Statement Appendices [APP-103]) concludes, beyond reasonable scientific doubt, that the Scheme, either alone or in combination with other plans or projects, will not adversely affect the integrity of the Rochdale Canal SAC during operation because the SAC qualifying species has a wide tolerance of nutrient levels and the canal, as a mesotrophic waterbody, is not sensitive to changes in air quality. Therefore, there is no requirement for mitigation. All other effect pathways were screened out for this site so no mitigation is required for the Rochdale Canal SAC in relation to boat movement, water pollution, light spillage or shading impacts.</p> <p>Natural England have been consulted on the HRA and agree with the methodology, assumptions and conclusions (as summarised within their Relevant Representation [RR-009]) and in response to the ExA First Written Questions BIO1.1 at REP3-028 have confirmed that they do not consider further assessment is required for South Pennines SPA, South Pennines SAC and the Manchester Mosses SAC.</p>
REP3-027i	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 balance conclusions. As such, provide more detailed comments as to the suitability of the BNG Report [APP-012] and its findings.</p>	The potential impact on irreplaceable habitat (peatmoss) should also be taken into consideration and the document should also identify the compensation for the potential loss of, or damage to, the peatmoss.	<p>'Peatmoss' is not a habitat recognised by the UK Habitat Classification (UKHab) methodology or BNG metric habitat types.</p> <p>However, the Applicant has taken account of the presence of peatland habitats within the environmental assessment undertaken for the Scheme. As detailed within Paragraph 3.1.10 of Appendix 8.1 UK Habitat (UKHab) Classification Report of the Environmental Statement Appendices [APP-087], a combined agricultural land classification, soil resource survey and UKHab survey were all conducted within locations identified by Natural England as having potential for underlying peat deposits (Cowl Gate Farm and Egypt Lane South). Surveys concluded that the peat/peaty soils were not contiguous and not hydraulically connected such that peatland could be restored. The surface habitats within</p>

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					<p>this area identified species-poor neutral grassland with dominant soft rush <i>Juncus effusus</i>, which is not representative of a peatland vegetation type.</p> <p>Please refer to Issue Reference 2.3 within The Applicant's Statement of Common Ground with Natural England [REP1-017]. Natural England are in agreement within the Applicant that no Annex 1 Habitats, including Annex 1 Habitats 7120 Degraded raised bogs still capable of natural regeneration, have been identified within 200m of the Affected Road Network or Order Limits. No compensation is therefore required for this habitat.</p> <p>As stated within Issue Ref 2.6 within The Applicant's Statement of Common Ground with Natural England [REP1-017], any peat/peaty material excavated during the works would be handled in accordance with Appendix F: Outline Soils Management Plan of the First Iteration EMP [REP1-014], which has been developed in accordance with good practice guidance, including feedback raised from Natural England, and would help mitigate potential adverse effects on all soil resources. The Outline Soils Management Plan will be developed into the Soils Management Plan as part of the Second Iteration EMP secured by Requirement 4 of the draft Development Consent Order [REP3-006].</p>
REP3-027j	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> <p>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.</p>	<p>Bury Council, like other GM Councils, has a climate action plan which should also be referenced. Modal shift, for example, cannot be achieved by promoting new or expanded road schemes.</p> <p><a href="https://www.bury.gov.uk/asset-library/climate-action-plan-update-2023.pdf">https://www.bury.gov.uk/asset-library/climate-action-plan-update-2023.pdf</a></p>	<p>Please refer to the Applicant's response to BMBC's comments on this question at REP3-031o below.</p>

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			<p>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.</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>		
REP3-027k	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>	<p>It is challenging to determine whether we agree with the methodology and assessment findings set out in ES Chapter 14 because we just have summary figures, the detailed calculations are not revealed. So, whilst we can assume it is a competent piece of work, we do question some of the assumptions made:</p> <ul style="list-style-type: none"> <li>The assessment confirms that the scheme will lead to an increase in carbon emissions, of some 62 kTonnes. The assessors argue that this is miniscule against the UK carbon budget. This is poor reasoning because, whilst it is numerically correct, it does not consider the cumulative impact of all such developments in relation to achievement of the national target. If every development nationwide produces a small increase in carbon emissions, how can net zero be achieved?</li> </ul> <p>For a more local comparison, the figure represents circa 0.09% of the 67 Megatonnes in Greater Manchester's carbon budget, which the monitoring reports suggest is already being seriously exceeded (see page 18 of the latest progress report<sup>8</sup> "The latest data show GM emitted 11.2Mt of CO<sub>2</sub> in 2021, an increase (worsening) from the previous report at 10.7Mt of CO<sub>2</sub>" and the emissions dashboard<sup>9</sup>, for which the latest data shows that GM is over the carbon budget by 21.3 MtCo<sub>2</sub>).</p>	<p>The Applicant's response to each of the point's raised is as follows:</p> <ul style="list-style-type: none"> <li>With regard to "<i>the cumulative impact of all such developments</i>", paragraph 5.38 of the National Policy Statement for National Networks (NPS NN, designated in March 2020<sup>24</sup>) states, "<i>The Secretary of State for Energy Security and Net Zero regularly assesses whether the UK has sufficient policies and proposals overall to meet the UK carbon budgets, with a view to meeting the net zero target, in line with the duties under section 13 of the Climate Change Act 2008. It would not be feasible or sensible for such an assessment to be done at the time of taking individual development decisions, and there is no legal requirement to do so</i>". The assessment has therefore focused solely on the potential impact of the Scheme itself.</li> <li>With regard to comparing estimated changes in Green House Gas (GHG) emissions to local carbon targets, please refer to the Applicant's response to BMBC REP3-031o below.</li> <li>With regard to estimated increases in operational road user GHG emissions, paragraph 5.42 of the NPS NN designated in March 2024, states that operational emissions "<i>will be addressed in a managed, economywide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. Therefore, approval of schemes with residual carbon emissions is allowable and can be</i></li> </ul>



