

A46 Newark Bypass

TR010065/APP/6.3

6.3 Environmental Statement

Appendix 4.1 Scoping Opinion Schedule of Comments and Responses

APFP Regulation 5(2)(a)

Planning Act 2008

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

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

A46 Newark Bypass

Development Consent Order 202[x]

ENVIRONMENTAL STATEMENT

**APPENDIX 4.1 SCOPING OPINION SCHEDULE OF COMMENTS AND
RESPONSES**

Regulation Number:	Regulation 5(2)(a)
Planning Inspectorate Scheme Reference	TR010065
Application Document Reference	TR010065/APP/6.3
Author:	A46 Newark Bypass Project Team, National Highways

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1 Scoping Opinion Schedule of Comments and Responses

1.1 Introduction

- 1.1.1 In September 2022, a Scoping Opinion was sought from the Planning Inspectorate (the Inspectorate). An Environmental Scoping Report was submitted to the Inspectorate by the Applicant under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended). It set out the proposed scope of the Environmental Statement (ES) **(TR010065/APP/6.1)**.
- 1.1.2 A Scoping Opinion was received from the Inspectorate on 21 October 2022 **(TR010065/APP/6.10)**. Further information is contained within Section 4.1 of Chapter 4 (Environmental Assessment Methodology) of the ES **(TR010065/APP/6.1)**.
- 1.1.3 Table 1-1 below contains the comments received in the Scoping Opinion from the Inspectorate and a description of how they have been addressed or incorporated in the ES **(TR010065/APP/6.1)**. Table 1-2 below contains the comments received in the Scoping Opinion from the consultation bodies and a description of how they have been addressed or incorporated in the ES.

Table 1-1: Planning Inspectorate comments received in Scoping Opinion, including a description of how they have been addressed or incorporated in the ES (TR010065/APP/6.1)

ID	Respondent	Comment	Applicant's Response
1.0 Introduction			
1.3.1	The Inspectorate	On 14 September 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from National Highways (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed A46 Newark Bypass (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.	Noted by the Applicant.
1.3.2	The Inspectorate	The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from: http://infrastructure.planninginspectorate.gov.uk/document/TR010065-000002	Noted by the Applicant.
1.3.3	The Inspectorate	This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.	Noted by the Applicant.
1.3.4	The Inspectorate	The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.	Noted by the Applicant. No further agreements have been sought with relevant consultation bodies to scope such matters out of the ES (TR010065/APP/6.1) as there has not been the need to.
1.3.5	The Inspectorate	Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.	The Applicant notes the consultation bodies which the Inspectorate has consulted with and these are listed in Table 1.2 of this Appendix.
1.3.6	The Inspectorate	The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping (AN7). AN7 and its annexes provide guidance on EIA processes during the preapplication stages and advice to support applicants in the preparation of their ES.	The Applicant has acknowledged the series of advice notes on the National Infrastructure Planning website and confirm that they have been followed throughout preparation of the ES (TR010065/APP/6.1) .
1.3.7	The Inspectorate	Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from: https://infrastructure.planninginspectorate.gov.uk/legislation-andadvice/advice-notes/	The Applicant has had regard to the standing advice in AN7, alongside other advice on the Planning Act 2008 (the 2008 Act).
1.3.8	The Inspectorate	This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a	Noted by the Applicant.

ID	Respondent	Comment	Applicant's Response
		Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.	
2. The Planning Inspectorate's Overarching Comments			
2.1 Description of the Proposed Development (Scoping Report Section 2)			
2.1.1	The Inspectorate	Plan showing the Proposed Development: The ES should include a plan showing the Proposed Development clearly showing the full land requirements of the Proposed Development including all access routes and construction compounds in addition to a Scheme location plan and constraints plans.	Figure 1.1 (Scheme Order Limits) of the ES Figures (TR010065/APP/6.2) shows all land required for the Scheme. Figure 2.1 (Scheme Location Plan) of the ES Figures (TR010065/APP/6.2) shows the Scheme location. Figure 2.2 (Environmental Constraints Plan) of the ES Figures (TR010065/APP/6.2) identifies the environmental constraints. Figure 2.4 (Location of Temporary Works Areas Required During Construction) of the ES Figures (TR010065/APP/6.2) identifies the elements needed for temporary work aspects including access routes and construction compounds, and the General Arrangements Plans (TR010065/APP/2.5) show the permanent access routes.
2.1.2	The Inspectorate	Flood Compensation Land: The Project Description in the ES should clearly state where flexibility remains, for example, in relation to the land required for Flood Compensation and how this has informed the assessment to ensure an assessment of the worst-case scenario.	Section 2.5 of the Project Description of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) provides details of the Order Limits and on the limits of deviation for the Scheme. The Order Limits define the maximum area of land required both temporarily and permanently to construct, operate and maintain the Scheme, the extents of which are illustrated on Figure 1.1 (Scheme Order Limits) of the ES Figures (TR010065/APP/6.2) . The lateral limits of deviation (LoD) are illustrated on the Works Plans (TR010065/APP/2.3) whilst the vertical LoD are secured under Article 10 of the draft DCO (TR010065/APP/3.1) . As clarified in Section 2.5 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) , the ES has considered and assessed the LoD as provided for in the draft DCO (TR010065/APP/3.1) and Works Plans (TR010065/APP/2.3) . The LoD for the Scheme account for potential minor design flexibility and variation being required. The ES assessments have considered the maximum area where physical disturbance may occur (taking account of the maximum design flexibility needed) to environmental resources and receptors and therefore the assessments in the ES have taken the worst-case scenario. The Floodplain Compensation Areas (FCAs) are detailed within Section 2.3 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) . The LoD in relation to the FCAs is shown on the Works Plans and described in Section 2.5 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) . The maximum land take for the FCAs has been included to allow for flexibility in the design. Analytical flood modelling was undertaken to quantify necessary flood mitigation areas and to optimise the FCA design.
2.1.3	The Inspectorate	Construction elements: The Scoping Report notes a number of 'elements likely to be required during construction', these should be described in the ES and shown on relevant plans. The ES should ensure that all likely construction elements and techniques are assessed to ensure an assessment of the worst-case scenario. This should reference the duration of such works or elements being in place.	Section 2.6 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) and the Works Plans (TR010065/APP/2.3) detail the works and elements necessary for the construction of the Scheme. An indicative construction programme, including the duration of the works, is set out in Table 2-3 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) for the advanced, pre-commencement and main construction works. Table 2.4 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) summarises the elements and techniques necessary to carry out advanced and pre-commencement works with details on how the main works will be completed set out in Section 2.6 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) . Figure 2.4 (Locations of Temporary Works Areas Required During Construction) of the ES Figures (TR010065/APP/6.2) identifies the different elements needed for temporary work aspects, with durations of each element of the temporary

ID	Respondent	Comment	Applicant's Response
			works set out in Table 2-3 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) .
2.1.4	The Inspectorate	Pre-construction and mobilisation activities: The ES should detail these activities and ensure that any mitigation required for such works will be in place at their commencement.	Table 2.4 contained within Chapter 2 (The Scheme of the ES (TR010065/APP/6.1) summarises the types of works that are planned to be undertaken as advanced works and/or pre-commencement works. Pre-commencement works cover activities associated with site preparation, the establishment of construction compounds, construction of works accesses, security fencing and erection of signs. These works would also include preliminary site clearance works, haul roads, ecology works and works to Public Rights of Way. Mitigation associated with these works is detailed within a Pre-Commencement Plan (TR010065/APP/6.9) , ensuring that mitigation will be in place at commencement of the pre-construction and mobilisation activities.
2.1.5	The Inspectorate	Second Iteration Environmental Management Plan: The ES should demonstrate how the mitigation requirements identified as part of the EIA process and examined in the first iteration plan would be secured by the contractor, ensuring that the effects of the Proposed Development are not materially worse or materially different from those assessed.	Section 4.4 of Chapter 4 (Environmental Assessment Methodology) of the ES (TR010065/APP/6.1) details the implementation and enforcement of mitigation and how this is secured within the draft DCO (TR010065/APP/3.1) . Requirement 3 of the draft DCO secures the Second Iteration EMP to make sure it accords with the mitigation set out in the First Iteration EMP (TR010065/APP/6.5) . This mechanism, together with other controls secured by the draft DCO and other consenting regimes will ensure that the effects of the Scheme are not materially worse or materially different from those assessed.
2.2 EIA Methodology and Scope of Assessment (Scoping Report Section 5)			
2.2.1	The Inspectorate	Decommissioning: The Scoping Report seeks to scope out decommissioning from the assessment as it is considered that it would be unlikely the Proposed Development would be decommissioned as it will become part of the Strategic Road Network. The Inspectorate agrees to scope this matter out.	The Applicant has scoped out decommissioning from the assessment.
2.2.2	The Inspectorate	Heat and Radiation: The Scoping Report seeks to scope out effects from heat and radiation as a result of the Proposed Development. Considering the nature of the Proposed Development, the Inspectorate agrees this matter may be scoped out.	The Applicant has scoped out heat and radiation from the assessment.
2.2.3	The Inspectorate	Legislation: The ES should explain how any relevant targets derived from the Environment Act 2021 have been addressed within the assessment.	Targets derived from the Environment Act 2021 have been detailed and considered within the Legislation and Policy section for each of the environmental topics (Chapters 5 to 15) of the ES (TR010065/APP/6.1) where relevant.
2.2.4	The Inspectorate	Baseline conditions: The Scoping Report does not include individual plans of study areas and therefore comments on the appropriateness of study areas are limited to information present in Appendix A. As such it has not been possible to consider the extents of study areas against features/receptors present. The ES should include a figure depicting the study area for each aspect topic. The final study areas should be agreed with relevant statutory consultees. The ES should include relevant figures required to depict features or constraints relevant to the aspect assessment e.g. Air Quality Management Areas, to be included for each aspect. Colours used on the figures should accurately reflect the key provided. The colours used on the constraints plan in the Scoping Report are not consistent with the key provided.	Figure 2.2 (Environmental Constraints Plan) of the ES Figures (TR010065/APP/6.2) provides an overview of the environmental constraints. Figures showing the study area of each topic and additional details on topic specific environmental constraints are included in the relevant chapter specific figures included within the ES Figures (TR010065/APP/6.2) . Colours on the Constraints Plan have been amended to be consistent with the key. Study areas have been agreed where possible with relevant statutory consultees and this is detailed in the study area section for each of the environmental topics (Chapters 5 to 15 of the ES (TR010065/APP/6.1)).
2.2.5	The Inspectorate	Mitigation and monitoring: The ES should demonstrate how the mitigation requirements identified as part of the EIA process and examined in the first iteration plan and	Section 4.4 of Chapter 4 (Environmental Assessment Methodology) of the ES (TR010065/APP/6.1) details the implementation and enforcement of mitigation

ID	Respondent	Comment	Applicant's Response
		Environmental Masterplan would be secured by the contractor, ensuring that the effects of the Proposed Development are not materially worse or materially different from those assessed.	and how this is secured within the DCO. Requirement 3 of the draft DCO (TR010065/APP/3.1) secures the Second Iteration EMP to make sure it accords with the mitigation set out in the First Iteration EMP (TR010065/APP/6.5) . This mechanism, together with other controls secured by the draft DCO and other consenting regimes will ensure that the effects of the Scheme are not materially worse or materially different from those assessed.
2.2.6	The Inspectorate	Major accidents and disasters: The Scoping Report notes that the ES will assess major accidents and disasters however no further detail is provided. This assessment should include consideration of Kelham Factory (British Sugar) which the Health and Safety Executive (HSE) has highlighted as being located on the edge of the redline boundary. HSE should be consulted on the study area and methodology for the assessment.	The assessment of major accidents and natural disasters is contained within Appendix 4.2 of the ES Appendices (TR010065/APP/6.3) . Following design changes since the scoping report the Order Limits do not overlap with the British Sugar Factory (or any other) Major Accident Hazard Site. This was confirmed by HSE in its response to statutory consultation: " <i>According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project does not encroach on any Major Accident Hazard Site or Major Accident Hazard Pipeline. This is based on the Preliminary Red Line Boundary (RLB) as illustrated in, for example, A46 Newark Bypass General Arrangement Drawings.pdf (citizenspace.com. Based on the information in the A46 Newark Bypass Statutory Consultation Brochure.pdf (citizenspace.com), it is unlikely that HSE would advise against the development</i> ". The Order Limits submitted as part of the application for development consent still remain outside of the Kelham Sugar Factory site and do not encroach into the site. HSE were emailed a summary of the ES assessment outcomes, confirming that the Order Limits do not overlap with the British Sugar Factory (or any other) Major Accident Hazard Site on 10 August 2023.
2.2.7	The Inspectorate	Navigation: The Scoping Report identifies three marinas within the study area but does not discuss impacts from the Proposed Development on users of the navigable waterways which will be affected by the Proposed Development. The ES should describe any temporary and permanent impacts which may be experienced by users of the waterways and how impacts will be managed and mitigated.	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) assesses impacts of the Scheme on River Trent navigation and impacts associated with the three marinas. In particular, the access to Kings Waterside and Marina is assessed in Section 12.11 of Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) , and details how such impacts would be managed and mitigated. As use of the river and marina will be maintained for users, impacts identified are temporary and not significant in nature. There is one other marina in the study area; this is not affected by the Scheme.
2.2.8	The Inspectorate	Transboundary: The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts. The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/	Noted by the Applicant.

ID	Respondent	Comment	Applicant's Response
3. Environmental aspect comments			
3.1 Air quality (Scoping Report Section 6)			
3.1.1	The Inspectorate	Construction Plant Emissions: The Inspectorates notes that the Scoping Report refers to guidance from the Institute of Air Quality Management in justifying scoping out construction plant emissions. Whilst a reference to this information is not provided, the Inspectorate is content considering the type of plant likely to be used in construction, and the mitigation proposed, to agree that significant effects are unlikely and therefore this matter can be scoped out of the assessment. The Inspectorate would expect to see information relating to emissions from construction plant included in relevant management plans. It is noted that emissions from construction traffic are proposed to be assessed within the ES.	<p>It is noted that the Inspectorate agrees with scoping out construction plant emissions. Guidance from the IAQM notes that effects from on-site plant exhausts would likely not be significant. Given the nature of the site plant, effects of plant emissions on local air quality are considered of negligible significance relative to the surrounding road traffic contributions on the local road network. Nonetheless, Table 3-2 Register of Environmental Action and Commitments (REAC) within the First Iteration EMP (TR010065/APP/6.5) sets out measures, including those that relate to emissions from construction plant, that would be implemented by the Principal Contractor during construction and would further reduce emissions.</p> <p>Construction traffic data was unavailable at the time of writing the Environmental Scoping Report. As such, the construction phase traffic was scoped in for further assessment within the ES and has been rescoped against the DMRB traffic scoping criteria based on the traffic information available for the ES. Following this, the need to assess construction traffic associated with the Scheme has been scoped out of this assessment as the impacts would not be significant. Further detail regarding construction traffic including justification for scoping out is presented in Section 5.5 of Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1).</p> <p>A qualitative assessment of construction traffic management measures on air quality is provided in Section 5.11 of Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1). Details on construction traffic management measures are set out in the Outline Traffic Management Plan (TR010065/APP/7.7).</p>
3.1.2	The Inspectorate	Emissions of PM _{2.5} during operation: Paragraph 6.8.5 indicates that in line with DMRB LA105 the ES will not consider modelling of PM _{2.5} if there is no risk of PM ₁₀ concentrations exceeding relevant thresholds. In light of the lower limit value set for PM _{2.5} , the ES should explain how this approach will ensure that the objective would not be exceeded by the Proposed Development.	<p>DMRB LA 105 guidance states that there should be no need to model PM_{2.5} as the UK currently meets its legal requirements for the achievement of the PM_{2.5} air quality thresholds and modelling of PM₁₀ can be used to demonstrate that the Scheme does not impact on the PM_{2.5} air quality threshold. This is a valid approach and method of assessment, given that PM_{2.5} background concentrations are expected to continue falling in the future and PM_{2.5} is a constituent part of PM₁₀, which means that vehicles emission factors, and therefore the existing road contributions, for PM_{2.5} would be even lower than those for PM₁₀.</p> <p>The new annual mean PM_{2.5} target of 10 µg/m³ by 2040 does not need to be met until 2040, which is after the Scheme opening year of 2028. The target is also required to be met at air quality monitoring stations however there are no air quality monitoring stations in the vicinity of the Scheme in respect of which measurements could be made. Therefore, the target has not been considered further in this assessment.</p> <p>Section 5.5 of Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1) explains why the Scheme would not have a significant effect on the ability to meet the future lower PM_{2.5} target of 10 µgm³ by 2040.</p>
3.1.3	The Inspectorate	Baseline data: Footnotes to tables indicate that a bias adjustment factor will be applied, the ES should justify any adjustment factors applied.	Justifications on bias adjustment factors applied to local authority and the Applicant monitoring data have been provided as a footnote to Table 5-7 and Table 5-8 in Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1). Application of bias adjustment factors to monitoring data is in accordance with best practice guidance issued by Defra.