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				<p>The Greater Manchester Transport Strategy "Right Mix" Vision is integral to the 2038 Carbon Target (and the Clean Air Plan). That strategy implicitly accepts that there will be schemes that result in an increase of road users, but this will be offset by a suite of mitigation measures to ensure that, overall, there is no net increase in motor vehicle traffic. The key point to recognise is that the GM Transport Strategy accepts you cannot take one scheme in isolation and argue that the increase in emissions is negligible. That scheme has to be placed into context alongside other proposed development schemes and mitigation measures. If there are too many proposed schemes that will cause additional emissions, or if there has been insufficient progress towards the implementation of the mitigation measures, then the impact on cumulative emissions should be factored into decision-making.</p> <ul style="list-style-type: none"> <li>• It does not appear that any allowance has been made for the opportunity cost of lost carbon sequestration as a consequence of land sealing.</li> <li>• It is unclear whether carbon emissions from the anticipated induced traffic have been included within the calculations. This is particularly important given the significant level of development proposed in the now adopted Places for Everyone Plan. Given the lack of sustainable passenger (rail/tram) and freight (rail/water) transport proposed in that Plan, the carbon emissions associated with the consequential huge increases in traffic should be taken into consideration.</li> <li>• Whilst the assessment highlights the quantitative analysis that has been undertaken, there needs to be more qualitative analysis to ensure the scheme is compliant with national, regional and local policies designed to reduce cumulative emissions.</li> </ul>	<p><i>consistent with meeting net zero. However, where the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of government to achieve its statutory carbon budgets, the Secretary of State should refuse consent</i>.</p> <ul style="list-style-type: none"> <li>• With regard to the impact of the scheme on GHG emissions associated with changes in land use and carbon sequestration, this has been considered within the assessment. The approach taken is set out in Section 5 of Appendix 14.1: Estimation of Greenhouse Gas Emissions of the Environmental Statement Appendices [APP-123].</li> <li>• The GHG assessment is based on the traffic numbers generated by the Scheme-specific Simulation and Assignment of Traffic to Urban Road Networks (SATURN) traffic model. The Scheme traffic model has two main elements; Highways Assignment Model, and Variable Demand Model (VDM). The VDM has been implemented in accordance with the methodology in the Department for Transport's Transport Analysis Guidance (TAG). TAG states that "any change to transport conditions will, in principle, cause a change in demand". The purpose of VDM is to predict and quantify these changes. The induced traffic is accounted for through the VDM process. Some of the variable demand responses modelled through VDM include time of day choice, trip frequency, model and route choice. Therefore, the GHG assessment includes impacts from induced traffic.</li> <li>• With regard to compliance with national policy, and as stated in paragraph 14.12.1 of Chapter 14 Climate of the Environmental Statement [APP-053], "<i>The impact of the Scheme on climate (i.e. GHG emissions) is, however, considered to be not significant as it is considered unlikely to have a material impact on the ability of UK Government to meet its carbon reduction targets</i>" and as such, and as stated in paragraph 14.12.2 of Chapter 14 Climate of the Environmental Statement [APP-053], "<i>the Scheme is considered to comply with the relevant requirements of the NPS NN</i>". With regard to compliance with regional and local policies (specifically the relevance of local and regional carbon targets to this assessment), please refer to the Applicant's response to BMBC REP3-031o</li> </ul>

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					below. With regard to cumulative impacts, and as stated in paragraph 14.10.19 of Chapter 14 Climate of the Environmental Statement [APP-053], "The approach to climate assessment within the methodology set out in DMRB LA 114 is inherently cumulative through the inclusion of the Scheme and other locally committed transport schemes within the traffic model on which the GHG emissions calculations are based ... and through the consideration of the GHG emissions associated with the Scheme against the UK carbon budgets".
<b>REP3-028 – Natural England</b>					
REP3-028a	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>	<p>Natural England do not consider further assessment is required for South Pennines SPA, South Pennines SAC and the Manchester Mosses SAC based on their distance from the scheme. It is Natural England's position that for any plan/project that has the potential to have air quality impacts on a European designated site, all European designated sites within 10km must be considered within the assessment. Manchester Mosses SAC is located 13.4km away from the scheme, and South Pennines SPA and South Pennines SAC is 16.2km away from the scheme.</p> <p>The only exception to this is if a scheme falls within one of Natural England's SSSI Impact Risk Zones (IRZs). These IRZs provide guidance on what type of development could impact a nearby designated site. They define zones around each designated site which reflect the sensitivities of the features for which the site is notified, and indicate the types of development proposal which could potentially have adverse impacts and need further consideration. Natural England can confirm the proposal does not fall within any of our IRZs for South Pennines SPA, South Pennines SAC and the Manchester Mosses SAC, or their underpinning SSSIs.</p> <p>For further information on how Natural England approach our advice on the assessment of road traffic emissions, and the evidence behind this approach, please see our Natural England's approach to advising competent authorities on the</p>	<p>The Applicant provided a response to BMBC's comments in the Applicant's Comments on BMBC Local Impact Report [REP2-008] reference REP1-049x.</p> <p>Natural England's response to the ExQ1 reference BIO.1.1 is noted. The Applicant has no further comment.</p>

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				assessment of road traffic emissions under the Habitats Regulations (NEA001) on our Access to Evidence website.	
REP3-028b	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>	Natural England can confirm there is no proposed SACs, SPAs and Ramsar that could be impacted by the proposed development.	Natural England's response to the ExQ1 reference BIO.1.2 is noted. The Applicant has no further comment.
REP3-028c	BIO.1.3	Applicant and NE	<p><b>Other Plans and Projects</b></p> <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>	Natural England can confirm we are happy with the Applicant's approach to the in-combination assessment, and concur with their conclusion that there will be no adverse effects on integrity of the Rochdale Canal alone or in-combination.	Natural England's response to the ExQ1 reference BIO.1.3 is noted. The Applicant has no further comment.
<b>REP3-029 – The Coal Authority</b>					
REP3-029a	N/A	N/A	N/A	We last commented on this project in a letter to the Planning Inspectorate dated 10 June 2024. In this letter, following review of the submitted Ground Investigation Report, dated April 2024, and included in Appendix 9.3 of the ES, we noted that we had no objections to the scheme and no requirements for imposition of any conditions.	The Applicant has no comment.
REP3-029b	ExQ1 GS.1.3	The Applicant and the Coal Authority	<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,</p>	It is noted that in the Examining Authority's Written Questions, dated 22 <sup>nd</sup> October 2024, EXQ1 GS.1.3 seeks a response from the Coal Authority on land instability matters. Section 4.3.9 of Appendix 9.3, Ground Investigation Report, Stated that the ground investigation undertaken did not encounter any coal	<p>The Applicant provided a response to ExQ1 GS.1.3 in the Applicants Responses to the Examining Authority's First Written Questions [REP3-023].</p> <p>The Coal Authority's response to the ExQ1 reference</p>

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			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 2024 (which is an important and relevant document) paragraph 5.158 states "Applicants should submit a coal mining risk assessment as part of their application in specific Development High Risk areas". Provide an appropriate risk assessment or explain why one is not required.	seam levels. Section 4.7 of this same report stated that the desk study indicated that at Junction 17 the site is underlain by development high risk areas associated with the Worsley Four Feet Coal Seam. The report authors comment that the ground investigation undertaken between Junction 17 and Junction 18 has identified that there is sufficient thickness of superficial deposits above the overlying bedrock to mitigate against collapse of workings propagating to surface or foundation depth for any gantry construction. On the basis of the conclusions reached by the report authors, in respect of risks posed to the project by past coal mining activity, the Planning team Coal Authority do not request the submission of a Coal Mining Risk Assessment or any additional information.	GS.1.3 is noted. The Applicant has no further comment.
<b>REP3-030 – United Utilities Water Limited</b>					
REP3-030	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> <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> <p>Provide copies of the preferred wording.</p>	In response to CA1.1, we wish to confirm United Utilities intention to agree appropriate protective provisions for United Utilities as opposed to those contained within the draft Order.	The Applicant's provided an update at deadline 3 within the Applicant's Updates (Rule 6 Letter Annex E [REP3-021] and orally at the Compulsory Acquisition Hearing 1 on 26 November 2024. The Applicant continues to be in correspondence with the in-house legal team for Unities Utilities with a view to agreeing the form of wording of the protective provisions included within the draft Development Consent Order [REP3-006]. The Applicant will provide an update as part of the Applicants Updates to Annex E of the Rule 6 Letter in accordance with the examination timetable [PD-008].
<b>REP3-031 – Bury Metropolitan Borough Council</b>					



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REP3-031a	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? 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 of 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>	Bury Metropolitan Borough Council (BMBC) has not, and will not, use Artificial Intelligence in relation to this DCO.	The Applicant notes BMBC's response to ExAQ1 BCG.1.2. The Applicant has no comment.

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REP3-031b	BCG.1.3	BMBC	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.	Places for Everyone Joint Development Plan Document (PfE) (adopted March 2024) - Please see separately submitted document <u>Policies (in the order they are listed in PfE) - (ExQ1_BMBC Appendix 1)</u> <ul style="list-style-type: none"> <li>• JP-Strat6: Northern Areas</li> <li>• JP-Strat7: North-East Growth Corridor</li> <li>• JP-S4: Flood Risk and the Water Environment</li> <li>• JP-S5: Clean Air</li> <li>• JP-J1: Supporting Long-Term Economic Growth</li> <li>• JP-G1: Landscape Character</li> <li>• JP-G8: A Net Enhancement of Biodiversity and Geodiversity</li> <li>• JP-P6: Health</li> <li>• JP-C4: The Strategic Road Network</li> <li>• JP-C5: Streets for All</li> <li>• JP Allocation 1.1: Heywood / Pilsworth (Northern Gateway)</li> <li>• JP Allocation 1.2: Simister and Bowlee (Northern Gateway)</li> <li>• JP Allocation 2: Stakehill</li> <li>• JP-D1: Infrastructure Implementation</li> </ul> <u>Bury Unitary Development Plan (adopted August 1997)</u> <ul style="list-style-type: none"> <li>• EN6/4 - Wildlife Links and Corridors (ExQ1_BMBC Appendix 2)</li> </ul>	The Applicant notes BMBC's response to ExQ1 BCG.1.3. The Applicant has no comment, except to note that policy JP-G2: Green Infrastructure Network is not considered by BMBC to be relevant to this Scheme
REP3-031c	BCG.1.6	Applicant, BMBC and Interested Parties	<b>Central Government Policy and Guidance</b> 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?	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.	The Applicant notes BMBC's response to the ExQ1 BCG.1.6. The Applicant's response to ExQ1 BCG.1.6 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.
REP3-031d	BCG.1.8	Applicant and BMBC	<b>Clarification</b> 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	The Applicant will address this question in due course.	The Applicant notes BMBC's response to the ExQ1 BCG.1.8. The Applicant's response to ExQ1 BCG.1.8 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant can confirm that the typographical errors will be amended and an updated SoCG will be submitted on or

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			under discussion.		before examination Deadline 5.
REP3-031e	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. 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. 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.</li> </ul> <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</p>	<p>The Applicant notes BMBC's response to the ExQ1 AQ.1.1. The Applicant's response to ExQ1 AQ.1.1 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.</p>

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				<p>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> <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>	
REP3-031f	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 NO2 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/m3.</p>	<p>The Applicant notes BMBC's response to the ExQ1 AQ.1.2. The Applicant's response to ExQ1 AQ.1.2 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.</p>



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				The GM monitoring data indicates that air pollution generally decreased in 2023 compared with 2022.	
REP3-031g	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>	<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>	The Applicant notes BMBC's response to the ExQ1 AQ.1.3. The Applicant's response to ExQ1 AQ.1.3 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.

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REP3-031h	AQ.1.4	BMBC, Manchester City Council (MCC) and Rochdale Metropolitan Borough Council (RMBC)	<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 (NO2) 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 NO2 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/m3 and -4.0 µg/m3, so would be classed as a medium change. A total of 188 out of the 557 receptors modelled are predicted to see reductions in NO2 as a result of the scheme.</p> <p>A total of 368 out of the 557 receptors modelled are predicted to see increases in NO2 as a result of the scheme. However, the modelled concentrations are all well below the annual mean AQO for NO2 of 40 µg/m3.</p> <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>	<p>The Applicant notes BMBC's response to EXQ1 AQ.1.4. BMBC's response refers to concentrations reducing compared to previous years, with concentrations near the Scheme being only slightly above the Limit Value and Air Quality Objective threshold for annual average NO<sub>2</sub>. Examination of the data referred in BMBC's response to AQ.1.2 (Appendix 3 2023 Air Quality Annual Status Report [REP3-034], which is available at <a href="https://cleanairm.com/data-hub/monitoring-reports">https://cleanairm.com/data-hub/monitoring-reports</a>), shows that the monitoring sites that exceed in any year from 2020 to 2023 inclusive, near the Scheme, are all situated along the A56 (to the north of junction 17: CAP_Bury_027, CAP_Bury_011/BUR-A5, CAP_Bury_004/BUR-A4). Monitoring locations closer to the Scheme near the M60 (Bury 19 (BU19) and Bury 4 (BU04)) have not exceeded since 2019.</p>
REP3-031i	AQ.1.5	Applicant, BMBC, MCC and RMBC	<p><b>Air Quality Receptor Locations</b></p> <p>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</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:</li> </ul>	<p>The Applicant notes BMBC's response to the ExQ1 AQ.1.5. The Applicant's response to ExQ1 AQ.1.5 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.</p>

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			<p>not been included as a receptor location in the air quality assessment results [APP-080].</p> <p><b>Applicant:</b></p> <p>3. 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 NO2 in the 2018 base year.</p> <p>4. 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.</p> <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>'the annual mean NO2 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.'</p> <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>	
REP3-031j	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> <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</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</p>	<p>The Applicant notes BMBC's response to ExQ1 AQ.1.7. The Applicant's response to ExQ1 AQ.1.7 is provided in the Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.</p> <p>The Applicant observes that Action 23 of the Action Points arising from Issue Specific Hearing 2 (ISH2) on environmental matters held on Wednesday 27 and Thursday 28 November 2024 [EV10-002] invites the Applicant to provide examples of successful dust suppression measures from other projects. The Applicant</p>

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			<p>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><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>	<p>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>	is to provide a response to this action at Examination Deadline 5.
REP3-031k	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> <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></p> <p>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></p> <p>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.</p> <p>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> </ul>	The Applicant notes BMBC's response to the ExQ1 AQ.1.8. The Applicant has no further comment. The Applicant observes that Action 23 of the Action Points arising from Issue Specific Hearing 2 (ISH2) on environmental matters held on Wednesday 27 and Thursday 28 November 2024 [EV10-002] invites the Applicant to provide examples of successful dust suppression measures from other projects. The Applicant is to provide a response to this action at Examination Deadline 5.