ID	Respondent	Comment	Applicant's Response
3.1.4	The Inspectorate	Construction traffic emissions: The Scoping Report states that increases in construction traffic are unlikely to trigger the assessment criteria set out in DMRB LA105. On the basis that construction is predicted to last three years, the ES should clearly evidence how the threshold traffic scoping criteria have been applied.	Section 5.5 of Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1) evidences how the threshold traffic scoping criteria have been applied. It is estimated that there would be a maximum of 131 two-way heavy-duty vehicle annual average daily traffic movements associated with the construction phase. The maximum two-way flows associated with the construction phase are therefore not expected to meet the DMRB LA105 assessment criteria and have not been considered further.
3.2 Cultural Heritage (Scoping Report Section 7)			
3.1.5	The Inspectorate	Effects on buried archaeology during operation: The Scoping Report states that buried archaeology would be unaffected during the operation of the Proposed Scheme and effects have been scoped out of further assessment. However, no further justification has been provided to support this approach, such as an assessment of potential effects of compaction, vibration, and dewatering on paleoenvironmental and archaeological deposits and features during operation. In the absence of sufficient justification or evidence of agreement with relevant heritage consultation bodies, the Inspectorate is of the opinion that this matter cannot be scoped out at this stage.	Operational effects on buried archaeology are included in Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1). The assessment has therefore considered operational effects upon buried archaeological remains and built heritage.
3.2 Landscape and Visual (Scoping Report Section 8)			
3.2.1	The Inspectorate	No matters have been proposed to be scoped out of the assessment.	Noted by the Applicant.
3.2.2	The Inspectorate	Stockpiles/Construction compounds: The ES should provide details of locations and anticipated dimensions of stockpiled materials and construction compounds and provide an assessment of the potential impacts on landscape and visual receptors.	Section 2.6 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) provides details of locations and expected dimensions of the construction compounds needed for the Scheme, as well as details of stockpiled materials. The Landscape and Visual Impact Assessment (LVIA) presented within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) considers impacts of the construction compounds and stockpiled materials upon landscape and visual receptors within the assessment.
3.2.3	The Inspectorate	Seasonal photomontages: The ES should include photomontages depicting the justified worst-case scenario. Whilst a summer scenario – Year 15 should show matured mitigation, trees in leaf are not the worst-case scenario and therefore the Inspectorate would also expect to see a winter scenario for the same years. It is noted that paragraph 8.8.12 does reference winter and summer in terms of understanding the magnitude of effect.	Winter photomontages for Year 1 and Year 15 have been produced in 4 locations across the Scheme and are presented within Appendix 7.3 (Key Visual Receptor Photographs and Photomontages) of the ES Appendices (TR010065/APP/6.3). This aligns with the expectations to show worst-case scenario where views will be at their most open due to lack of canopy cover.
3.3 Biodiversity (Scoping Report Section 9)			
3.3.1	The Inspectorate	No matters have been proposed to be scoped out of the assessment.	Noted by the Applicant.
3.3.2	The Inspectorate	Wintering and breeding bird surveys: The Scoping Report states that wintering bird surveys were undertaken in January and February 2020 with further wintering bird surveys to be completed in areas where eutrophic standing water habitat has been identified. The Scoping Report also states that breeding bird surveys were undertaken in April and June 2022 with further surveys scheduled. The ES should demonstrate how the surveys have met the minimum requirements of the relevant survey standards and that results have been discussed with relevant consultation bodies.	Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) outlines the ecology surveys undertaken and the Appendices (8.1-8.14 of the ES Appendices (TR010065/APP/6.3) for each protected species/group (for example, wintering birds) detail the survey methodology for each. A full suite of wintering bird surveys have been undertaken (January, February, November and December 2022). A full suite of breeding bird surveys have been undertaken April to September 2022 inclusive. Engagement with consultation bodies is detailed in the consultation section of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1). As part of this there was discussion regarding survey

ID	Respondent	Comment	Applicant's Response
			<p>results. Section 8.6 of the Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) details how the surveys meet the minimum requirements of the relevant survey standards such as CIEEM's 'Advice Note on the Lifespan of Ecological Reports and Surveys' (2019) for example.</p>
3.3.3	The Inspectorate	<p>Fish surveys: The Proposed Development crosses the River Trent at two separate locations; however, no fish surveys have been or are noted as being undertaken for the river. Details of the surveys should be provided within the ES, or justification should be provided as to why fish surveys are not required.</p>	<p>Walkover surveys to assess fish habitat were considered however, information collected from the extended Phase 1 Habitat Survey, GCN, otter, water vole, aquatic invertebrate, modular river physical habitat surveys (MoRPH) and condition assessment surveys have been used to understand the presence of suitable habitat for fish. This is detailed in Section 8.8 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1). Section 8.11 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) details the assessment of likely significant effects following the implementation of the mitigation hierarchy. Fish surveys would not provide additional information to alter the assessment or mitigation. Justification for why fish surveys were not undertaken is provided within Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1).</p>
3.3.4	The Inspectorate	<p>Vegetation clearance: The Scoping Report provides limited information on the extent of vegetation clearance required. The ES should explain any efforts to retain mature vegetation and trees and provide commentary on the effect temporary and permanent effects vegetation clearance.</p>	<p>Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) details the embedded mitigation implemented as part of the Scheme. The Scheme has been designed to minimise habitat loss with a focus on avoiding high value and/or irreplaceable habitat present. All veteran trees within or in close proximity to the Order Limits have been retained. Habitats of principle importance and habitats of high distinctiveness (condition assessment for BNG) have been retained wherever possible.</p> <p>Chapter 3 (Assessment of Alternatives) of the ES (TR010065/APP/6.1) details the assessment of alternatives including the retention of mature vegetation and trees where possible. Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) has quantified permanent and temporary (long term) loss of habitats of principle importance (HPI), Local Wildlife Site (LWS) and non-HPI due to vegetation clearance, and provides commentary on the significance of the effect.</p>
3.3.5	The Inspectorate	<p>Ecological surveys – Access: The Scoping Report states that ecological surveys undertaken to date have been confined to locations where landowner permission was obtained. The Applicant should ensure that the ES is accompanied by an appropriate and comprehensive set of ecological surveys sufficient to inform the assessment of likely significant effects. Any limitations should be detailed in the ES.</p>	<p>A comprehensive set of ecology surveys have been undertaken with the results of these included in Appendices (8.1-8.14 of the ES Appendices) (TR010065/APP/6.3). Limitations associated with the ecology survey effort are detailed under section 'Assessment assumptions and limitations' in Chapter 8 Biodiversity of the ES (TR010065/APP/6.1). The surveys and assessment have been undertaken in accordance with Design Manual for Roads and Bridges (DMRB) LA 108 Biodiversity and LD 118 Biodiversity Design, supported by the 'Guidelines for Ecological Impact Assessment in the UK and Ireland' from the Chartered Institute of Ecology and Environmental Management (CIEEM) guidance and are sufficient to inform the assessment of likely significant effects,</p>
3.3.6	The Inspectorate	<p>Invasive Non-native Species (INNS): The ES should assess any potential impacts from INNS as a result of the Proposed Development, including where the Proposed Development has the potential to facilitate the spread of INNS. The ES should also describe any necessary mitigation and/or biosecurity precautions required to prevent the spread of INNS. Any measures relied upon in the ES should be discussed with relevant consultation bodies in effort to agree the approach.</p>	<p>Potential impacts from INNS as a result of the Scheme are detailed in Section 8.9 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1). Following implementation of best practice mitigation measures that are specified in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5), it is not anticipated that the Scheme would result in the direct or indirect spread of INNS. Table 1-1 of the First Iteration EMP (TR010065/APP/6.5) also requires an INNS Management Plan and Biosecurity Risk Assessment to be submitted to Newark & Sherwood District Council and Nottinghamshire County Council prior to construction and enabling works in order to consult and agree on the approach to manage and prevent the spread of INNS, compliance of which</p>

ID	Respondent	Comment	Applicant's Response
			would be monitored by the Environmental (or Ecological) Clerk of Works (ECoW).
3.3.7	The Inspectorate	Ecological mitigation: Paragraph 9.6.6 states that areas of mitigation are shown on the figure in Appendix B however this is not the case. The ES should include a plan showing mitigation areas.	To confirm, potential areas for mitigation were included within the preliminary red line boundary and potential floodplain compensation areas, shown in Appendix B of the Scoping Report. Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) provides further details of mitigation. Pond locations, wetland areas and planting are detailed in Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) .
3.3.8	The Inspectorate	Confidential Annexes: Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.	Confidential appendices on survey results for badgers, otters and barn owls has been included with the submission as part of the ES Appendices (TR010065/APP/6.3) .
3.4 Geology and Soils (Scoping Report Section 10)			
3.4.1	The Inspectorate	Effects on geology, contaminated land and soils including agricultural land during operation: The Scoping Report seeks to scope out effects on geology, contaminated land or soils, including agricultural land during the operational phase of the Proposed Development as it is considered to be unlikely to result in significant effects. The Inspectorate would expect to see consideration of major incidents which may impact contaminated land and soil in the assessment of Major accidents. On this basis the Inspectorate is unable to agree to scope this matter out at this stage.	There will be no effects of loss of agricultural land during the operational phase as land lost permanently from agriculture will already be removed in the construction phase. Contamination associated with the operation of the road is degradation, maintenance, etc. of the road and its infrastructure, not from use of the road. Users of the road should be undertaking their own risk assessments when transporting goods with the potential to cause contamination, and it is beyond the scope of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) to take those into account. However, contamination and soils has been considered in Appendix 4.2 (Major Accidents and Natural Disasters) of the ES Appendices (TR010065/APP/6.3) , which cross references to Chapter 9 Geology and Soils of the ES (TR010065/APP/6.1) , and other technical appendices within the ES Appendices (TR010065/APP/6.3) .
3.4.2	The Inspectorate	Land Take: The Scoping Report states that an area of land take is proposed at Brownhills Junction, it is not clear whether this is proposed to be permanent or temporary. In Chapter 13, land take is described as being 'permanent and temporary land take from the grounds of residential properties, businesses and development land in the Newark area'. The ES should describe the proposed temporary and permanent land take and the effects on soil resources in relation to appropriate soil handling requirements so as to minimise soil disturbance, soil damage, soil loss and enhance soil reuse opportunities.	The area of land take at Brownhills Junction would be permanent. Areas of permanent and temporary land take for agricultural soils have been defined and outlined in Section 9.9 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) . The type of land take informs the assessment of effects for agricultural soils. Consideration of soil resources is also given in this section with measures to ensure it is managed and handled properly presented in Appendix B.3 Outline Soil Management Plan of the First Iteration EMP (TR010065/APP/6.5) .
3.4.3	The Inspectorate	Borrow pits and Flood Compensation Areas (FCA): The Scoping Report states that large areas of land are currently identified for use as borrow pits and FCAs. However, it is acknowledged that not all land identified for FCAs will be required. The ES should provide details regarding the finalised dimensions and locations within the red line boundary for the proposed for the borrow pits and FCAs.outlin	Details of FCAs and borrow pit sites has been included in Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) and are illustrated in the General Arrangement Plans (TR010065/APP/2.5) . The information has been reviewed to inform the geology and soils assessment set out in Section 9.11 of Chapter 9 Geology and Soils of the ES (TR010065/APP/6.1) . Based on reviewed dimensions, maps of the Agricultural Land Classification (ALC) grades and soil types within the Order Limits have been produced as part of Appendix 9.3

ID	Respondent	Comment	Applicant's Response
			Agricultural Land Classification Report of the ES Appendices (TR010065/APP/6.3) .
3.4.4	The Inspectorate	Remediation work: The ES should include details and assessment of any remediation works necessary to facilitate the Proposed Development.	Based on the works and the findings of the Ground Investigation (GI), the Appendix 9.2 Contaminated Land risk assessment of the ES Appendices (TR010065/APP/6.3) concludes that it is unlikely that there is any substantial risk to identified receptors from contamination and therefore no specific remediation measures are proposed.
3.4.5	The Inspectorate	Effects on Secondary A/B aquifers: The Scoping Report states that piling will affect aquifers. The ES should explain why piling is unavoidable and provide details of the location of piling works, the impact on any abstractions and a plan to explain how such effects will be mitigated. The plan should be agreed with the Environment Agency, where possible.	<p>A description of the piling works required is included in Section 2.6 of Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1). Construction mitigation measures are detailed in Table 3-2 REAC of the First iteration EMP (TR010065/APP/6.5).</p> <p>Section 9.10 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) outlines potential impacts from piling to surface water and groundwater receptors, including aquifers. Mitigation from piling activities is discussed in Section 9.9 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) under the heading of Protection of controlled waters - excavation and foundation works. Risks to controlled waters (including from piling activity) are also addressed in Appendix 9.2 Contaminated Land Risk Assessment of the ES Appendices (TR010065/APP/6.3).</p> <p>Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) considers any impacts on abstractions in Section 13.9. Consultation with the Environment Agency is ongoing regarding abstraction licenses and discharge permits.</p>
3.4.6	The Inspectorate	Sediment management: The ES should identify specific risks from works associated with excavation and piling in proximity to the River Trent. The ES should provide details of mitigation measures which will be implemented to avoid adverse effects on this watercourse. Cross references should be made to Road Drainage and the Water Environment.	Section 9.9 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) outlines potential contamination impacts from excavation and piling works in close proximity to the River Trent. There is a risk of sediment runoff into nearby water courses from open excavations and piling taking place in close proximity to the River Trent. Mitigation to protect the River Trent is discussed in Section 9.1 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) under the headings Protection of controlled water – general and Protection of controlled waters – excavation and foundation works. Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) cross references to Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) .
3.5 Material Assets and Waste (Scoping Report Section 11)			
3.5.1	The Inspectorate	Use of material resources during operation: The Scoping Report seeks to scope out the use of material resources during the operational phase. It is considered that the volume of material resources required during the operational phase of the Proposed Development would not be of a level requiring assessment and therefore the Inspectorate agrees to scope this matter out.	Noted by the Applicant. This has been scoped out of the assessment.
3.5.2	The Inspectorate	Generation of waste during operation: The Scoping Report seeks to scope out effects from the generation of waste during operation. It is considered that the volume of material resources required during the operational phase of the Proposed Development would not be of a level requiring assessment and therefore the Inspectorate agrees to scope this matter out.	Noted by the Applicant. This has been scoped out of the assessment.

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3.5.3	The Inspectorate	Construction waste materials: Paragraph 11.5.4 of the Scoping Report lists a number of waste arisings which are likely to be generated. The ES should include reference to any liquid waste likely to be generated.	An Outline Site Waste Management Plan (OSWMP) has been produced and is contained within Appendix B.1 of the First Iteration EMP (TR010065/APP/6.5). Chapter 10 (Material Assets and Waste) of the ES (TR010065/APP/6.1) now includes a cross-reference to the OSWMP stating that the OSWMP includes liquid waste and potential management options.
3.6 Noise and Vibration (Scoping Report Section 12)			
3.6.1	The Inspectorate	Vibration during operation: Based on the low likelihood of significant effects resulting from a new smoother road surface, the Inspectorate agrees that an assessment of operational phase vibration may be scoped out.	Noted by the Applicant. This has been scoped out of the assessment.
3.6.2	The Inspectorate	Baseline Noise Monitoring Locations: The Scoping Report indicates that some noise monitoring locations were influenced by stakeholder requests. The ES should detail the consultation undertaken and the methodology for the selection of baseline noise monitoring locations.	Wider consultation details and assessment methodology are provided in the Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1). As noted in Section 11.8 of Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) monitoring locations represent distinct wider areas in the vicinity of road alignment changes to facilitate an understanding of the local noise environment (this is achieved using a combination of long term and short term monitoring). All monitoring locations target sensitive receptor areas within the Scheme extents to inform the noise assessment.
3.6.3	The Inspectorate	Mitigation measures: The Scoping Report notes that additional mitigation such as noise barriers and earth bunds may be required. The Inspectorate considers that these should also be considered in other aspect assessments, such as Landscape and Visual Assessment. The ES should ensure to consideration of inter-related effects and cross reference between the appropriate chapters.	All design aspects including those required for essential mitigation such as noise / landscape bunds and or fencing have been accounted for within the ES (TR010065/APP/6.1), including Chapter 7 (Landscape and Visual Effects) (TR010065/APP/6.1) and the supporting Appendix 7.2 (Visual Baseline and Impact Schedules) of the ES Appendices (TR010065/APP/6.3), to determine all likely effects resulting from the Scheme, with cross references to relevant chapters within each ES chapter. Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1) also assesses interrelated effects resulting from the Scheme across different environmental factors.
3.6.4	The Inspectorate	Determination of significance of Effect: The Inspectorate notes that the NPSE methodology is being implemented alongside that of DMRB LA111. The Scoping Report does not set the levels for SOAEL and LOAEL the ES should clearly set out the adopted thresholds, explaining why they are appropriate to the context of the Proposed Development.	The methodology used, including Lowest Observed Adverse Effect Level (LOAEL)/Significant Observed Adverse Effect Level (SOAEL) values, is described within Section 11.7 of Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1). The values for LOAEL and SOAEL are the default recommended values in DMRB LA 111. DMRB LA 111 states that LOAEL and SOAEL may be modified where it is proportionate and merited by local circumstances, however for this Scheme there was no suitable precedent to make modifications.
3.7 Population and Human Health (Scoping Report Section 13)			
3.7.1	The Inspectorate	No matters have been proposed to be scoped out of the assessment.	Noted by the Applicant.
3.7.2	The Inspectorate	Receptors: The Scoping Report does not list Red Rose Care Community Nursing home and Lemon Tots childcare which are located in the most eastern end of Farndon as noted on plans of the Proposed Development. The ES should ensure all relevant receptors are listed and included in the assessment.	The Red Rose Care Community nursing home and Lemon Tots childcare receptors have been considered in Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1). All receptors relevant to Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) are identified in the baseline section (Section 12.8) and also considered in the assessment of likely significant effects (Section 12.11). Section 12.5 of Chapter 12

ID	Respondent	Comment	Applicant's Response
			(Population and Human Health) of the ES (TR010065/APP/6.1) sets out the methodology for identifying receptors.
3.7.3	The Inspectorate	Severance Issues: The ES should assess impacts during construction and operation of potential severance issues for farmers and other landowners. Measures should be included within the dDCO to ensure farmers and other landowners ability to access their land and move their livestock is not hindered.	Potential issues surrounding severance for farmers and other landowners during construction and operation are assessed as part of Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1). This includes mitigation measures which are also included in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5). In accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1) the Applicant must also comply with the commitments set out in the REAC held within the First Iteration EMP (TR010065/APP/6.5).
3.7.4	The Inspectorate	Public Rights of Way (PRoW): The Scoping Report states that temporary closures to PRoW are likely to be required in the Local Impact Area. The ES should assess effects of any temporary or permanent diversions in both the Local Impact Area and the Wider Impact Area. Details should be included as to the duration and proposed length of any diversion routes. Affected PRoW should be agreed with the relevant statutory bodies.	Closures to PRoW are considered within Section 12.11 of Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1). Closures would only take place in the Local Impact Area. There would be no temporary or permanent diversions in the Wider Impact Area. Consideration is given for the duration of closure and any change in journey lengths for the diversion routes. Section 12.4 of Chapter 12 (Population and Human Health) of the ES details the consultation and agreement with relevant statutory bodies regarding PRoW.
3.7.5	The Inspectorate	Severance Issues: The Scoping Report states that there is potential for the Proposed Development to reduce severance for walkers, cyclists and other vulnerable road users. The ES should contain further details of ways in which the Proposed Development will reduce severance for these user groups, including access to community facilities.	Potential issues surrounding severance for walkers, cyclists and other vulnerable road users, including access issues to community facilities are assessed as part of Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1). Section 12.10 of Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) identifies the mitigation that would be provided for the Scheme which would reduce severance for these user groups.
3.7.6	The Inspectorate	Impact magnitude criteria: The Scoping Report states that Table 13.7 "sets out criteria that will be used to describe and assess the impact on community and health receptors, as outlined in DMRB LA 112 Population and human health, Revision 1", however, the text in Table 13.7 does not appear to originate from DMRB LA 112. The ES should ensure that correct citations are made when referring to guidance documents.	Correct citations are provided in the ES (TR010065/APP/6.1) when referencing documents. The correct reference is provided for impact magnitude criteria in the ES.
3.7.7	The Inspectorate	Determining Significance: The Scoping Report does not identify what level is to be determined as 'significant'. Paragraph 13.8.6 states "Table 5.2 does not apply to rating effects on human health, because the significance of effect is reported as negligible, minor, moderate or major". However, DMRB LA 112 recognises that "Significant effects typically comprise effects after consideration of mitigation that are within the moderate, large or very large categories.". Section 5(d) of Schedule 4 of the EIA Regulations states that information for inclusion in environmental statements includes a description of the likely significant effects of the Proposed Development on the risks to human health. Therefore, the ES should describe the methodology for determining the significance of effects and report the significance of effects on human health.	The methodology for determining the significance of human health effects is now included within Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) in Section 12.5, with the assessment presented in Section 12.11.
3.8 Road Drainage and the Water Environment			
3.8.1	The Inspectorate	Effects from road drainage and water on Farndon Ponds Local Nature Reserve (LNR) and Devon Park Pastures LNR during construction and operation: The Scoping Report states that Farndon Ponds LNR is 800m west from Farndon Junction and whilst hydraulically linked to the River Trent it is upstream from the Proposed Development. Paragraph 14.4.12 of the Scoping Report states that Devon Park Pastures (spelt incorrectly as 'Decon' in Table 17.1) is located approximately 500m east of Farndon Junction and upstream of the River Trent, whilst Table 14.5 states it is located	The effects from road drainage and water on LNRs have been assessed within Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1).

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		<p>downstream. The Scoping Report states that Devon Park Pastures LNR is located a suitable distance downstream for any contaminants to have dispersed and not be a credible pathway. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate unable to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>	
3.8.2	The Inspectorate	<p>Operation - Groundwater quality impacts from authorised / historic landfills: The Scoping Report seeks to scope out operational impacts on groundwater quality from authorised and historic landfills. It is stated that justification for this is provided in Chapter 10 Geology and Soils. However, justification is not provided and therefore the Inspectorate is unable to scope these matters from the assessment.</p>	<p>The historical landfills identified are >400 metres away from the Scheme and therefore beyond the likely extent of impact pathways. This justification is included within Section 9.8 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1). The authorised landfills are subject to current permit requirements regarding pollution/containment.</p> <p>Appendix 9.2 Contaminated Land Risk Assessment of the ES Appendices (TR010065/APP/6.3) assesses any risks and possible impact pathways to landfills.</p>
3.8.3	The Inspectorate	<p>Legislation and Guidance: The Planning Practice Guidance: Flood Risk and Coastal Change, was updated in August 2022. The updated guidance recommends a revised starting point for definition of the functional floodplain using the 3.3% Annual Exceedance Probability (AEP) flood event. The assessment provided in the ES should be updated to use this event to support identification of the Schemes impact on the functional floodplain.</p>	<p>Impacts to functional floodplain have been assessed under the 1 in 30 year event in Section 13.11 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1). The Planning Practice Guidance: Flood Risk and Coastal Change has been followed as stated in Section 13.5 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1).</p>
3.8.4	The Inspectorate	<p>Baseline: The Scoping Report refers to the South East River Basin Management Plan, whereas elsewhere it refers to the Humber River Basin Management Plan as Newark is based in the Humber River Basin District. The ES should be consistent and accurate in referencing relevant information.</p>	<p>Updated within Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) as Humber River Basin Management Plan (RBMP).</p>
3.8.5	The Inspectorate	<p>Baseline - receptors: The ES Flood Risk Assessment should include consideration of receptors such as the gypsy and traveller site on Tolney Lane.</p>	<p>Appendix 13.2 (Flood Risk Assessment) within the ES Appendices (TR010065/APP/6.3) includes consideration of these receptors.</p>
3.8.6	The Inspectorate	<p>Limitations to survey data: The Scoping Report states that no site walkovers or site surveys have taken place at the Kelham and Averham Floodplain Compensation Area, but that surveys will commence following agreements with landowners regarding access. The ES should document any issues with gaining access for surveys and therefore any limitations with the survey data.</p>	<p>Limitations associated with survey data are detailed within Section 13.6 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1).</p>
3.8.7	The Inspectorate	<p>Sensitivity of ponds and lakes: The Scoping Report identifies a number of ponds/lakes in the description of the baseline environment, however, these are not included in Table 14-1 where the sensitivity of environmental receptors is applied. The ES should assess impacts on ponds within the study area where significant effects are likely to occur or justify their omission from the assessment.</p>	<p>Table 13-8 contained within Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) sets out surface water receptors such as ponds within the study area that would be impacted by the Scheme.</p>
3.8.8	The Inspectorate	<p>Temporary Works Areas and construction compounds: The Environmental Constraints Plan shows a number of areas identified as Temporary Works Areas. It is noted that these areas are located in Flood Zone 3. Furthermore, the Scoping Report states that construction compounds will be located outside of Flood Zones 2 and 3, however, it appears from the Environmental Constraints Plan that the indicative location for the main construction compound is located in Flood Zone 2 or 3 (not clear to see due to scale used) as are a number of proposed satellite construction compounds. The ES should provide further information regarding the nature of works required in these areas and</p>	<p>Compound locations and activities are described within Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) and Section 2.6 identifies the activities required in flood zones. Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) identifies that works for the Scheme would be required in Flood Zones 2 and 3. Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) identifies a number of specific measures that will be implemented to reduce the impact of construction activities on the water environment (including Flood Zones 2 and Flood Zones 3) and identifies that</p>

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		contingency measures to be implemented if the areas became unavailable in times of flooding.	<p>protocols and processes will be followed which will be outlined in full as part of the Second Iteration EMP.</p> <p>Hydraulic modelling has been undertaken to understand the impact of temporary works elements, including compounds, on fluvial flood risk. This is provided in Appendix A of Appendix 13.2 Flood Risk Assessment of the ES Appendices (TR010065/APP/6.3). The Flood Risk Assessment notes that compound cabins will be raised and will not impede flow in a flood event. Plant that is stored in compounds would be relocated upon flood warning. In the event that the flood event impacts the construction areas then works would stop (advance notice would be received via the Environment Agency flood notifications). Works would recommence once the flood waters have receded from the specific works areas. Procedures will be identified within an Emergency Response Plan for Flood Events that will be prepared as part of the Second Iteration EMP.</p>
3.8.9	The Inspectorate	Impacts during construction: The ES should document changes to existing discharges or the creation of any new discharges as a result of the Proposed Development and any adverse effects as a result of this.	Appendix 13.3 (Highways England Water Risk Assessment Tool) (HEWRAT) of the ES Appendices (TR010065/APP/6.3) assesses potential impacts of routine runoff and accidental spillage risks to watercourses resulting from the Scheme during operation. The HEWRAT tool assesses the changes to the existing outfalls and creation of new discharges as a result of the Scheme and whether the Scheme would result in an improvement in discharge. Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) assesses the potential impact of construction works on the water environment.
3.8.10	The Inspectorate	Management of Flood Risk: The Scoping Report states that "Flood risk during construction will be managed through the Environmental Management Plan". Paragraph 14.10.2 states "the floodplain mitigation will have to be approved by the Environment Agency". The ES should demonstrate that flood risk management strategies and proposed mitigation measures required for the Scheme are agreed with other relevant consultation bodies including the Lead Local Flood Authority.	Section 4.6 of Chapter 4 (Environmental Assessment Methodology) of the ES (TR010065/APP/6.1) includes details of the consultation undertaken to date. Statements of Common Ground (SoCG) with the Environment Agency and the Local Planning Authority Nottinghamshire County Council (which includes the Lead Local Flood Authority), are currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statements of Common Ground will be submitted during the Examination of the application.
3.8.11	The Inspectorate	Limitations: The Scoping Report states that "no water or sediment sampling has been carried out to date". The Scoping Report does not provide the Inspectorate with information explaining whether sampling will be carried out or justification that such sampling is not required. The detailed sampling approach should be agreed with the Environment Agency, the Inspectorate notes the potential for the Proposed Development to increase risk to water quality.	<p>Surface water quality monitoring has been undertaken in agreement with the Environment Agency as detailed in Section 13.4 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1). Details of these surveys (including methodology, and sampling requirements) and results where available are included within Chapter 13 (Road Drainage and the Water Environment) of the ES.</p> <p>Baseline groundwater monitoring commenced in January 2023, as detailed in Section 13.12 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1). Furthermore Appendix 9.2 Contaminated Land Risk Assessment of the ES Appendices (TR010065/APP/6.3) provides details on the risk to controlled waters from contamination.</p>
3.9 Climate (Scoping Report Section 15)			
3.9.1	The Inspectorate	Effects on climate during decommissioning: The Applicant proposes to scope out effects on climate change during decommissioning on the basis that the Proposed Development will be maintained and operational beyond the 60-year assessment period. As the Proposed Development would form an integral part of the Strategic Road Network (SRN) and is unlikely to be decommissioned, the Inspectorate is content with this approach.	Noted by the Applicant. This has been scoped out of the assessment.