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				<ul style="list-style-type: none"> <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>	
REP3-031I	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>	BMBC are not aware of any planned new international sites that would be affected by this development.	The Applicant notes BMBC's response to the ExQ1 BIO.1.2. The Applicant has no further comment.
REP3-031m	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>Publication of the LNRS is very unlikely to have any significant effect on the finalised BNG metric. The LNRS will supersede current strategic wildlife policies in the Bury Local Plan such as sites of Biological Importance and wildlife corridors.</p> <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>	The Applicant notes BMBC's response to ExQ1 BIO.1.6. The Applicant's response to ExA Q1 BIO.1.6 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.

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			<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>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>	
REP3-031n	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 balance conclusions. As such, provide more detailed comments as to the suitability of the BNG Report [APP-012] and its findings.</p>	<p><b>Use of Defra metric v3.1</b></p> <p>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><b>Strategic Significance</b></p> <p>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</p>	<p>The Applicant notes BMBC's response to ExQ1 BIO.1.8 in relation to the use of the Defra Metric Version 3.1. The Applicant's and Natural England's agreed position on the use of Defra Metric Version 3.1 is set out in Issue Reference 4.1 in the Statement of Common Ground with Natural England [REP1-017]. The Applicant has no further comment.</p> <p>The Applicant notes BMBC's response to ExQ1 BIO.1.8 in relation to Strategic Significance and agrees that adjustment of the Strategic Significance values in line with the draft LNRS would be unlikely to significantly alter the overall value of net gain achieved.</p>

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				<p>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><b>Baseline Values.</b></p> <p>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>The Applicant notes BMBC's response to ExQ1 BIO.1.8 in relation to the Baseline Values. The Applicant has no further comment.</p>
				<p><b>Habitat Creation and Enhancement Proposals</b></p> <p>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> <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</p>	<p>The target condition for lowland mixed deciduous woodland which would be created has been set to 'moderate' within the metric as the Applicant recognises it would be difficult to achieve a higher condition. Although this habitat is more difficult to create, this is accounted for by the 'final difficulty of creation column' which is auto-populated by the metric spreadsheet. It should also be noted for this habitat type the final time to target condition is 30 years and so the time available to create this habitat is long.</p> <ul style="list-style-type: none"> <li>• Table A.3 of Appendix 8.12 Biodiversity Net Gain Report of the Environmental Statement Appendices [APP-102] sets out which condition criteria the Applicant assesses are achievable to deliver lowland mixed deciduous woodland in moderate condition.</li> <li>• Similarly, Table A.3 also sets out which condition criteria the Applicant assesses are achievable to deliver other neutral grassland in good condition.</li> </ul> <p>Habitats will be maintained and managed long-term in accordance with the Landscape and Ecology Management Plan which will be developed from the</p>

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				<p>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>Outline Landscape and Ecology Management Plan [APP-141], contained within Appendix N of the First Iteration Environmental Management Plan [REP3-014APP-]. Preparation of the Landscape and Ecology Management Plan is secured by Requirement 4 of the draft Development Consent Order [REP3-006].</p> <p>The Applicant notes BMBC's comments that the economy of scale for such a large parcel of grassland (over 18ha) makes the target of good condition more achievable and that should creation of lowland mixed woodland fail, 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><b>Trading Rules</b></p> <p>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>The Applicant notes BMBC's support for the creation of grassland habitat, and confirms that as BNG is not yet a statutory requirement for Nationally Significant Infrastructure Projects, off-site compensation is not proposed for the Scheme.</p> <p>The Applicant has however sought to maximise biodiversity delivery within the Order Limits through provision of new habitats within the landscaping scheme and enhancement of existing retained vegetation, forecasting an overall net gain of 3.68% for habitats and 58.50% for hedgerows and 0% for rivers and streams on-site postconstruction as detailed in Appendix 8.12, Biodiversity Net Gain Report of the Environmental Statement Appendices [APP-102]. Therefore, the Scheme's target of no net loss is likely to be achieved.</p>
				<p><b>Delay in Habitat creation and Enhancement</b></p> <p>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</p>	<p>The Applicant notes BMBC's comments with respect to commencing enhancement of retained habitats earlier within the construction programme and will consider whether this can be achieved when developing a more detailed construction programme during the detailed design phase of the Scheme.</p>



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				<p>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><b>User of Fairly Good</b></p> <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>The Applicant notes BMBC's response to ExQ1 BIO.1.8 in relation to the use of a condition target of Fairly Good. The Applicant has no further comment.</p>
				<p><b>Hedgerow Units</b></p> <p>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>The Applicant notes BMBC's response to ExQ1 BIO.1.8 in relation to Hedgerow Units. The Applicant has no further comment.</p>
				<p><b>River Units</b></p> <p>As no direct loss of river units will occur within the guidance for metric 3.1, no further information is required.</p>	<p>The Applicant notes BMBC's response to ExQ1 BIO.1.8 in relation to River Units. The Applicant has no further comment.</p>
				<p><b>Conclusion</b></p> <p>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 Applicant notes BMBC's comments and confirms that as BNG is not yet a statutory requirement for Nationally Significant Infrastructure Projects, off-site compensation is not proposed for the Scheme.</p> <p>The Applicant has however sought to maximise biodiversity delivery within the Order Limits through provision of new habitats within the landscaping scheme</p>

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				<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>	<p>and enhancement of existing retained vegetation, forecasting an overall net gain of 3.68% for habitats and 58.50% for hedgerows and 0% for rivers and streams on-site postconstruction as detailed in Appendix 8.12, Biodiversity Net Gain Report of the Environmental Statement Appendices [APP-102]. Therefore, the Scheme's target of no net loss is likely to be achieved.</p>
REP3-031o	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> <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> <li>3. Noting that paragraph 6.9 of your LIR [REP1A-001] considers that the increase</li> </ol>	<p><b>Question 1</b></p> <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>	<p>The Applicant notes BMBC's response to ExQ1 CC.1.2. As noted by BMBC, the commitment made by the Greater Manchester local authorities to be carbon neutral by 2038 has no statutory basis and does not form part of the development plan against which planning decisions must be assessed.</p> <p>Instead, the relevant planning policy (i.e. the National Networks National Policy Statement (NPS NN, designated in January 2015)) states in paragraph 5.17 that <i>"for road projects applicants should provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets"</i>. This approach is also supported by the NPS NN designated in March 2024. It is therefore clear that the most appropriate level of assessment is against statutory carbon budgets, which are all defined and set at a national level by the UK government. Such an assessment is provided in Table 14.24 of Chapter 14 Climate of the Environmental Statement [APP-053].</p> <p>While the Institute of Environmental Management &amp; Assessment (IEMA) Guide: Assessing Greenhouse Gas Emissions and Evaluating their Significance (IEMA,2022), suggests that local or regional carbon budgets developed by local authorities and researchers may be <i>"A more pertinent scale for individual projects and local decision-making"</i> they recognise there are several limitations to such an approach, including:</p>

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			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><b>Question 2</b></p> <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 :</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 Environmental Statement - Chapter 14 (t CO2)</th> <th>Percentage of carbon budget due to the schemes ghg emissions.</th> </tr> </thead> <tbody> <tr> <td>2023</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>2027</td> <td>1800000</td> <td>38414</td> <td>2.13%</td> </tr> <tr> <td>2028</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>2032</td> <td>900000</td> <td>40513</td> <td>4.50%</td> </tr> <tr> <td>2033</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>2037</td> <td>400000</td> <td>17893</td> <td>4.47%</td> </tr> </tbody> </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>	Carbon Budget Period	Recommended Carbon Budget (t CO2) Tyndall Centre	Scheme Carbon Emissions taken from table 14.24 of the Environmental Statement - Chapter 14 (t CO2)	Percentage of carbon budget due to the schemes ghg emissions.	2023	-	-	-	2027	1800000	38414	2.13%	2028	-	-	-	2032	900000	40513	4.50%	2033	-	-	-	2037	400000	17893	4.47%	<ul style="list-style-type: none"> <li>“Effects of GHG emissions are not geographically circumscribed, so a geographic budget (below a national budget defined based on negotiated NDCs [Nationally Determined Contributions] to commitments to a global budget agreed through the UNFCCC [United Nations Framework Convention on Climate Change] is not very meaningful”</li> <li>“It's unclear whether emerging local authority or regional budgets will add up coherently to the UK budget”</li> </ul> <p>Notwithstanding the Applicant's response above regarding the relevance of this comparison, it is noted that in their response to this question, BMBC have compared total estimated GHG emissions associated with the Scheme with their local carbon targets. However:</p> <ul style="list-style-type: none"> <li>GHG emissions associated with the supply of raw materials, transport and manufacturing of the materials which are required to construct the Scheme make up a substantial proportion of estimated construction phase GHG emissions (as shown in Table 14.22 of Chapter 14 Climate of the Environmental Statement [APP-053]). Within the assessment it is assumed that all of these emissions will occur within the UK, however, only a small proportion of these emissions (if any) will occur within the area administered by BMBC, or potentially even Greater Manchester.</li> <li>Only a small proportion of the estimated GHG emissions shown in Table 14.22 of Chapter 14 Climate of the Environmental Statement [APP-053] associated with the transport of materials to the works site, the transport and treatment of waste and employee transport will occur within the area administered by BMBC.</li> <li>Only a small proportion of the estimated GHG emissions shown in Table 14.23 of Chapter 14 Climate of the Environmental Statement [APP-053] associated with maintenance and refurbishment will occur within the area administered by BMBC, as the majority of these emissions are associated with the supply of raw materials, transport and manufacturing of the materials which are required to maintain the Scheme, which could occur anywhere in the UK.</li> </ul>
Carbon Budget Period	Recommended Carbon Budget (t CO2) Tyndall Centre	Scheme Carbon Emissions taken from table 14.24 of the Environmental Statement - Chapter 14 (t CO2)	Percentage of carbon budget due to the schemes ghg emissions.																														
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				<p><b>Question 3</b></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>	The Case for the Scheme [REP3-018] has assessed Policy JP-C4.
REP3-031p	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>	<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>	The Applicant notes BMBC's response to ExQ1 CC.1.3. With regard to comparing estimated changes in GHG emissions to local carbon targets, please see the Applicant's response above (REP3-031o)
REP3-031q	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>	<p>The Applicant notes BMBC's response to ExQ1 CC.1.4. An Outline Carbon Management Plan, which is included at Appendix O of the First Iteration EMP [APP-142], has been produced for the current Scheme stage (i.e. the preliminary design stage), which is focussed on reducing embodied carbon emissions (e.g. emissions associated with the production of raw materials). The Outline Carbon Management Plan will be developed into the Carbon Management Plan, under the Second Iteration EMP, which is secured through Requirement 4 of the draft DCO [REP3-006].</p> <p>The enhancement measures set out in paragraph 6.5 of</p>

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					<p>BMBC's LIR [REP1A-001] will be considered going forwards as part of the ongoing development and implementation of the Carbon Management Plan, including measures such as:</p> <ul style="list-style-type: none"> <li>• Using low emission vehicles</li> <li>• Providing electric vehicle charging infrastructure</li> <li>• Using stop start technology for vehicles</li> <li>• Using renewable energy</li> <li>• Connecting to grid where possible</li> <li>• Using low resource and energy solutions for site compound and associated facilities</li> <li>• Potentially using alternative fuels.</li> </ul>
REP3-031r	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 Finch R (on the application of Finch on behalf of the Weald Action Group) (Appellant) v Surrey County Council and others (Respondents) [2024] UKSC 20 and the judgement of the High Court in Friends of the Earth and Ors v SSDES NZ [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>	<p>As described in The Applicant's Response to the Examining Authority's First Written Questions [REP3-023], the Applicant is conducting a review of the assessments and findings in the Environmental Statement with regard to the implications of the Finch judgement. The Applicant has been unable to conclude this review for Deadline 4 but will provide a technical note detailing the conclusions for Deadline 5.</p>
REP3-031s	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 Applicant notes BMBC's response to ExQ1 CICE.1.1 and the Certificates of Lawfulness granted for the proposed works to Pike Fold Golf Club. The Applicant notes that at Examination Deadline 5 an updated Appendix A: Schedule of negotiation of Compulsory Acquisition with Affected Parties of the Applicant's Updates (Rule 6 Letter Annex E) [REP3-021] will be provided. This will include an update on matters agreed with The Trustees of Pike Fold Golf Club.</p>

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				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).	
REP3-031t	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>	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.	The Applicant notes BMBC's response to ExQ1 CICE.1.2. The Applicant is aware that BMBC are currently consulting on the draft Northern Gateway Development Framework Supplementary Planning Document and notes that Figure 3: Indicative Development Framework Plan identifies the footprint to accommodate the Scheme. The Applicant has no further comment.
REP3-031u	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>	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>The Applicant notes BMBC's response to ExQ1 CICE.1.3.</p> <p>The Applicant is aware that BMBC are currently consulting on the draft Northern Gateway Development Framework Supplementary Planning Document and notes that Figure 3: Indicative Development Framework Plan identifies the footprint to accommodate the Scheme. The Applicant also notes that the draft masterplan does not include any development parcels on land affected by the Northern Loop proposal.</p> <p>The Applicant is also aware of the Scoping Opinion Request for proposed Northern Gateway Site JPA 1.1 currently under consideration by BMBC.</p> <p>The Applicant notes that Action 3 of the Action Points arising from Issue Specific Hearing 2 (ISH2) on environmental matters held on Wednesday 27 and Thursday 28 November 2024 [EV10-002] relates to the</p>