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3.9.2	The Inspectorate	Mitigation measures - construction: Paragraph 15.6.3 states that climate change is not anticipated to impact construction. As a result, no specific mitigation measures during construction are proposed to improve the resilience of the Proposed Development to climate change. However, this contrasts with paragraph 15.5.6 which states that climate change is expected to impact construction of the Proposed Development. The ES should ensure mitigation measures are proposed to reduce the vulnerability of the Proposed Development to climate change. Effort should be made to agree these measures with the relevant consultation bodies to ensure that they are appropriate.	Chapter 14 (Climate) of the ES (TR010065/APP/6.1) and Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) includes mitigation measures for the Principal Contractor to implement during construction to mitigate the impacts of climate change. Impacts to the floodplain, including during construction have been assessed under the 1 in 30 year event; this is detailed within Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3) which has been produced in consultation with the Environment Agency. Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) details mitigation measures for the Principal Contractor to implement during construction to mitigate the impacts on floodplains.
3.10 Cumulative Effects (Scoping Report Section 16)			
3.10.1	The Inspectorate	No matters have been proposed to be scoped out of the assessment.	Noted by the Applicant
3.10.2	The Inspectorate	List of Other Developments: The cumulative effects assessment should include consideration of the North Hykeham relief road. The final list of projects should be agreed with relevant statutory consultees.	Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1) details the long list of developments considered. This long list includes the North Hykeham Relief Road and the list was agreed with the planning teams at Newark & Sherwood District Council and North Kesteven District Council in March 2023. The final short list of schemes was sent to the planning teams at Newark & Sherwood District Council and North Kesteven District Council in August 2023 for agreement. A meeting was held with the councils to agree the short list of other developments used to inform the cumulative effects assessment that supports the Environmental Statement and to provide an overview of the outcomes of the assessment. The meeting concluded with the local planning authorities confirming that they are content with our short list.
3.10.3	The Inspectorate	Cumulative Effects: The assessment should consider the potential for non-significant effects that are not in themselves insignificant to give rise to cumulative effects with other proposed development.	A Combined and Cumulative Effects Assessment has been undertaken and is included in Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1) which covers potential cumulative effects arising from the development as well as other developments. The methodology for the assessment of cumulative effects concentrates on significant effects, and aims to differentiate between permanent, temporary, direct, indirect and secondary effects, positive or negative. However, the potential for non-significant effects that are not in themselves significant to give rise to cumulative effects with other proposed development has also been considered in Section 15.5 of Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1).
3.10.4	The Inspectorate	Noise and Vibration Study Area: A specific study area is not given for the Zone of Influence (Zol) for cumulative effects for noise and vibration during either the construction or operational stages. This is not consistent with the remainder of Table 16.1, which refer to either the study areas to be used within the individual ES aspect chapters, or a specific study area for cumulative effects. The ES should provide a justification of why the Zol for the assessment noise and vibration cumulative effects follows a different methodology.	A specific study area for cumulative effects from noise and vibration during construction is now provided in Section 15.3 of Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1). The operational cumulative effects have been assessed in Chapter 5 (Air Quality) and Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1). As described in Section 15.3 of Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1) this is because air quality and noise operational assessments have used the traffic model which includes all the relevant proposed developments, and therefore cumulative effects are included in their operational assessments.

Table 1-2: Consultation body comments received in Scoping Opinion, including a description of how they have been addressed or incorporated in the ES (TR010065/APP/6.1)

ID	Respondent	Comment	Applicant's Response
Ashfield District Council			
Appendix 2	Ashfield District Council	The Local Planning Authority has received a consultation request from the Planning Inspectorate who are undertaking a consultation process to inform the Secretary of State's Scoping Opinion for the proposed A46 Newark Bypass project under the consent regime for Nationally Significant Infrastructure Projects.	Noted by the Applicant.
Appendix 2	Ashfield District Council	The A46 forms part of the strategic Trans-Midlands Trade Corridor between the M5 in the southwest and the Humber Ports in the northeast. The stretch of A46 between the Farndon Junction, to the west of Newark and the A1 to the east of Newark, is the last remaining stretch of single carriageway between the M1 and A1.	Noted by the Applicant.
Appendix 2	Ashfield District Council	The Scheme will provide a dual carriageway on the A46 between Farndon and Winthorpe for a distance of approximately 6.5 kilometres in length. The widening works include earthwork widening along the existing embankments, and new structures where the route crosses the railway lines, River Trent and the A1.	Noted by the Applicant.
Appendix 2	Ashfield District Council	The Council considers that the widening works will provide more reliable and consistent journey times for residents and businesses within the District of Ashfield, and consequently have no further comments to make on the proposal.	Noted by the Applicant.
Canal and River Trust			
Appendix 2	Canal and River Trust	Thank you for your consultation on the Environmental Impact Assessment Scoping for the above project.	Noted by the Applicant.
Appendix 2	Canal and River Trust	We are the charity who look after and bring to life 2000 miles of canals and rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer, and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.	Noted by the Applicant.
Appendix 2	Canal and River Trust	The Trust is the navigation authority for the Trent below the new road route. We also own land in proximity to Nether Weir, which would likely be affected by widened road, and is within the red line of the proposed site. The Trust also have some freehold interests in the River Trent, which could be impacted by the proposals.	The Applicant acknowledges these interests and can confirm that engagement is ongoing with the Canal and River Trust. A Statement of Common Ground with the Canal and River Trust is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Ground will be submitted during the Examination of the application.
Appendix 2	Canal and River Trust	Having reviewed the location of the proposed project and the Scoping report, we wish to make the following comments:	Noted by the Applicant.
Appendix 2	Canal and River Trust	Cultural Heritage: The proposed road would potentially affect the setting of existing heritage assets associated with the River Trent. These include the grade II* listed Concrete Footbridge (reference 1297721) and non-designated assets including Nether Weir. The Scoping Report identifies in paragraph 7.8.7 that the magnitude of the impact of the new road on the assets will be assessed. This would help inform the assessment of the proposal's impact in line with the principles of paragraphs 194 to 195 of the National Planning Policy Framework.	The magnitude of impact upon the grade II* listed Concrete Footbridge and non-designated Nether Weir (MM688) has been assessed in Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1) and Appendix 6.3 (Assessment of Cultural Heritage Effects During Construction of the Scheme) and 6.4 (Assessment of Cultural Heritage Effects During Operation of the Scheme) of the ES Appendices (TR010065/APP/6.3). Whilst the NPSNN is the relevant policy to consider for this Scheme, the NPPF has been taken into

ID	Respondent	Comment	Applicant's Response
			account in Chapter 6 (Cultural Heritage of the ES) as described in Section 6.3 (TR010065/APP/6.1).
Appendix 2	Canal and River Trust	Cultural Heritage: The works in proximity to Nether Weir for the viaduct would likely require the construction of temporary compounds for construction. Initial talks with the applicant also indicate that a temporary gantry bridge across the river may be proposed. We request that the assessment should therefore include a full assessment of the temporary impact of these on the setting of relevant designated and non-designated assets.	Temporary and permanent effects upon the setting of the grade II* listed Concrete Footbridge, Nether Lock, Nether Weir and Clapper Gates have been assessed in Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1), Appendix 6.3 (Assessment of Cultural Heritage Effects During Construction of the Scheme) and Appendix 6.4 (Assessment of Cultural Heritage Effects During Operation of the Scheme) of the ES Appendices (TR010065/APP/6.3). The assessment covers all temporary effects including the compounds and gantry bridge.
Appendix 2	Canal and River Trust	Cultural Heritage: Section 7.9 highlights that no surveys for buried archaeology have taken place to date. It is likely that archaeological remnants associated with past use of Nether Weir may be present, and could be impacted by the new road and any construction compounds associated with the construction works proposed. We therefore request that the desk-based assessment discussed in section 7.8.3 includes assessment of this area.	Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3) has considered the assessment of Nether Weir. Photographic evidence of the construction of the original A46 demonstrates heavy disturbance in the area of Nether Weir. As such it is assumed any potential archaeological remains associated with the original Weir will have been removed or truncated, and this has been included within the assessment contained in Appendix 6.3 (Assessment of Cultural Heritage Effects During Construction of the Scheme) of the ES Appendices (TR010065/APP/6.3).
Appendix 2	Canal and River Trust	Landscape and Visual Effects: The development of two new crossings of the River Trent, and the construction of the viaduct close to Nether Weir (including the provision of construction compounds and temporary crossings of the Trent) would likely result in significant temporary and permanent impacts to the setting of the waterway.	Potential impacts and resulting effects upon receptors including users of the River Trent have been captured within the visual impact assessment contained within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1).
Appendix 2	Canal and River Trust	Landscape and Visual Effects: We request that the proposed Landscape and Visual Impact Assessment (LVIA) discussed in section 8.8 should include an assessment with regards to the impact on waterway users associated with the River Trent, who would pass in very close proximity to both temporary and permanent works. To ensure this is suitably comprehensive, we request that boaters, walkers and fishermen in proximity to both proposed crossings of the River Trent should be included within the list of visual receptors included (at present, Appendix C does not list these users). River users often dwell on our spaces, and would likely experience any changes for a long period and therefore would be potentially highly sensitive to any significant changes to the Landscape.	Potential impacts and resulting effects upon receptors including users of the River Trent and adjacent long distance footpath which are considered to be high sensitivity receptors, have been captured within the visual impact assessment contained within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1).
Appendix 2	Canal and River Trust	Landscape and Visual Effects: The proposed design and mitigation measures in section 8.6 would help to ensure that the visual impact of the proposals can be reduced to some extent. We request that the applicant should ensure that any recommendations associated with section 8.6 are carried forward with regards to the design of the final Scheme.	Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) captures the essential mitigation requirements needed to reduce landscape and visual effects. Requirement 12 of the draft DCO (TR010065/APP/3.1), secures the detailed design of the final Scheme which must accord with the principles set out in Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) approved as part of the application for development consent. Furthermore, in accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1) the Applicant must also comply with the commitments set out in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5).
Appendix 2	Canal and River Trust	Landscape and Visual Effects: Specifically, we wish to advise that the design of new crossings of the river should consider the underside of the bridge structure so that any impact for river users below is minimised. Measures to prevent drips and bird roosting below should be considered, whilst efforts should be undertaken to reduce shading impacts to the waterway below.	The bridge soffits will be similar to the existing bridges; drip features will be incorporated into the design; the prevention of bird roosting will be considered in the detailed design.

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Appendix 2	Canal and River Trust	<p>Landscape and Visual Effects: A standardised concrete bridge could result in significant harm to the character and appearance of the waterway. We therefore request that efforts are taken to ensure that the design of any replacement bridge addresses the waterway positively, to partly offset its potential harm to the visual character of the area. Features common to road crossings, such as visible exposed Armco barriers, concrete framing, tall sound barriers, and roadway decks positioned at an angle to the waterway (as opposed to at 90-degrees) could significantly harm the appearance and character of the green corridor, and we advise that efforts are taken to minimise the presence of such features when designing any new corridor.</p>	<p>The bridge designs will be similar to the existing bridges crossing the waterways, this is a new bridge alongside the existing and the structure has been designed to look similar to this to ensure a consistent design language with existing structures. The design has been developed to limit the extent of vegetation clearance required within the existing green corridor, thereby limiting direct impacts on the appearance and character of the corridor wherever possible. A small amount of vegetation clearance will be required. Appendix 7.4 (Arbicultural Impact Assessment) of the ES Appendices (TR010065/APP/6.3) illustrates existing vegetation and areas for retention or removal. Details of the landscape and visual impact assessment for the Scheme are provided in Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) Information regarding the landscape proposals for the scheme is presented in Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2).</p>
Appendix 2	Canal and River Trust	<p>Landscape and Visual Effects: The limit the visual intrusiveness of the bridge crossings to the river, we request that efforts are sought to position the piers of any new structure to either side of the river as far enough away from the navigation as possible. This would help to maintain the open aspect of the waterway, as well as maintain visibility for boaters to see hazards ahead. Efforts to utilise anti-graffiti measures at the base of the piers should also be sought.</p>	<p>The bridge designs, including piers which are on a similar line as the existing bridge (the southern pier is on the same line and the northern pier is set further back than existing to provide the same offset to the river bank) will be similar to the existing bridges crossing the waterways thereby providing visual continuity with existing structures and providing common design language. Anti-graffiti coating would be applied up to a height of 2.4 metres above ground level to reduce the probability of the structures being defaced by anti-social activities, enabling a better legacy for the Scheme; this commitment is contained in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5).</p>
Appendix 2	Canal and River Trust	<p>Landscape and Visual Effects: We note that an existing pathway lies alongside the river, and request that, as the Scheme is drawn up, details are provided to demonstrate that it will not be adversely impacted, so as to maintain people's access to the strategic green network.</p>	<p>The existing bridleway (BW6) will remain accessible throughout construction. This bridleway will be martial controlled for a duration of 10 weeks to allow continued access for users. During operation, the existing PRoW network will remain unaffected in this area allowing continued access to the existing strategic green network.</p>
Appendix 2	Canal and River Trust	<p>Biodiversity: The waterway forms part of the strategic green network for Newark District, and provides a green corridor for the movement of wildlife in borough. A new road bridge, and widened crossing, could result in an increased level of disturbance and a break in habitat connectivity, whilst construction works could result in disruption to existing waterside habitats and species.</p>	<p>The importance of biodiversity resources (for example, designated sites, habitat and species) and the level of impact upon these resources (both during construction and operation) is considered within Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1). The functionality of resources is included within the assessment and includes the function of habitats to collectively act as connectivity corridors. With reference to the EclA Guidelines published by CIEEM in 2018 (updated in April 2022), the mitigation hierarchy has been followed with regards addressing negative impacts and comprises a hierarchical approach of avoid, mitigate, compensate and enhance.</p> <p>The green corridor along the River Trent will be maintained through construction. Vegetation clearance has been minimised through design (bridge pillars set back from the bank) and comprises of habitat of low ecological value (site level importance). The Scheme is considered to result in temporary loss of predominantly planted woodland parallel to the north boundary A46 carriageway during construction. Whilst not the most direct route to commute along, adjacent field boundaries (hedgerows, treelines) offer an alternative route to move around the landscape. Construction will not introduce further severance beyond existing barriers, for example, the River Trent and A1. Species-specific measures to mitigate disturbance are detailed in Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) and Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5).</p>

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Appendix 2	Canal and River Trust	Biodiversity: Section 9.3 discusses the proposed Study Area, which would include waterside habitats (discussed in paragraph 9.3.2). We anticipate that the areas listed would include areas in proximity to the River Trent. Of note, the Trust does have records of barn owls and otters being present in proximity to the river, and we therefore request that surveys include assessments on the potential presence of these species.	Surveys and assessment of likely significant effects, including for barn owl and otter are detailed in Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) . Surveys have been completed in line with industry best practice. The study area for Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) does cover areas in proximity to the River Trent.
Appendix 2	Canal and River Trust	Biodiversity: Sections 9.5 and 9.6 highlight that there is significant potential of disruption to existing habitats during and post development. Whilst some mitigation (and enhancement) measures are discussed, there is a risk that the Scheme could rely on off-site habitat compensation as discussed in paragraph 9.6.4.	Assessment of effects, mitigation and compensation requirements are detailed within Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) . Section 8.10 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) details the essential mitigation and compensation that would be delivered on-site, including at Nether Weir.
Appendix 2	Canal and River Trust	Biodiversity: We request that site- specific enhancements and compensation should be considered as a priority alongside the development, especially as any severance of existing habitats could impact the linear role of the River Trent corridor as a wildlife habitat. To address this, we request that the EIA should address specific on-site enhancements that could be carried out to mitigate any direct harm to the corridor. For example, the potential for bat roosts in trees in very high, whilst 37 bird species of conservation concern are likely to be affected. Site specific measures to mitigate against the harm to these species could help to address any direct harm to the local area.	Site specific mitigation measures including for bats and birds and compensation measures are detailed within Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) .
Appendix 2	Canal and River Trust	Biodiversity: Section 9.8 discusses the assessment methodology. We wish to highlight that Summer 2022 has been unusually warm, which may have dried out typical wetland habitats. Should the EIA choose to rely on Summer 2022 data, then we request that the document should address the risk that wetland habitats suitable for some species (such as grey crested newts and grass snakes) may be affected that may not have been adequately recorded due to the extreme weather events of 2022.	Survey limitations are documented in the relevant ecology technical appendices contained within the ES Appendices (TR010065/APP/6.3) , which do consider the atypically warm Summer in 2022 as detailed within Section 8.6 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) .
Appendix 2	Canal and River Trust	Biodiversity: Appendix E, which informs the Scoping report, highlights that no habitat was found during the extended phase 1 habitat survey that was suitable for populations of white clawed crayfish. The Trust note that dredging from the River Trent do contain high proportions of gravel, which suggests the potential for habitats for this species. We therefore would welcome additional information to confirm why the Phase 1 Habitat survey concludes that there are no suitable habitats for this species, so as to ensure that the potential impact on this species is fully assessed.	As the signal crayfish is known to outcompete and spread disease to the native white-clawed crayfish <i>Austropotamobius pallipes</i> , it is unlikely that white-clawed crayfish are present within the rivers in the survey area. In addition, Nottinghamshire County Council have identified that signal crayfish are present within the River Trent close to the survey area, while native white-clawed crayfish are absent from within the catchment. White clawed crayfish has been scoped out as they are absent from biological data search records and no suitable habitat was identified within the extent of the extended Phase 1 Habitat Survey. Refer to Section 8.8 within Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) .
Appendix 2	Canal and River Trust	Geology and Soils: Works in proximity to the River Trent have the potential to increase the risk of pollution to the River through the runoff of silt-laden deposits or the release of dust during construction. There is significant risk of contamination through poor sediment management from exposed soils, with specific risks likely associated with excavation and piling works in proximity to the river.	Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) outlines potential contamination impacts including sediment runoff from works in close proximity to the River Trent in Section 9.9. Mitigation is discussed in Section 9.10 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) under the headings Protection of controlled water - general and Protection of controlled waters - excavation and foundation works. Risks to controlled waters are also addressed in Appendix 9.2 Contaminated Land Risk Assessment of the ES Appendices (TR010065/APP/6.3) .
Appendix 2	Canal and River Trust	Geology and Soils: Section 10.6 outlines a list of measures to help address pollution risks, including the provision of Phase 1 and Phase 2 investigations and provision of a Soils Management Plan, Materials Management Plan and Environmental Management Plan. These would be	Section 9.10 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) includes the listed mitigation measures. A Preliminary Sources Study Report PSSR (Phase 1) contained in Appendix 9.1 of the ES Appendices (TR010065/APP/6.3) , Contaminated Land Risk Assessment (Phase 2)

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		expected to provide adequate information to ensure that the mitigation measures are adequate to prevent any risk of contamination towards the water environment.	contained in Appendix 9.2 of the ES Appendices (TR010065/APP/6.3) and Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) have been prepared. Appendix B.2 Outline Materials Management Plan (OMMP) and Appendix B.3 Outline Soil Management Plan (OSMP) have also been prepared as part of the First Iteration EMP (TR010065/APP/6.5). These contain information to ensure mitigation measures are adequate and will be developed into full management plans as part of the Second Iteration EMP as secured by Requirement 3 of the dDCO.
Appendix 2	Canal and River Trust	Road Drainage and the Water Environment: Section 14.5 highlights a variety of potential impacts of the development upon the water environment. During construction, as stated in our response to the Geology and Soils Chapter, there are risks of pollution to the River through the runoff of silt-laden deposits or the release of dust during construction. The provision of an Environmental Management Plan and other mitigation measures discussed in paragraphs 14.6.4 to 14.6.11 would help to address these risks.	The First iteration EMP (TR010065/APP/6.5) has been produced to support the submission. Mitigation measures associated with the risk of contaminated runoff to the water environment are included within Table 3-2 REAC within the First Iteration EMP (TR010065/APP/6.5). A Pollution Prevention will be developed to support the Second Iteration EMP as secured by Requirement 3 of the dDCO.
Appendix 2	Canal and River Trust	Road Drainage and the Water Environment: Our records show that there is a likelihood that the existing road does drain into the River Trent close to Nether Weir on the right bank. Changes to any existing discharge or the creation of any new discharge could have an impact on the environment of the waterway, and the management of water within the river. The chapter identifies that drainage designs have not been finalised. We request that full details of any changes to discharges to the Trent should be identified alongside the main application.	The drainage strategy for the Scheme is detailed in Appendix 13.4 (Drainage Strategy Report) of the ES Appendices (TR010065/APP/6.3) which provides information regarding changes to the drainage design. Appendix 13.3 (HEWRAT Assessment) of the ES Appendices (TR010065/APP/6.3) assesses the changes to the existing outfalls as a result of the Scheme and whether the Scheme would result in an improvement in discharge.
Appendix 2	Canal and River Trust	Other comments - Impact on Navigation: The Scoping Report does not include a chapter in relation to traffic and transport.	Traffic and Transport is not a DMRB topic as outlined in Section 4.2 of DMRB LA 104. However, traffic and transport impacts are considered as part of the other DMRB chapters in relation to air quality, noise and vibration, climate, and population and human health. A Transport Assessment (TR010065/APP/7.4) has been completed for the Scheme. Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers the impact of the Scheme on navigation along the River Trent. No likely significant effects to navigation were identified during the construction or operation of the Scheme.
Appendix 2	Canal and River Trust	Other comments - Impact on Navigation: Initial discussions with the applicant suggest that temporary works to construct the new road could include the construction of new gantry bridges across the river to provide construction access. The installation of this bridge, and the new road bridges, have the potential to affect river traffic below through the potential need for temporary closures or any impact to vessel clearance.	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers the impact of the Scheme on navigation along the River Trent. No likely significant effects to navigation were identified during the construction or operation of the Scheme.
Appendix 2	Canal and River Trust	Other comments - Impact on Navigation: In terms of permanent effects, to maintain navigational safety, it is necessary for boaters to have a clear sightline around the bend of the river towards Nether Lock. We therefore recommend that the piers of any bridge or widened road bridge is set as far away as possible from the bank edge, so that a clear sightline can be provided.	Piers are being constructed on the north side of the existing bridge, in line with the existing structure location. The piers will be no further forward than the existing bridge piers to the river, therefore, will not obscure visibility for river vessels.
Appendix 2	Canal and River Trust	Other comments - Impact on Navigation: We advise that any new bridge should seek to avoid the placement of piers within the river itself, which would otherwise form a visual obstruction, and could provide a navigation hazard.	There will be no bridge piers within the River Trent that would impact navigation. Therefore no likely significant effects to navigation are expected during the construction or operation of the Scheme.

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Appendix 2	Canal and River Trust	Other comments - Impact on Navigation: Any adverse impact of the passage of river traffic could adversely impact the ability of the river to support tourism and leisure activities, which would be contrary to the aims of policy NAP1 from the adopted Newark Core Strategy. We therefore advise that impacts on navigation during construction should be considered alongside the application, This could be included in the EIA.	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers the impact of the Scheme on navigation along the River Trent. No significant effects to navigation were identified during the construction or operation of the Scheme.
Appendix 2	Canal and River Trust	Other comments - Impact on the Structural Integrity of the River Trent: We request that careful consideration is given to ensure that the construction works, and loading of any permanent structures, do not result in damage to the river bank, nor Nether Weir and Lock. This may affect the placement of supports in relation to the channel, and the method of construction on site.	Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) includes descriptions regarding temporary handrails lined with silt fencing and the provision of interception ditches and bunds. It also includes a statement with regard to the design of the temporary works platforms to prevent damage to the existing riverbanks. Consideration for the effects of construction work and permanent structures on river banks is given in Section 13.11 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) . Measures are provided in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) to ensure no damage to river banks associated with the River Trent or Nether Lock.
Appendix 2	Canal and River Trust	Other comments - Impact on the Structural Integrity of the River Trent: Vibrations of car movements on the bridge, and from piling works likely required to construct the bridge, could result in damage to Nether Weir and Nether Lock. We therefore advise that assessments are undertaken to demonstrate that no damage will be caused to the waterway assets from the works. This could be achieved through an assessment of the current condition/ stability of the lock and analysis (potentially modelling) of the impact of any ground vibration resulting in the construction and then operation of the bridge on the lock. This information could be secured as part of the Environmental Management Plan, which the Scoping Report identifies will be submitted prior to construction. Alternatively, the EIA could choose to address these matters.	Car vibrations are unlikely to affect Nether Lock; the Lock will be inspected by a Structural Engineer prior to and after piling works; the method of piling will take due consideration of these features to limit any vibrations imposed upon them. The First Iteration EMP (TR010065/APP/6.5) identifies a number of specific measures to reduce the impacts of piling. Consideration of vibration effects associated with construction and operation of the Scheme, including at Nether Lock is given in the assessment of likely significant effects section in Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) .
Appendix 2	Canal and River Trust	Landowner Consents from the Trust: The applicant is advised that the Trust is not a land drainage authority and any surface water discharge to our waterways may require prior consent from the Trust. Such discharges are not granted as of right and when and if they are granted they will usually be subject to completion of a commercial agreement prior to the commencement of any development. For more information, the applicant is recommended to contact the Trust's Utilities Section at utilitesenquiry@canalrivertrust.org.uk .	The Applicant have made contact with the Canal and River Trust and are in discussions regarding relevant outfalls.
Appendix 2	Canal and River Trust	Landowner Consents from the Trust: Please note that the Canal & River Trust is a statutory undertaker which has specific duties to protect the waterways. Accordingly, it is likely that we will resist the use of compulsory purchase powers which may affect our land or undertakings. We reserve the right to seek protections under S16 of the Acquisition of Land Act 1981 should any proposals affect land which has been acquired for the purposes of our undertaking.	Noted by the Applicant. Detailed plans were sent to and reviewed by the Canal and River Trust on 7 July 2023. These plans were then updated based on changes to the Order Limits and essential ecological mitigation required following completion of the environmental assessment. A meeting was held on 12 October 2023 to discuss the proposals and re-submitted plans were sent to the Canal and River Trust on 6 November 2023.
Appendix 2	Canal and River Trust	Landowner Consents from the Trust: Accordingly, we require that the acquisition of any Trust land or rights over Trust land should be secured by agreement. The applicant has initially approached the Trust's Estates section to discuss any agreements or land purchase needed. The applicant is due to provide the Trust with detailed plans of what land they require when available, which is still being awaited in order to allow us to negotiate terms.	Detailed plans were sent to and reviewed by the Canal and River Trust on 7 July 2023. These plans were then updated based on changes to the Order Limits and essential ecological mitigation required following completion of the environmental assessment. A meeting was held on 12 October 2023 to discuss the proposals and re-submitted plans were sent to the Canal and River Trust on 6 November 2023.
Environment Agency			

ID	Respondent	Comment	Applicant's Response
Appendix 2	Environment Agency	Thank you for consulting the Environment Agency on the scoping opinion for the proposed A46 Newark Bypass NSIP. The Environment Agency has the following comments on matters within our remit which are detailed below.	Noted by the Applicant.
Appendix 2	Environment Agency	Flood Risk: We note that the scoping report highlights potential negative impacts and we would highlight that the Environmental Statement don't just have to highlight negative though and they could use the screening report to support identification of potential positive impacts on flood risk. We have engaged with the applicants extensively over the last couple of months and we would expect that to continue.	Engagement with the Environment Agency has continued throughout the ES and Scheme development, as outlined within Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1). This considers both beneficial and adverse effects as a result of the Scheme.
Appendix 2	Environment Agency	Flood Risk: Specific notes / comments from a flood risk perspective are:	Noted by the Applicant.
Appendix 2	Environment Agency	Flood Risk: 14.4.1 – bullet points refer to the South East River Basin Management Plan, this should be the Humber RBMP.	This text has been amended in the Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) to Humber RBMP.
Appendix 2	Environment Agency	Flood Risk: 14.5.9 – 14.5.12 – Impacts from the operation of the Scheme can also include positive, or beneficial, impacts such as creating additional space for water within the floodplain etc.... There are several communities at a high level of flood risk within the direct vicinity of the proposed Scheme, and which potentially could be beneficially impacted.	Effects on communities are assessed within Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3).
Appendix 2	Environment Agency	Flood Risk: 14.6.3 – Opportunity through design of the floodplain compensation areas to reduce flood risk overall and generate environmental and habitat enhancements.	Floodplain compensation areas have been developed with input from the Environment Agency which mitigate for the scheme. The scheme mitigates for any increased risk to third parties, to ensure that the scheme does not increase susceptibility of local receptors to flooding. Where possible the floodplain compensation areas have been designed as multifunctional sites to provide a floodplain compensation area and wetland habitat post construction of the Scheme. The wetland will support a range of wildlife.
Appendix 2	Environment Agency	Flood Risk: Floodplain compensation – Compensatory floodplain storage will be required to mitigate any increase in risk to third parties from the proposed Scheme. This has been discussed in various meetings with the consultants and we will continue to engage further to ensure that the mitigation is acceptable.	Floodplain compensation areas have been developed with input from the Environment Agency. The scheme mitigates for any increased risk to third parties, to ensure that the scheme does not increase susceptibility of local receptors to flooding. Section 13.11 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) includes assessment of flood risk with mitigation measures set out in Section 13.10 and within Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5).
Appendix 2	Environment Agency	Flood Risk: Tolney Lane Gypsy and Travellers site – This community is adjacent to the proposed Scheme and is at significant flood risk. We are aware of work being undertaken by Newark and Sherwood District Council to investigate means of reducing the risk to this community. There is potential for cross over between the NSDC works and those proposed for the A46 realignment. We would encourage the applicants to engage with NSDC at the earliest opportunity to support identification of joint working opportunities and methods of reducing the risk to this highly vulnerable community.	Effects on communities have been assessed within Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3). The Flood Risk Assessment has identified that there would be no increase in flood risk at the Tolney Lane Gypsy and Traveller Site as a result of the Scheme during operation; this can be seen in Figure 9.1 of Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3). The Flood Risk Assessment has identified that there would be a marginal temporary increase in fluvial flood risk predicted in the near vicinity of the Tolney Lane Gypsy and Traveller Site during construction; this can be seen in Figure 10.1 of Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3). The proposed flood mitigation measures for the Scheme will not impact or affect the ability for the traveller's site to mitigate their own flood impacts. Engagement has taken place with Newark & Sherwood District Council throughout the design development to discuss the cross over between the

ID	Respondent	Comment	Applicant's Response
			<p>Scheme proposals and Newark & Sherwood District Council's proposed works; although no joint working opportunities have been identified to date, engagement will continue with Newark & Sherwood District Council on this matter. The Applicant is also in discussion with Newark & Sherwood District Council about the hydraulic model that has been developed for the Scheme; it has been agreed that the Applicant will share the hydraulic model with Newark & Sherwood District Council but this must not be done until approval has been sought on the model from the Environment Agency. A Statement of Common Ground with Newark & Sherwood District Council is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Grounds will be submitted during the Examination of the application.</p>
Appendix 2	Environment Agency	<p>Flood Risk: Updates to PPG – The Planning Practice Guidance was updated in September 2022 and we recommend that the applicants review the updated guidance when progressing the development of the Schemes flood risk assessment. The updated guidance recommends a revised starting point for definition of the functional floodplain using the 3.3% Annual Exceedance Probability (AEP) flood event. We recommend that the applicants use this event to support identification of the Schemes impact on the functional floodplain.</p>	<p>Impacts to the floodplain have been assessed under the 1 in 30 year event as recommended in Section 13.11 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1). Further information on this is also set out in Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Environment Agency	<p>Biodiversity: 9.6.5 – Biodiversity net gain (BNG) of a minimum of 10% has been included in the Environment Bill and now will also include the requirement for NSIPs from 2025. Whilst not officially mandated until 2025, we encourage this development to provide BNG due to the opportunities that the location of this development could provide.</p>	<p>The Scheme will provide a BNG assessment based on Defra metric 3.1. Full details are provided in the Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Environment Agency	<p>Biodiversity: There is plenty of opportunity to provide enhancements to the river environment within the vicinity of the works. We would be keen to help provide enhancement opportunities and mitigation as required. The Environment Agency has started to provide 20% BNG for some of its project and we would ask that this project looks at opportunities to meet 20% BNG as an ambitious target. There is potential to lose some good quality habitats in the form of LWS's therefore it is key that as much good quality habitat is produced as possible to offset this as per the NE BNG Matrix.</p>	<p>The Defra metric 3.1 has been applied to the Scheme. Whilst the Scheme does not currently achieve a 20% Biodiversity Net Gain (BNG), the Scheme does achieve a net gain in biodiversity for hedgerows, terrestrial habitat and rivers and streams. Further details such as methodology and the Biodiversity Net Gain scores can be found within the Appendix 8.14 (Biodiversity Net Gain Report) of the ES Appendices (TR010065/APP/6.3).</p> <p>Principles of mitigation, including design of post development habitats are set out in Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1), and opportunities to benefit species have been included where practicable. Mitigation requirements are set out in in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) whilst suitable habitat planting has been provided in Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2).</p> <p>Engagement with the Environment Agency has continued throughout the ES and Scheme development, as outlined within Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) and consulted and agreed in the Environment Agency's Statement of Common Ground which will be submitted during DCO Examination. The Applicant will engage with the Environment Agency on the mitigation of effects on river environment and enhancement as a result of the Scheme.</p>
Appendix 2	Environment Agency	<p>Biodiversity: 14.6.1 – We note that SUDs are being proposed and we would highlight that these offer opportunities to provide multifunctional environmental enhancements, such as also being the creation of habitat e.g. wetlands.</p>	<p>The drainage design has been developed to provide multifunctional habitats, as shown on Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2).</p>
Appendix 2	Environment Agency	<p>Biodiversity: We would highlight that water vole surveys need to be conducted from in channel and not</p>	<p>Following habitat suitability assessments and in accordance with mitigation guidelines given by Dean <i>et al.</i> (2016), two survey visits were undertaken to assess presence / likely absence of water vole within pre-identified suitable</p>