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					consideration of the Scoping Opinion Request in relation to the cumulative assessment of the Scheme. The Applicant is to provide a response to this action for examination deadline 5.
REP3-031v	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>	<p>The Applicant notes BMBC's response to ExQ1 DES.1.1 in relation to Design. Action 8 of the Action Points arising from Issue Specific Hearing 2 (ISH2) on environmental matters held on Wednesday 27 and Thursday 28 November 2024 [EV10-002] relates to the provision of evidence to support BMBC's response to ExQ1 DES.1.1 to explain why it is satisfied with the design in general.</p> <p>The Applicant's response to this Action is provided in 7.24 Written Submissions following November Hearings and Responses to Action Points from CAH1 and ISH2 (TR010064/APP/7.24).</p>
REP3-031w	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>	BMBC does not have any design guides/codes that would be relevant.	The Applicant notes BMBC's response to ExQ1 DES.1.2 in relation to Design Guides. The Applicant has no comment.
REP3-031x	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</p>	The Applicant notes BMBC's response to ExQ1 DCO.1.4 and has nothing further to add other than to reiterate the inclusion of protocols for the discovery of unexpected human remains in the Written Scheme of Investigation (WSI). The preparation of the WSI prior to the commencement of the Scheme is secured through Requirement 9 of the draft Development Consent Order [REP3-006] which includes a requirement to consult with the relevant planning authority prior to being submitted for approval by the Secretary of State. It is understood that while GMAAS continue to represent BMBC as their archaeological advisors they will be consulted as part of this process.



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				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).	
REP3-031y	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><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>	<ol style="list-style-type: none"> <li>hard landscaping and materials including colour, boundary treatment of any fences and walls, structures and street furniture;</li> <li>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);</li> <li>(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,</li> <li>implementation of timetables for the implementation and maintenance for all landscaping.</li> </ol>	<p>The Applicant notes BMBC's response to ExQ1 DCO.1.14.</p> <p>The Applicant notes that Action 53 of the Action Points arising from Issue Specific Hearing 2 (ISH2) on environmental matters held on Wednesday 27 and Thursday 28 November 2024 [EV10-002] relates to requirement 5(3) of the draft Development Consent Order [REP3-006]. The Applicants response to this Action is provided in 7.24 Written Submissions following November Hearings and Responses to Action Points from CAH1 and ISH2 (TR010064/APP/7.24).</p>
REP3-031z	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> <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</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>	<p>The Applicant notes BMBC's response to ExQ1 DCO.1.1.6. The Applicant has no comment in the circumstances where the current drafting meets BMBC's preferred approach.</p>

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			referred to, suggest a preferred form of wording.		
REP3-031aa	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> <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</p>	<p>The Applicant notes BMBC's response to ExQ1 GB.1.3. The Applicant has responded to 'any other harm' in response to GB1.3 in the responses to the Examining Authority's First Written Questions [REP3-023].</p>

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				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.	
REP3-031bb	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</p>	The Applicant notes BMBC's response to ExQ1 HE.1.1. The Applicant has no comments.

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				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 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.	
REP3-031cc	HE.1.2	BMBC	<b>Methodology – Value of Heritage Assets</b> 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.	BMBC agrees with the identified values based on the criteria listed in Table 1.1 in ES Appendix 6.1[APP-081].	The Applicant notes BMBC's response to ExQ1 HE.1.2. The Applicant also notes that BMBC's acceptance of the datasets and analysis used for establishing the cultural heritage baseline following review of Appendix 6.1: Cultural Heritage Desk Based Assessment of the Environmental Statement Appendices [APP-081] is identified as a matter agreed in issue reference 17 of the Statement of Common Ground with Bury Metropolitan Borough Council [REP2-006].
REP3-031dd	HE.1.3	Applicant / BMBC	<b>Limitations of Study</b> 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. <b>Applicant:</b> <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</li> </ol>	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, 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.	The Applicant's response to ExA Q1 HE.1.3 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment to BMBC's response, other than to note the following intention set out in issue reference 23 of the Statement of Common Ground with Bury Metropolitan Borough Council [REP2-006] in relation to the timing of archaeological evaluation/investigation; <i>"The Applicant intends to implement archaeological trial trenching at the earliest opportunity upon grant of a development consent order by the Secretary of State"</i>



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			<p>explain further how the SoS can be satisfied that it can discharge its responsibilities under paragraphs 5.128 to 5.130 of the NPSNN?</p> <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>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>	
REP3-031ee	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>	<p>The Applicant notes BMBC's response to ExQ1 HE.1.4. The Applicant did not identify any non-designated Heritage Assets which are demonstrably of equivalent significance to scheduled monuments from the data available, which was interrogated and assessed in Appendix 6.1: Cultural Heritage Desk Based Assessment of the Environmental Statement Appendices [APP-081] and distilled into Chapter 6: Cultural Heritage of the Environmental Statement [APP-045].</p>
REP3-031ff	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>	<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>	<p>The Applicant's response to ExA Q1 HE.1.5 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant notes BMBC's response to ExQ1 HE.1.5 and has no further comments.</p>
REP3-031gg	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</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</p>	<p>The Applicant notes BMBC's response to ExQ1 HE.1.6. The Applicant has no comment.</p>



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			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.	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.	
REP3-031hh	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>	The Applicant notes BMBC's response to ExQ1 HE.1.8. The Applicant has submitted for Examination Deadline 4 a revised Appendix 6.1 Cultural Heritage Desk Based Assessment [APP-081] to include clarification on the need within the WSI to specify that the works required by the WSI are to be undertaken by suitably experienced and qualified archaeological contractor(s), and include provision for monitoring of implementation by BMBC.
REP3-031ii	HE.1.9	BMBC	<b>Archaeological works</b>	Yes, suggested addition into section 1.4 of the Cultural Heritage Desk Based Assessment [APP-	The Applicant notes BMBC's response to ExQ HE.1.9. The Applicant has submitted for Examination Deadline 4 a