ID	Respondent	Comment	Applicant's Response
		via bankside. This will ensure that no evidence of water voles would be missed. If access is difficult then water vole rafts can be utilised as part of the survey effort.	<p>habitat. Surveys have and will be undertaken where access is permitted by the landowner and safe access can be gained. Details of the water vole survey methodology and results are provided in Appendix 8.12 (Water Vole Technical Report) of the ES Appendices (TR010065/APP/6.3). As per the guidelines given by Strachan <i>et al.</i> (2011), surveys were conducted from one bank of the suitable linear waterbody, with surveyors assessing the opposite bank if the habitat on one bank was unsuitable for water vole. Whilst surveying for field signs, surveyors made every effort to get as close to the water's edge as possible and surveyed from the toe of the bank, up to 5 meters back from the edge of the water. Where possible and safe to do so, linear waterbodies were also assessed from within the channel itself. Where access within the channel was not possible or safe, surveys of the bankside generally provided sufficient survey coverage and the use of artificial latrine rafts was largely not considered unnecessary (with the exception of several watercourses within British Sugar Factory Land, where the use of artificial latrine was considered but scoped out due to concerns over public health and safety – see Section 3.6 'Limitations' of Appendix 8.12 (Water Vole Technical Report) of the ES Appendices (TR010065/APP/6.3)).</p> <p>Some access restrictions were encountered for several waterbodies – see Section 3.6 'Limitations' of Appendix 8.12 (Water Vole Technical Report) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Environment Agency	Biodiversity: Otters are known to be using the area and otter surveys will be required to ensure there aren't any holts within the area.	Otter surveys commenced in October/November 2022 and were continued quarterly for a period of one year. Details of the otter survey methodology and results are provided in Appendix 8.10 (Confidential Otter Technical Report) of the ES Appendices (TR010065/APP/6.3) .
Appendix 2	Environment Agency	Biodiversity: Nowhere in the report is there any information on Invasive species (INNS) and the potential to spread or encounter them. We would expect to see that INNS is included within the biodiversity section.	Section 8.8 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) details INNS which includes American mink <i>Neovison neovison</i> , Indian balsam <i>Impatiens glandulifera</i> , and a number of invertebrate species. With the implementation of best practice mitigation measures including the preparation of an INNS Management Plan and Biosecurity Risk Assessment, it is not anticipated that the Scheme would result in further spread of identified INNS, directly or indirectly.
Appendix 2	Environment Agency	Fisheries: The proposed dualling of the A46 offering opportunities for wider environmental enhancements as part of the development, including opportunities to improve the fish passage along the River Trent. The proposed Scheme is situated alongside the River Trent and a number of weirs, including Averham weir are earmarked as sites where the potential for a fish pass to be built are being explored as part of the Trent Gateway project. The proposed NSIP offers opportunity to support the aims of the Trent Gateway partnership in particular opportunities to support fish passage and we would welcome the Environmental Statement discussing the opportunities that the A46 project could support this. As well as supporting the opening up of fish passage along the River Trent, the borrow pits area, also offers opportunity to provide high quality habitat for wildlife, including areas for fish refuge by connecting the river to offline habitat such as the borrow pits. This would benefit a range of wildlife including birds, otters and fish so this should also be explored in the Environmental Statement. This area is also being looked as a potential area for flood plain compensation and this area should be explored to understand the multifunctional environmental enhancement opportunities this area could provide.	Farndon West FCA has been designed as a multifunctional site to provide an FCA and wetland habitat including an area of floodplain grazing marsh post construction of the Scheme. The wetland habitat will support a range of wildlife. This is shown on Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) . Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.3) considers effects of the Scheme on fish and eel passage within Section 8.11. Mitigation details are outlined within Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) . Engagement with the Environment Agency has been undertaken for the Scheme regarding fish escape passages and the Applicant will continue engagement with the Environment Agency regarding possible benefits to fish passages as a result of the Scheme. Following consultation with the Environment Agency, the specific number, location and design of fish escape passages will be finalised during detailed design and the proposals will be tested in the fluvial hydraulic model to assess the potential impact to receptors. A Statement of Common Ground with the Environment Agency is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Grounds will be submitted during the examination of the application.

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Appendix 2	Environment Agency	Groundwater and Contaminated Land: The Environment Agency has reviewed Chapter 10 (Geology and Soils) of the Environmental Scoping Report (dated 26/08/22).	Noted by the Applicant.
Appendix 2	Environment Agency	Groundwater and Contaminated Land: The approach outlined for dealing with land contamination is acceptable. Any unexpected contamination will be managed as per detail within an Environmental Management Plan, which will also include pollution prevention measures.	An assessment of possible contamination is included in Section 9.11 of the Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) . Measures to manage any unexpected contamination are detailed within Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) in line with the approach accepted by the Environment Agency.
Appendix 2	Environment Agency	Groundwater and Contaminated Land: One location has been identified within the pre-construction Ground Investigation (WS46) to contain elevated aromatic hydrocarbons and naphthalene. The source of this contamination has not been discussed.	The anticipated source of contamination has been identified as the former glue factory. This information is included in the baseline section of the Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) . A detailed assessment of ground investigation data is included in Appendix 9.2 (Contaminated Land Risk Assessment) of the ES Appendices (TR010065/APP/6.3) .
Appendix 2	Environment Agency	Groundwater and Contaminated Land: Use of DoWCoP is acceptable as long as all relevant guidance on the use of DoWCoP is adhered to.	DoWCoP - CL:AIRE guidance informs the structure of the Outline Materials Management Plan contained in Appendix B.2 of the First Iteration EMP (TR010065/APP/6.5) . Land Contamination Risk Management (LCRM) is the Environment Agency guidance on how to assess and manage the risks from land contamination. LCRM has been adhered to and has informed the ground investigation and Appendix 9.2 (Contaminated Land Risk Assessment) of the ES Appendices (TR010065/APP/6.3) . Where discharges from the Scheme are required, Environment Agency guidance on discharges to surface water and groundwater: environmental permits and groundwater protection position statements will be followed, as detailed in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) . Where piling is required, the works will be carried out in accordance with piling and penetrative ground improvement methods on land affected by contamination: guidance on pollution prevention (2001) and piling into contaminated sites (2002).
Appendix 2	Environment Agency	Groundwater and Contaminated Land: The EA agree that geology, land contamination and soils should be scoped into the Environmental Statement (ES) and I look forward to any further communication on this topic as part of the ES and at any other relevant stage throughout the construction programme.	Engagement with the Environment Agency has continued throughout the EIA process and Scheme development. Further detail on this engagement and agreements to date on the topic of groundwater and contaminated land is provided in Section 9.4 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) . A Statement of Common Ground with the Environment Agency is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statements of Common Ground and will be submitted during the Examination of the application.
Appendix 2	Environment Agency	Environment Management - WFD-long term water quality: The existing transport network is already a contributing factor to poor WFD water quality status in the study area. • Trent from Soar to Beck (GB104028053110) - Transport drainage is contributing to poor phosphate status • Slough Dyke Catchment (tributary of Trent) (GB104028053111) - Transport drainage is contributing to poor phosphate and dissolved oxygen status	A Water Framework Directive (WFD) Assessment has been produced and is contained in Appendix 13.1 (Water Framework Directive Compliance Assessment) of the ES Appendices (TR010065/APP/6.3) . It concludes that the Scheme will not result in a deterioration in water quality. The drainage design includes nature-based solutions which have been identified as having the potential to treat water prior to discharge. This is shown on Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) . A HEWRAT water quality assessment, including a spillage risk assessment has been produced for the Scheme, which includes considerations for the traffic volumes on the Scheme and is contained in Appendix 13.3 (HEWRAT

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			Assessment) of the ES Appendices (TR010065/APP/6.3) . These concluded that the Scheme will not result in a deterioration in water quality and indicates an improvement on the existing conditions.
Appendix 2	Environment Agency	Environment Management - WFD-long term water quality: There should be no additional deterioration as a result of this project therefore appropriate mitigation measures are required to be incorporated into the design. Wherever possible improvement should also be made to existing infrastructure to retrofit drainage features to reduce the current impact on water quality.	A WFD Assessment has been produced and is contained in Appendix 13.1 (Water Framework Directive Compliance Assessment) of the ES Appendices (TR010065/APP/6.3) . It concludes that the Scheme will not result in a deterioration in water quality. The drainage design includes blue-green infrastructure and nature-based solutions which have been identified as having the potential to treat water prior to discharge. The blue-green infrastructure has been designed both to attenuate and treat surface water. The drainage strategy can be found in Appendix 13.4 (Drainage Strategy Report) of the ES Appendices (TR010065/APP/6.3) and the Drainage Engineering Plans, Sheet 1 to 6 (TR010065/APP/2.6) . A HEWRAT water quality assessment has been produced based on the proposed drainage strategy and is contained in Appendix 13.3 (HEWRAT Assessment) of the ES Appendices (TR010065/APP/6.3) . This concluded that the Scheme will not result in a deterioration in water quality and indicates an improvement on the existing conditions.
Appendix 2	Environment Agency	Environment Management - Permits and Licences: Abstraction licences and discharge permits for construction phase dewatering activities are likely to be required. The regulatory position statement allowing temporary dewatering without a permit only applies to activities lasting less than 3 consecutive months. To avoid any unnecessary delays we strongly recommend early engagement with the Environment Agency in relation to these as applications are currently taking an extended time to be processed.	Temporary and full water abstraction licences may be required to carry out water abstraction activities for the Scheme. Environmental permits for discharging activities will also need to be sought for discharge or entry of any poisonous, noxious or polluting matter, waste matter, trade or sewage effluent into an inland freshwater, coastal waters or relevant territorial waters. Early engagement has been sought with the Environment Agency for these permits and licences.
Appendix 2	Environment Agency	Environment Management - Construction phase: During construction there will be an increased risk to water quality. Industry best practice sediment mitigation measures should be incorporated into the Scheme as well as robust monitoring to protect the nearby surface watercourses. Real-time continuous monitoring through the use of upstream and downstream sondes is preferable to allow a swift reaction to any issues identified.	Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5) details water quality mitigation and monitoring measures. It details that construction activities must be carried out in accordance with CIRIA guidelines. Appendix 13.5 (Surface Water Quality Monitoring Report) of the ES Appendices (TR010065/APP/6.3) outlines the construction monitoring requirements (including frequency of the monitoring), this report was written following consultation with the Environment Agency. Real-time continuous monitoring is not proposed.
Appendix 2	Environment Agency	Environment Management - Detailed drainage design: We welcome the use of HEWRAT in determining appropriate drainage design. We would like to be consulted once more details of the design are available.	A HEWRAT assessment has been produced and included at Appendix 13.3 (HEWRAT Assessment) of the ES Appendices (TR010065/APP/6.3) . Engagement with the Environment Agency has continued throughout the preparation of the ES and Scheme development. Further detail on this engagement is provided in Section 13.4 of Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) and Section 8 of Appendix 13.4 (Drainage Strategy Report) of the ES Appendices (TR010065/APP/6.3) . A Statement of Common Ground with the Environment Agency is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Grounds will be submitted during the Examination of the application.
Appendix 2	Environment Agency	Environment Management - Waste: The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf	The waste hierarchy will be implemented throughout the construction phase of the Scheme. Reuse and recycling are considered as the first option for waste management. Waste hierarchy is also included as part of the OSWMP which is contained in Appendix B.1 of the First Iteration EMP (TR010065/APP/6.5) , with the aim to facilitate the implementation of waste management as high up in the waste hierarchy as feasible.

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Appendix 2	Environment Agency	Environment Management - Waste: The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes. The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales.	In alignment with the Environmental Protection (Duty of Care) Regulations 1991, the Scheme will ensure correct waste reuse/recycling/disposal procedures, in accordance with the Duty of Care.
Appendix 2	Environment Agency	Environment Management - Waste: The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506917/waste-duty-care-code-practice-2016.pdf	Waste will be managed appropriately and in accordance with the duty of care code of practice. An OSWMP has been prepared and is contained within Appendix B.1 of the First Iteration EMP (TR010065/APP/6.5). This will ensure that all construction waste is managed in accordance with the waste hierarchy and relevant legislative requirements.
Appendix 2	Environment Agency	Environment Management - Waste: If you need to register as a carrier of waste, please follow the instructions here: https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales If you require any local advice or guidance please contact your local Environment Agency office: 03708 506 506	If required, the Scheme will register as a waste carrier. In addition, the commitments in the OSWMP at Appendix B.1 (OSWMP) of the First Iteration EMP (TR010065/APP/6.5) will ensure that a register of waste carriers is maintained.
Appendix 2	Environment Agency	Environment Management - Waste: In order to meet the applicant's objectives for the waste hierarchy and obligations under the duty of care, it is important that waste is properly classified. Some waste (e.g. wood and wood based products) may be either a hazardous or non-hazardous waste dependent upon whether or not they have had preservative treatments. Proper classification of the waste both ensures compliance and enables the correct onward handling and treatment to be applied. In the case of treated wood, it may require high temperature incineration in a directive compliant facility. More information on this can be found here: https://www.gov.uk/how-to-classify-different-types-of-waste	Best practice would be to minimise the generation of waste as much as possible in accordance with the waste hierarchy principles. Procedures outlined in Table 3-2 REAC of the First Iteration EMP and OSWMP contained in Appendix B.1 (OSWMP) of the First Iteration EMP (TR010065/APP/6.5) will be followed to ensure adequate waste management on site. It is expected that an area will be provided to facilitate the separation of materials. Recycling and residual bins/skips will be clearly marked to ensure an appropriate waste segregation and to avoid contamination of materials.
Appendix 2	Environment Agency	Environment Management - Waste: If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc....' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.	An OMMP has been prepared and is contained within Appendix B.2 (OMMP) of the First Iteration EMP (TR010065/APP/6.5). The OMMP will be developed into a full MMP as part of the Second Iteration EMP in accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1) and will contain evidence to support the use of materials that are potentially waste for : – Protection of human health and protection of the environment – Suitability for use, without further treatment – Certainty of use – Materials are only being used in the quantities necessary for that use, and no more. This will be supported by considering classification of any excavated materials from borrow pits so that it can be utilised in flood compensation areas and provide an opportunity for beneficial reuse of limestone arisings from nearby Schemes.
Appendix 2	Environment Agency	Environment Management - Waste: Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us.	If required, the Scheme would follow the procedures to obtain a waste exemption permit from the Environment Agency.
Appendix 2	Environment Agency	Environment Management - Waste: A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as: • any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular	An OMMP and OSWMP have been prepared and are contained within Appendix B.2 and B.1 of the First Iteration EMP (TR010065/APP/6.5), respectively. The OSWMP aims to ensure appropriate waste management will be implemented in the Scheme, as well as adequate monitoring and waste records are maintained. This will aim to facilitate the register of waste deposits, monitor and ensure waste is categorised correctly.