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			<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>081] and CH2 of the REAC [REP1-010]:</p> <p>“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.</p>	<p>revised Appendix 6.1 Cultural Heritage Desk Based Assessment [APP-081] and a new commitment CH3 in the Register of Environmental Actions and Commitments of the First Iteration Environmental Management Plan [REP3-014] to include archaeological monitoring and recording on the excavation of Pond 7 in the north-west quadrant of the Order Limits.</p>																
REP3-031jj	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>3. 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>3. Noting that paragraph 7.5.8 of ES Chapter 7 [APP-046] has scoped out the Bury Metropolitan</p>	<p>Table 1. Extract from Table 4.2 of the GMLCSA (2018) related to LCA 19, 26, and 27.</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> <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>	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	<p>The Applicant notes BMBC's response to ExQ1 LV.1.1.</p> <p>As described by BMBC, there is no published townscape character assessment for the study area. Therefore, a desk-based townscape character assessment with verification on site has been undertaken by the Applicant for the parts of the study area not within an LCA. The townscape character assessment has been informed by GLVIA3, An Approach to Landscape Character Assessment (Natural England, 2014), and the Townscape Character Assessment Technical Information Note 05/2017 (Landscape Institute, 2018).</p> <p>The townscape baseline is described in Section 7.7 of Chapter 7 Landscape and Visual of the Environmental Statement [APP-046] and in detail in Appendix 7.2: Landscape and Townscape Character Baseline and Sensitivity Assessment of the Environmental Statement Appendices [APP-084]. The assessment of townscape effects is described in Section 7.10 of Chapter 7 Landscape and Visual of the Environmental Statement [APP-046] and in detail in Appendix 7.3: Schedule of Landscape and Townscape Effects of the Environmental Statement Appendices [APP-085].</p> <p>Figure 7.4: Landscape and Townscape Character Areas of the Environmental Statement Figures [APP-066] shows the TCA Prestwich, Whitefield, Radcliffe and Unsworth</p>
Landscape Character Area (LCA)	Landscape Character Type	Sensitivity to Residential housing developments	Sensitivity to Commercial/Industrial developments																		
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			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>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>	Residential.
				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:	The Applicant notes BMBC response to ExQ1 LV.1.1, The Applicant has no comment.

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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="1389 1696 2021 1822">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> <p data-bbox="1389 1852 2000 1885">The report considers the GMSLCA's at paragraph</p>	Landscape Character Area	GMLCSA Guidance and opportunities for future development and landscape management/enhancement	Measure identified in the EM & ES Chapter 7.	LCA 27	Utilise dips in the landform, including valley slopes, and existing tree/woodland cover to integrate new development into the landscape.	The ponds will be designed to provide landscape integration and planting opportunities. 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				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.	
REP3-031kk	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>	The Applicant's response to ExA Q1 LV.1.2 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant notes BMBC's response to ExQ1 LV.1.2. Policy JP-G1 is assessed in the Case for the Scheme [REP3-018].
REP3-031ll	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]</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	The Applicant notes BMBC's response to ExQ1 LV.1.3. The Applicant has no comment.



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			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.	and Visual (APP-046)).	
REP3-031mm	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 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>	The Applicant notes BMBC response to ExQ1 LV.1.12. The Applicant has no comment.
REP3-031nn	MAW.1.3	Applicant and BMBC	<b>Locally Sourced Materials</b>	BMBC is unable to comment on whether such a commitment would be achievable.	The Applicant's response to ExA Q1 MAW1.3 was provided in The Applicant's Responses to the Examining

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			<p><b>Applicant:</b> APP-049 para 10.6.5 states "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". 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 (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>However, the Applicant will address this in their submission to ExQ1.</p>	<p>Authority's First Written Questions [REP3-023]. The Applicant notes that BMBC will respond if it considers necessary at Examination Deadline 4 and has no further comment at this time.</p>
REP3-03100	MAW.1.4	Applicant and BMBC	<p><b>Circular Approach</b></p> <p><b>Applicant:</b> [APP-049] paragraph 10.7.6 states "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)." 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>BMBC is unable to comment on whether the use of a 'circular' approach would be achievable.</p> <p>However, the Applicant will address this in their submission to ExQ1.</p>	<p>The Applicant's response to ExA Q1 MAW.1.4 was provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant notes that BMBC will respond if it considers necessary at Examination Deadline 4 and has no further comment at this time.</p>

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REP3-031pp	MAW.1.5	BMBC	<p><b>Mineral Safeguarding Areas and Peat Resources</b></p> <p>The LIR [REP1A-001] paragraph 3.57 states "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."</p> <p>Do you agree with the Applicant that MSA's and peat resources can be scoped out of the assessment?</p>	BMBC agree with the Applicant.	The Applicant notes BMBC response to ExQ1 MAW.1.5. The Applicant has no comment.
REP3-031qq	NE.1.3	BMBC	<p><b>Boosting Northern Competitiveness</b></p> <p>The LIR [REP1A-001], paragraph 3.9 states "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". 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</p>	The Applicant notes BMBC's response to ExQ1 NE.1.3. Policies JP STRAT 6 and JP STRAT 7 relating to the Northern Area are assessed in the Case for the Scheme [REP3-018]. The Applicant has no further comment.

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				<p>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> <p>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.</p>	
REP3-031rr	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>	<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>	The Applicant notes BMBC's response to ExQ1 PHH.1.2. The Applicant has no comment.
REP3-031ss	PHH.1.3	BMBC and Unsworth Academy	<p><b>PRoW</b></p> <p>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>	It is recorded as the same public footpath. The footpath through the underpass is recorded as a PROW with footpath status.	The Applicant notes BMBC's response to ExQ1 PHH.1.3. The Applicant has no comment.
REP3-031tt	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</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).	The Applicant provided a response to ExQ1 PHH.1.5 in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has also provided a further response to Issue Specific Hearing 2, Action point 17 which can be found in document reference TR010064/APP/7.24. The Applicant has no further comments to add at this time.



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			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>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>	
REP3-031uu	RDWE.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 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.</p>	<p>Where the Scheme introduces additional impermeable surfaces, these will be drained to appropriate drainage features. Full details of the drainage strategy associated with the Scheme are provided in Appendix 13.7 Drainage Strategy Report of the Environmental Statement Appendices [APP-122]. The design criteria developed for the Scheme has been developed in accordance with the National Highways standard DMRB CG 501 – The Design of Highway Drainage Systems and is outlined in Section 2 of Appendix 13.7 Drainage Strategy Report of the Environmental Statement Appendices [APP-122]. This includes criteria relating to the management of road runoff into drainage systems for a range of return periods, which also gives due consideration of the impacts from climate change through increases in peak rainfall intensities.</p> <p>For the area referenced in Relevant Representation RR-039 [REP1-020], catchment 4 comprises an upgrade of the existing drainage arrangements. New surface water collection features would be provided along the verge of the M60 eastbound and M62/M60 central reserve which is tied into the existing catchment 4 drainage. In order to provide attenuation and water treatment, the entire drainage catchment will be directed via swales to an attenuation pond (labelled as Pond 4 on Sheet 2 of the General Arrangement Plans [APP-005]. Pond 4 is situated at a natural low point within the field (located immediately southwest of M60 J18 circulatory carriageway) before discharging into an existing unnamed drain via a vortex</p>