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		function, or waste being prepared to fulfil that function, in the plant or in the wider economy.	Appendix B.2 OMMP and Appendix B.1 OSWMP of the First Iteration EMP (TR010065/APP/6.5) will be developed into full management plans as part of the Second Iteration EMP in accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1) .
Appendix 2	Environment Agency	Environment Management - Waste: <ul style="list-style-type: none"> We have produced guidance on the recovery test which can be viewed at https://www.gov.uk/government/publications/deposit-for-recovery-operators-environmental-permits/waste-recovery-plans-and-deposit-for-recovery-permits#how-to-apply-for-an-environmental-permit-to-permanently-deposit-waste-on-land-as-a-recovery-activity. 	Where required, guidance provided by the Environment Agency has been followed when preparing the First Iteration EMP (TR010065/APP/3.1) and OMMP contained in Appendix B.2 of the First Iteration EMP.
Appendix 2	Environment Agency	Environment Management - Waste: You can find more information on the Waste Framework Directive here: https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive	Guidance provided by the Environment Agency has been followed when preparing the First Iteration EMP (TR010065/APP/6.5) and the OMMP contained in Appendix B.2 of the First Iteration EMP.
Appendix 2	Environment Agency	Environment Management - Waste: More information on the definition of waste can be found here: https://www.gov.uk/government/publications/legal-definition-of-waste-guidance	Guidance provided by the Environment Agency has been followed when preparing the First Iteration EMP (TR010065/APP/6.5) and the OMMP contained in Appendix B.2 of the First Iteration EMP
Appendix 2	Environment Agency	Environment Management - Waste: More information on the use of waste in exempt activities can be found here: https://www.gov.uk/government/collections/waste-exemptions-using-waste	Guidance provided by the Environment Agency has been followed when preparing the First Iteration EMP (TR010065/APP/6.5) and the OSWMP contained in Appendix B.1 of the First Iteration EMP.
Appendix 2	Environment Agency	Environment Management - Waste: Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here: https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests	The 'Is it waste' tool in the link provided is shown as withdrawn. However, Environment Agency guidance will be followed and, if required, the Environment Agency will be contacted/consulted for advice.
Appendix 2	Environment Agency	Environment Management - Waste: Where waste soil is to be exported from site it must be classified as either a Hazardous waste with the waste code 17-05-03 (soil and stones containing hazardous substances) or as a Non-Hazardous waste code 17-05-04 (soil and stones other than those mentioned in 17-05-03). This classification is carried out in accordance with the guidance provided by the Environment Agency's publication WM3 Waste Classification -Guidance on the classification and assessment of waste.	The OSWMP in Appendix B.1 of the First Iteration EMP (TR010065/APP/6.5) sets out measures that aim to ensure appropriate waste management will be implemented in the Scheme, as well as an adequate categorisation of the waste arisings. Excavation and construction work will be carried out closely with the waste management contractors, in order to determine the best techniques for managing waste and ensure a high level of recovery of materials for reuse or recycling. The OSWMP will be developed into a full management plan as part of the Second Iteration EMP in accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1) .
Appendix 2	Environment Agency	Environment Management - Waste: The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf	The waste hierarchy is expected to be implemented throughout the construction phase of the Scheme. Reuse and recycling are considered as the first option for waste management. The waste hierarchy is included as part of the mitigation plan for the Chapter 10 (Material Assets and Waste) of the ES (TR010065/APP/6.1) and Appendix B.1 OSWMP of the First Iteration EMP (TR010065/APP/6.5) , with the aim to facilitate the implementation of waste management as high up in the waste hierarchy as feasible. The OSWMP will be developed into a full management plan as part of the Second Iteration EMP in accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1) .

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Appendix 2	Environment Agency	Environment Management - Waste: Site Waste Management Plans (SWMP) are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice.	An OSWMP has been prepared and is included in Appendix B.1 of the First Iteration EMP (TR010065/APP/6.5) and cross-referenced as part of the ES (TR010065/APP/6.1). The OSWMP will be developed into a full management plan as part of the Second Iteration EMP in accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1).
Appendix 2	Environment Agency	Environment Management - Waste: The circular economy is a concept designed to keep materials in use as long as possible, thus promoting resource efficient practice and deriving economic benefits. Adherence to the waste hierarchy and adoption of best practice in relation to site waste management planning will help you deliver against circular economy objectives.	Mitigation requirements are set out in the Chapter 10 (Material Assets and Waste) of the ES (TR010065/APP/6.1) and the OSWMP is contained in Appendix B.1 of the First Iteration EMP (TR010065/APP/6.5). These documents include circular economy principles as part of the best practice to minimise the waste likely to arise from the Scheme. Appendix B.1 OSWMP of the First Iteration EMP (TR010065/APP/6.5) will be developed into a full management plan as part of the Second Iteration EMP in accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1).
Appendix 2	Environment Agency	Environment Management - Waste: It is important to take a precautionary approach and ensure that you follow the regulatory waste legislation. Ensure that you seek advice from the Environment Agency if required.	An OSWMP has been prepared and is contained in Appendix B.1 of the First Iteration EMP (TR010065/APP/6.5). This will ensure that all construction waste is managed in accordance with the waste hierarchy and relevant regulatory legislative requirements. Work will be carried out closely with the waste management contractors, in order to determine the best techniques for managing waste. Regulatory waste legislation will be followed throughout the construction of the Scheme. Appendix B.1 OSWMP of the First Iteration EMP (TR010065/APP/6.5) will be developed into a full management plan as part of the Second Iteration EMP in accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1).
Forestry Commission			
Appendix 2	Forestry Commission	Thank you for consulting the Forestry Commission on this proposal. As the Governments forestry experts, we endeavour to provide as much relevant information to enable the project to reduce any impact on irreplaceable habitat such as Ancient \semi natural Woodland as well as other woodland.	Noted by the Applicant.
Appendix 2	Forestry Commission	It is noted that the route at it's northern end may impact upon or require the removal of a woodland shelter belt (of 1.84 hectares) beside the A46 near the roundabout junction with the A1133. The woodland is sited between the A46 and the Newark and Notts Showground. The UK Forestry Standard (UKFS) sets out the UK government's approach to sustainable forestry and woodland management, including standards and requirements as a basis for regulation, monitoring and reporting requirements. The UKFS has a general presumption against deforestation. Page 23 of the Standard states that: "Areas of woodland are material considerations in the planning process...."	The mitigation hierarchy is key to the Scheme's design iterations. Loss of habitats of ecological value, including woodland, are avoided in the first instance, followed by mitigation of impacts/reduction of loss, with compensation always being the last resort. Appendix 7.4 (Arboricultural Impact Assessment) of the ES Appendices (TR010065/APP/6.3) illustrates existing vegetation and areas for retention or removal, whilst Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) quantifies the residual loss of woodland following design iterations to avoid impacts. Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) details any replacement planting proposed. Native and locally sourced species (wherever available) will be used in landscape design with consideration to climate resilience.
Appendix 2	Forestry Commission	In addition, lowland mixed deciduous woodland is on the Priority Habitat Inventory (England). This recognises that under the UK Biodiversity Action Plan they were recognised as being the most threatened and requiring conservation action. The UK Biodiversity Action Plan has now been superseded by the UK Post-2010 Biodiversity Framework but this priority status remains. It is expected that there will be a thorough assessment of any loss of all trees and woodlands within the project boundary and the development of mitigation measures to minimise any risk of net deforestation because of the Scheme. Woodland provides habitat for a range of Section 41 Priority Species including all bats. Included within that assessment should be a review of any woodlands	Surveys have identified several areas of lowland mixed deciduous woodland within the Order Limits. Mitigation hierarchy is key to the Scheme's design iterations. In the first instance, loss of habitats of principle importance (HPI), previously known as priority habitats, are avoided, followed by mitigation/reduction of loss, with compensation always being the last resort. Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) quantifies the residual loss of woodland following design iterations to avoid impacts and Figure 2.3

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		<p>under an existing woodland grant Scheme and / or a felling licence agreement to ensure these agreements will not be negatively impacted and public money wasted. Where woodland loss is unavoidable, it is expected that there will be significant compensation and the use of buffer zones to enhance the resilience of neighbouring woodlands. These zones could include further tree planting or a mosaic of semi-natural habitats.</p>	<p>(Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) details compensation planting.</p> <p>The Scheme is aiming to achieve an overall net biodiversity gain during operation and will create habitats where HPI will be unavoidably lost. This will ensure no net loss of any HPI. Although net deforestation is anticipated, after implementing the mitigation hierarchy, the residual net loss of woodland within the Order Limits has been minimised to approximately 5.9 hectares. Of the total woodland lost, approximately 14% is lowland mixed deciduous woodland, which the BNG metric identifies as 'high' distinctiveness, detailed in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES (TR010065/APP/6.3). It should be noted that there is no net loss in the area of lowland mixed deciduous woodland. The remaining 86% of woodland loss is of 'medium' or lower distinctiveness, comprising of 'other coniferous woodland', 'other broadleaved woodland', 'other mixed woodland'. Most of this woodland was planted along the highways embankments as part of the original construction of the A46 carriageway decades ago, and its condition ranges from 'poor' to 'good'. Appendix 8.14 (BNG Technical Report) of the ES Appendices (TR010065/APP/6.3) details the compensation for the area of woodland lost within the Order Limits. This comprises the enhancement of 2.6 hectares of off-site woodland, resulting in an increase of the distinctiveness from 'medium' to 'high'. Native and locally sourced species (wherever available) will be used in landscape design with consideration to climate resilience.</p> <p>The Scheme will not impact any trees or woodlands subject to grants. An area of habitat creation overlaps with one felling licence (located at 53.096584931309565, -0.7940944636934737). Further details are contained within Appendix 7.4 (Arboricultural Impact Assessment) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Forestry Commission	<p>For any woodland within the development boundary, land required for temporary use or land where rights are required for the diversion of utilities you must take into consideration the Root Protection Zone. The Root Protection Zone (as specified in British Standard 5837) is there to protect the roots of trees, which often spread out further than the tree canopy. Protection measures include taking care not to cut tree roots (e.g., by trenching) or causing soil compaction around trees (e.g., through vehicle movements or stacking heavy equipment) or contamination from poisons (e.g., site stored fuel or chemicals).</p>	<p>Arboricultural surveys have informed the Scheme design which has resulted in the avoidance of two veteran trees root protection areas (RPA). The RPA for a third veteran tree will be protected by Cellweb matting, and all remaining RPA of retained trees will be protected during construction, as stipulated within Table 3-2 REAC (reference B18) of the First Iteration EMP (TR010065/APP/6.5) and Appendix 7.4 (Arboricultural Impact Assessment) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Forestry Commission	<p>Effective and practicable proposals for managing the boundary of the woodland and any likely increased access, proportionate to the degree of likely future access, planned or unplanned will need to be planned carefully and hedgerows and individual trees within a development site considered in terms of their overall connectivity between woodlands affected by the development. The mitigation hierarchy set out in Paragraph 180 NPPF July 2021. sets out a useful structure for considerations of mitigation and compensation. Whilst the NPPF does not apply to NSIPs this ethos remains the same.</p>	<p>The Applicant has applied the mitigation hierarchy and it is key to the Scheme's design iterations. Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) details the planting design which considers access for maintenance for the lifespan of the Scheme. Section 8.11 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) sets out the strategy toward planting for the Scheme including the connectivity for different habitats.</p>
Appendix 2	Forestry Commission	<p>The starting point should be a presumption against deforestation. All loss of woodland should result in compensatory woodland. Where new woodlands are proposed associated with the development or as mitigation for loss or as compensatory planting there are a number of issues which will need to be considered.</p>	<p>The mitigation hierarchy is key to the Scheme's design iterations. Loss of habitats of ecological value are avoided in the first instance, followed by mitigation of impacts/reduction of loss, with compensation always being the last resort. The Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) quantifies the residual loss of woodland following design iterations to avoid impacts and Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) details any compensation planting required. The Scheme is aiming to achieve a net biodiversity gain for all habitats in operation. Native and locally sourced species (wherever available) have been used in the</p>

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			environmental design, as shown in Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) with consideration to climate resilience.
Appendix 2	Forestry Commission	<p>Landscape is the setting for all woodland creation and is the starting point for any woodland design. The UKFS includes requirements and guidance for how new woodlands should be considered in the landscape. The UKFS Requirements relevant to landscape are:</p> <ul style="list-style-type: none"> · New forests and woodlands should be located and designed to maintain and enhance the visual, cultural, ecological value and character of the landscape. · Forests should be designed to take account of landscape context. · Forests should be designed to take account of landscape designations, designed landscape, historic landscapes and the policies that apply. · The forest design principles, informed by landscape context, should be applied to ensure landscape and visual aspects are appropriately addressed. · Where existing forests do not meet the UKFS Requirements for Forest and Landscape, improvements should be made when management opportunities arise. 	<p>Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) details an integrated planting design with the existing wider landscape, whilst maintaining the local landscape character. This has been informed by the Landscape Character Supplementary Planning Document (SPD) published by Newark & Sherwood District Council as well as site visits. Planting is also key in aiding screening of the Scheme and to help soften its presence within the receiving environment, and has been informed by the assessment undertaken as part of the Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1). Multidisciplinary teams all fed into the design to mitigate impacts on various receptors (for example, heritage, ecology and landscape). Please note that, apart from a small area of woodland at Lowwood, the landscape design mainly proposes small areas of trees and grassland. Therefore, reference to the UKFS is not explicitly provided within the ES chapter.</p>
Appendix 2	Forestry Commission	<p>With the Government aspirations to plant 30,000 ha per year across the UK by 2025. The Forestry Commission is seeking to ensure that tree planting is a consideration in every development not just as compensation for loss. However, as already mentioned there are a number of issues that need to be considered when proposing significant planting Schemes:</p> <ul style="list-style-type: none"> · Does the Scheme require an EIA · Biosecurity of all planting stock needs to be considered. · Woodlands need to be climate and pest and disease resilient. · Maximise the ecosystem services benefits of all new woodland wherever possible (flood reduction) · Planting contributes to a 'resilient treescape' by maximising connectivity across the landscape. · Plans are in place to ensure long term management and maintenance of woodland. 	<p>The ES (TR010065/APP/6.1) has been produced as identified within the Scoping Report submitted by the Applicant to the Planning Inspectorate in September 2022. All other points have been considered in the development of Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) which details an integrated planting design with the existing wider landscape and sets out an indicative plant list based on local character and growing conditions. Native and locally sourced species (wherever available) will be used in landscape design with consideration to climate resilience. The First Iteration EMP (TR010065/APP/6.5) and Series 3000 landscape and ecology specification (which will be prepared at detailed design in accordance with the Manual of Contract Documents for Highway Works) will detail management and maintenance of woodland including addressing biosecurity measures.</p>
Appendix 2	Forestry Commission	<p>Another consideration is Biodiversity net gain (BNG), which is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state, and now applies to NSIP's. Further details on BNG are given in the attachment. I trust this response will be of assistance in the assessment of the bypass proposal.</p>	<p>The Applicant will deliver a net gain in biodiversity units for the Scheme whilst noting that there is no requirement under the Environment Act 2021 for it to achieve biodiversity net gain (BNG). Details of the Scheme's BNG scores are provided in the Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Forestry Commission	<p>National policy sets out that planning should provide biodiversity net gains where possible. National Planning Policy Framework (NPPF) Paragraphs 170(d), 174(b) and 175(d) refer to this policy requirement and the Natural Environment Planning Practice Guidance (PPG) provides further explanation on how this should be done. Delivering net gain is also referred to in the National Infrastructure Commission's Design Principles, National Policy Statements and the National design guide.</p>	<p>. Details of the Scheme's BNG scores are provided in the Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Forestry Commission	<p>The Government's 25 Year Environment Plan sets out the aspiration to mainstream biodiversity net gain in the planning system and move towards approaches that integrate natural capital benefits.</p>	<p>The Government's 25 Year Environment Plan has been considered as part of the ES (TR010065/APP/6.1).</p>
Appendix 2	Forestry Commission	<p>A new Biodiversity Metric 3 was launched in July 2021. The Biodiversity Metric is designed to provide ecologists, developers, planners and other interested parties with a means of assessing changes in biodiversity value (losses or gains) brought about by development or changes in land management. The metric is a habitat based approach to determining a proxy biodiversity value. A Small Sites Metric, a beta version designed to</p>	<p>Whilst it is acknowledged that BNG Metric 4.0 was published in March 2023, the Scheme has continued to use Metric 3.1 with support from Natural England. Small sites metric is not applicable to the Scheme. Further detail on this engagement with Natural England regarding the BNG Metric and approach is provided in Section 8.4 of Chapter 8 (Biodiversity) of the ES</p>