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					<p>flow control device. The drain then flows northwards under the M60 in a culvert. The discharge rates from the system will be maintained as per the existing rates.</p> <p>The Scheme design is not required to attenuate overland flows or inoperative third party land drainage. Anecdotally, the Applicant understands that there is a problem with the drainage of the field, which if left unresolved and resulted in the uncontrolled egress of water on to neighbouring land/property, may lead to an actionable nuisance. The attenuation of highway drainage flows may not therefore be related to the issue reported in RR-039.</p>
REP3-031vv	RDWE.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>	<p>The Applicant notes BMBC's comments. The Scheme is located within Flood Zone 1 and there are no areas of the Scheme that interact with Flood Zones 2 or 3. It is therefore unlikely that significant flooding would occur.</p> <p>The revised Appendix H: Outline Surface and Ground Water Management Plan [REP3-016] of the First Iteration Environmental Management Plan [REP3-014] outlines control measures to mitigate any potential adverse impacts on the water environment during construction. This includes measures for the management of activities within floodplains or near watercourses; consideration of overland fluvial or surface water flood flow paths to ensure they are maintained during construction; and, dealing with the discharge from dewatering operations to ensure that there are no changes to / increased flood risk.</p> <p>The control measures outlined in this management plan are to be implemented under Requirement 4 of the draft DCO [REP3-006]. Requirement 8 of the draft DCO pertains to the requirements of the surface and foul water drainage system associated with the operation of the Scheme.</p>
REP3-031ww	RDWE.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?</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</p>	<p>The Applicant notes BMBC's comments. The Applicant's response to ExA Q1 RDWE.1.4 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. revised Appendix H: Outline Surface and Ground Water Management Plan [REP3-016] of the First Iteration Environmental Management Plan [REP3-014] was submitted at Deadline 3 of the Examination. The Applicant has no further comments.</p>


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			<p>If not, why not.</p> <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>opportunities to implement the permanent SuDS scheme as part of the temporary solution where possible.</p>	
REP3-031xx	RDWE.1.5	BMBC	<p><b>SuDS</b></p> <p>1.Paragraph 3.15 of the LIR [REP1A-001] states "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." Are you satisfied that the sustainable drainage systems proposed by the Applicant are as close to source as possible?</p>	<p>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.</p>	<p>The Applicant notes BMBC's response to ExQ1 RDWE.1.5. The Applicant has no further comments, save to observe that Policy JP-S4 is assessed in the Case for the Scheme [REP3-018].</p>
			<p>2.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.</p>	<p>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:</p> <p>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:</p> <p>(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;'</p> <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</p>	<p>The Applicant notes BMBC's response to ExQ1 RDWE.1.5. The Applicant has no further comments, save to observe that Policy JP-S4 is assessed in the Case for the Scheme [REP3-018].</p>

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				<p>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>(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';</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>	

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				<p>(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';</p> <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>(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'.</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>	



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REP3-031yy	TTA.1.1	BMBC	<p><b>Transport Modelling</b></p> <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.</p> <p>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</p> <p>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.</p> <p>4.2.12 references 'noticeable reductions in through movements on the north/ south A56 corridor' this is welcomed by BMBC.</p> <p>4.2.16 references '....net effect...on performance of the M60 J17 roundabout is largely neutral...' this is appropriate to BMBC.</p>	<p>The Applicant notes BMBC's response to ExQ1 TTA.1.1. The Applicant has no further comments</p>
REP3-031zz	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>  <p>The adopted length of Mode Hill Lane is in a condition for all traffic that may reasonably be expected to use it.</p> <p>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>	<p>The Applicant's notes BMBC comments in relation to Mode Hill Lane confirming that the adopted highway is in a condition for all traffic that may be reasonably be expected to use it. The Applicant notes that Action 13 and 14 arising from Issue Specific Hearing 2 (ISH2) on environmental matters held on Wednesday 27 and Thursday 28 November 2024 [EV10-002] relate to the use and condition of Mode Hill Lane. The Applicants response to this Action is provided in 7.24 Written Submissions following November Hearings and Responses to Action Points from CAH1 and ISH2 (TR010064/APP/7.24)</p>
REP3-031aaa	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</p>	<p>BMBC has no concerns.</p>	<p>The Applicant's notes BMBC response. The Applicant's response to ExA Q1 TTA.1.7 is provided in The Applicant's Responses to the Examining Authority's First</p>

Written Responses to the Deadline 3 Submissions Responding to the Examining Authority's First Written Questions					
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			<p>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>Written Questions [REP3-023].</p> <p>The Applicant notes that Action 16 of the Action Points arising from Issue Specific Hearing 2 (ISH2) on environmental matters held on Wednesday 27 and Thursday 28 November 2024 [EV10-002] relates to safety measures for footpath 9WHI. The Applicants response to this Action is provided in 7.24 Written Submissions following November Hearings and Responses to Action Points from CAH1 and ISH2 (TR010064/APP/7.24).</p>
<b>REP3-040 – Rochdale Metropolitan Borough Council (RMBC)</b>					
<b>REP3-040a</b>	AQ.1.4	Applicant, BMBC, MCC and RMBC	<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 (NO2) 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 findings in the Environmental Statement (ES) Chapter 5 (AAP-044) of the proposed development will not have any impact on Rochdale MBC's ability to meet local air quality objectives under the Environment Act 1995 and comply with the Air Quality (England) Regulations 2000.</p> <p>The Air Quality Assessment indicates that by 2018 and the 2029 expected opening year all the human health receptors NO2 located in Rochdale Borough will be below the Air Quality Objective (AQO) of 40µg/m3. This includes the 12 receptors where NO2 levels currently exceed the AQO at present.</p> <p>There are no exceedances predicted in the "with development" scenario which, indicates the proposal is expected to reduce NO2 levels due a predicted reduction in congestion and traffic is anticipated to flow more smoothly reducing emissions. At most receptors in Rochdale Borough modelled concentration levels are indicated to be well below the annual mean AQO, consequently based on the Air Quality Assessment by the applicant, the proposed development will not impact on the Council's ability to meet it by 2026 or within the shortest possible time.</p>	<p>The Applicant notes RMBC's response to the ExQ1 AQ.1.4. The Applicant's response to ExQ1 AQ.1.4 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.</p>
<b>REP3-040b</b>	AQ.1.5	Applicant, BMBC, MCC and RMBC	<p>Air Quality Receptor Locations</p> <p>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.</p>	<p>Rochdale Council is satisfied that the human health receptor locations modelled as part of the Air Quality Assessment are appropriate. The locations that have been omitted are not located in the Borough are not expected to perceptively affect NO2 levels. There are no further potentially sensitive locations in the</p>	<p>The Applicant notes RMBC's response to the ExQ1 AQ.1.5. The Applicant's response to ExQ1 AQ.1.5 is provided in The Applicant's Responses to the Examining Authority's First Written Questions [REP3-023]. The Applicant has no further comment.</p>

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			<p>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>Applicant:</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 NO2 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>BMBC, MCC and RMBC:            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>borough that have been omitted and could be significantly affected by the impact of the development.</p> <p>Regarding Ecological receptors, it is understood that Natural England have reviewed the Ecological Assessment and have accepted its conclusions.</p>	