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		simplify the process of calculating biodiversity net gain on smaller development sites, is also available. A recording of the webinar launching these tools is available on YouTube.	(TR010065/APP/6.1) . A Statement of Common Ground with Natural England is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Grounds will be submitted during the Examination of the application.
Appendix 2	Forestry Commission	For more detailed information on the Biodiversity Metric, a recording of our October 2021 PAS-hosted Natural England training session for local authority planners on Biodiversity Metric 3 is available, along with slides from the event.	Whilst it is acknowledged that BNG Metric 4.0 was published in March 2023, the Scheme has continued to use Metric 3.1 with support from Natural England. Small sites metric is not applicable to the Scheme. Further detail on this engagement with Natural England regarding the BNG Metric and approach is provided in Section 8.4 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) . The Statement of Common Ground with Natural England is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Grounds will be submitted during the Examination of the application.
Appendix 2	Forestry Commission	CIEEM, IEMA and CIRIA have set out Good Practice Principles for Development and an associated Practical Guide and Case Studies for biodiversity net gain.	Where applicable, best practice has been applied in Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) and in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3) .
Appendix 2	Forestry Commission	There is now a British Standard on biodiversity net gain and development projects: BS 8683:2021 Process for designing and implementing Biodiversity Net Gain. The standard specifies requirements for a process to design and implement BNG for development projects. It doesn't cover the actual delivery of BNG, but provides a framework to demonstrate that a project has followed a process based on UK-wide good practice. Find out more from the British Standards Institute (BSI) webinar replay of 21 May 2021.	Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3) has been undertaken by applying this British Standard. Section 1.1 of the Technical Report details the further guidance documents used to undertake the assessment. In addition, Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3) has been produced with direct advice from one of the authors of the CIEEM's Biodiversity Net Gain: Good Practice Principles for Development guidance.
Appendix 2	Forestry Commission	CIEEM have also published Biodiversity Net Gain Report and Audit Templates that provide a framework for writing reports for projects that are aiming to achieve BNG. The templates set out a suggested structure and content for reports specifically produced in relation to BNG assessments.	Noted by the Applicant. In addition, the Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3) for this Scheme has been prepared following the framework provided in the CIEEM BNG Report & Audit Templates document. Defra Metric 3.1 has been used for the Scheme with support from Natural England. Further detail on this engagement with Natural England regarding the BNG Metric and approach is provided in Section 8.4 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) . A Statement of Common Ground with Natural England is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Ground will be submitted during the Examination of the application.
Appendix 2	Forestry Commission	The Government announced it would mandate net gains for biodiversity in the Environment Bill in the 2019 Spring Statement. This followed a consultation on net gain from December 2018. Defra's response to the consultation was published in July 2019. An impact assessment on biodiversity net gain and Local Nature Recovery Strategies was published in late 2019.	Noted by the Applicant.
Appendix 2	Forestry Commission	The Environment Bill received Royal Assent on 9 November 2021, meaning it is now an Act of Parliament: World-leading Environment Act becomes law – GOV.UK (www.gov.uk).	Noted by the Applicant.
Appendix 2	Forestry Commission	Mandatory biodiversity net gain as set out in the Environment Act applies in England only by amending the Town & Country Planning Act (TCPA) and is likely to become law in 2023. The Act sets out the following key components to mandatory BNG: <ul style="list-style-type: none"> • Minimum 10% gain required calculated using Biodiversity Metric & approval of net gain plan 	Noted by the Applicant. Given the timing of the application for development consent for this Scheme there are no statutory requirements to undertake a BNG Assessment or to achieve a particular percentage increase through the Scheme. However, NSIP

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		<ul style="list-style-type: none"> • Habitat secured for at least 30 years via obligations/ conservation covenant • Habitat can be delivered on-site, off-site or via statutory biodiversity credits • There will be a national register for net gain delivery sites • The mitigation hierarchy still applies of avoidance, mitigation and compensation for biodiversity loss • Will also apply to Nationally Significant Infrastructure Projects (NSIPs) • Does not apply to marine development • Does not change existing legal environmental and wildlife protections 	<p>applicants are encouraged to take a proactive approach in the transition to mandatory BNG by completing a metric and taking opportunities to improve scheme performance against this. The use of a metric is also useful in demonstrating to stakeholders how a scheme is taking biodiversity into account. Therefore, where possible the Scheme will seek to deliver on the points listed here. Details of the assessment can be found in Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Forestry Commission	The Government published a consultation on Biodiversity Net Gain Regulations and Implementation on 11 January 2022. The consultation sets out proposals on the detail of implementation of mandatory BNG and closes on 5 April 2022.	Noted by the Applicant.
Appendix 2	Forestry Commission	<p>The timelines for introduction of mandatory BNG are dependent on a number of factors. The below is our current understanding of the likely timetable towards mandatory BNG.</p> <p>Autumn 2021:</p> <ul style="list-style-type: none"> • 9 Nov – Environment Bill gets Royal Assent – now the Environment Act <p>Winter 2021/22:</p> <ul style="list-style-type: none"> • Government consultation on BNG statutory instruments and regulations – closes 5 April 2022 <p>Spring 2022:</p> <ul style="list-style-type: none"> • Biodiversity Metric 3.1 released • Government response to consultation <p>Spring 2023:</p> <ul style="list-style-type: none"> • BNG site register and statutory credits sales platform go live <p>Winter 2023:</p> <ul style="list-style-type: none"> • Biodiversity net gain expected to become mandatory for all TCPA developments 	Noted by the Applicant.
Health and Safety Executive			
Appendix 2	Health and Safety Executive	Thank you for your letter of 14 September 2022 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.	Noted by the Applicant.
Appendix 2	Health and Safety Executive	<p>Will the proposed development fall within any of HSE's consultation distances? According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project just falls into the outer zone of a Major Accident Hazard Site (MAHS).</p>	<p>The assessment of major accidents and natural disasters is contained within Appendix 4.2 (Assessment of Major Accidents and Natural Disasters) of the ES Appendices (TR010065/APP/6.3). Following design changes since the Scoping Report, the Order Limits do not overlap with the British Sugar Factory (or any other) Major Accident Hazard Site. This was confirmed by HSE through the statutory consultation who confirmed the following: "According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project does not encroach on any Major Accident Hazard Site or Major Accident Hazard Pipeline. This is based on the Preliminary Red Line Boundary (RLB) as illustrated in, for example, A46 Newark Bypass General Arrangement Drawings.pdf (citizenspace.com). Based on the information in the A46 Newark Bypass Statutory Consultation Brochure.pdf (citizenspace.com), it is unlikely that HSE would advise against the development". The Order Limits remain outside of the Kelham Sugar Factory site and do not encroach into the site. HSE were emailed a summary of the ES assessment outcomes, confirming that the Order Limits do not overlap with the British Sugar Factory (or any other) Major Accident Hazard Site on 10 August 2023.</p>

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Appendix 2	Health and Safety Executive	Will the proposed development fall within any of HSE's consultation distances? The MAHS is the Kelham Factory operated by British Sugar PLC (HSE Ref: H0251). The proposed development is just within the outer zone of the MAHS. This is based on the Preliminary Red Line Boundary (RLB) as illustrated in, for example, 'A46 Preliminary Design and draft Red Line Boundary to Support Environmental Scoping, dated 25/08/22, DRWG No. HE551478 (Page 335 of A46 Newark Bypass, Environmental Scoping Report, P04 26 August 2022). The area encroaching into the outer zone is a small spur of the A616. The Applicant should make contact with the operator, to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.	The assessment of major accidents and natural disasters is contained within Appendix 4.2 (Assessment of Major Accidents and Natural Disasters) of the ES Appendices (TR010065/APP/6.3). Following design changes since the Scoping Report, the Order Limits do not overlap with the British Sugar Factory (or any other) Major Accident Hazard Site. This was confirmed by HSE through the statutory consultation who confirmed the following: "According to HSE's records the Order Limits for this Nationally Significant Infrastructure Project does not encroach on any Major Accident Hazard Site or Major Accident Hazard Pipeline. This is based on the Preliminary Red Line Boundary (RLB) as illustrated in, for example, A46 Newark Bypass General Arrangement Drawings.pdf (citizenspace.com). Based on the information in the A46 Newark Bypass Statutory Consultation Brochure.pdf (citizenspace.com), it is unlikely that HSE would advise against the development". The Order Limits remain outside of the Kelham Sugar Factory site and do not encroach into the site. HSE were emailed a summary of the ES assessment outcomes, confirming that the Order Limits do not overlap with the British Sugar Factory (or any other) Major Accident Hazard Site on 10 August 2023.
Appendix 2	Health and Safety Executive	Will the proposed development fall within any of HSE's consultation distances? Based on the information in the A46 Newark Bypass, Environmental Scoping Report, P04 26 August 2022, it is unlikely that HSE would advise against the development. Please note that the advice is based on HSE's existing policy for providing land-use planning advice and the information which has been provided. HSE's advice in response to a subsequent planning application may differ should HSE's policy or the scope of the development change by the time the Development Consent Order application is submitted.	Noted by the Applicant.
Appendix 2	Health and Safety Executive	Hazardous Substance Consent It is unlikely that Hazardous Substances Consent will be required for the improvement of the road and so there are unlikely to be any risks to the public from the scheme.	The bill of quantities provided for the assessment in Chapter 10 (Material Assets and Waste) of the ES (TR010065/APP/6.1) did not highlight the requirement of hazardous material for construction of the Scheme. It is unlikely that storage and use of hazardous material in large quantities will be required by the Scheme's construction and hence Hazardous Substances Consent will not be required.
Appendix 2	Health and Safety Executive	Consideration of risk assessments Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is utilised in the following Advice Note 11 Annex on the Planning Inspectorate's website-- Annex G – The Health and Safety Executive. This document includes consideration of risk assessments on page 3.	An assessment against major accidents and hazards has been undertaken and is contained in Appendix 4.2 (Assessment of Major Accidents and Natural Disasters) of the ES Appendices (TR010065/APP/6.3).
Appendix 2	Health and Safety Executive	Explosives sites HSE has no comment to make as there are no licensed explosives sites in the vicinity.	Noted by the Applicant.
Appendix 2	Health and Safety Executive	Electrical Safety No comment from a planning perspective.	Noted by the Applicant.
Appendix 2	Health and Safety Executive	At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.	Noted by the Applicant.

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Leicestershire County Council			
Appendix 2	Leicestershire County Council	Thank you for forwarding this notification and consultation. Leicestershire County Council in its capacity as Local Highway Authority has not comments to make.	Noted by the Applicant.
Lincolnshire County Council			
Appendix 2	Lincolnshire County Council	Further to your letter dated 14 th September regarding the request by National Highways for a DCO Scoping Consultation in relation to the A46 Newark Bypass, the County Council as a neighbouring authority note the consultation and have the following comments to make.	Noted by the Applicant.
Appendix 2	Lincolnshire County Council	Highway Authority-- The development of the A46 there would likely be locally welcomed but the construction would cause impacts on the Lincolnshire road network whilst carried out.	The impact of the construction phase has been limited to the local road network around Newark-on-Trent and therefore it is anticipated that construction traffic would not impact the road network in Lincolnshire. This is mainly because vehicles will use the strategic road network to access the construction compounds for the Scheme, and at this stage, the origin and destination of construction vehicles has not been specified. All road closures and restrictions impacting capacity will take place overnight. Engagement with the local highway authorities will be required to develop the detailed Traffic Management Plan to minimise the impact on the road network. This will be based on the Outline Traffic Management Plan (TR010065/APP/7.7) submitted with the application.
Appendix 2	Lincolnshire County Council	Highway Authority-- Do not consider there to be any benefits on traffic in Lincolnshire itself but depending on timings in respect of cumulative impacts consideration needs to be given to the related impacts from the proposed North Hykeham relief road which is due to receive planning permission in 2023. Request that the modelling to be undertaken extends to include the North Hykeham Relief Road which is anticipated to be completed by 2027.	The North Hykeham Relief Road is included in both the 2028 Do Minimum (without the Scheme) and Do Something (with the Scheme) forecasts (and subsequent years) within the traffic model as described in the Transport Assessment (TR010065/APP/7.4) . As this Scheme is included in all model runs a comparative test that shows the impact of the North Hykeham Relief Road on the local network is not available. Consideration for the cumulative effects of the Scheme and the North Hykeham relief road is given in Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1) .
Appendix 2	Lincolnshire County Council	Highway Authority-- With regards to highways safety and capacity, the Scheme is welcomed as it should alleviate congestion on the A46 and improve traffic flows in Lincolnshire.	The Applicant welcomes Lincolnshire County Council's support for the Scheme.
Appendix 2	Lincolnshire County Council	Lead Local Flood Authority - with regard to surface water flood risk, there is no impact on Lincolnshire.	Noted by the Applicant.
Appendix 2	Lincolnshire County Council	Cultural heritage – The County Council provides archaeological support to Newark and Sherwood District Council and has provided comments directly to the District Council which will no doubt be captured in their response to this consultation. For your information in summary, the Council's archaeological advisor is broadly supportive of the approach presented which gives a general outline of the information that will be gathered for the EIA and presented in the ES. More detail should be presented when this progresses to the PEIR stage, but the applicant is currently on track to supply the information on the archaeological potential and impact that they will need to accompany the DCO application.	Further detail is provided in Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1) and associated appendices in the ES Appendices (TR010065/APP/6.3) . Consultation with Nottinghamshire County Council, Newark & Sherwood District Council and Historic England is ongoing and the scope of archaeological investigations have been developed in consultation with these stakeholders.
Appendix 2	Lincolnshire County Council	Cultural heritage-- Further agreement on the scope and nature of archaeological investigations will need to be agreed as the EIA progresses and I am already in discussions with the consultant on this.	Engagement with the heritage stakeholders has continued throughout the EIA process and Scheme development as outlined in Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1) . The scope of all archaeological investigations

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			has been developed in consultation with Nottinghamshire County Council, Newark & Sherwood District Council and Historic England. Written Schemes of Investigation (WSIs) have been produced for all investigations carried out to date and these have been issued to Nottinghamshire County Council and Newark & Sherwood District Council for comment and approval; all WSIs submitted to date for the Scheme have been accepted.
Melton Borough Council			
Appendix 2	Melton Borough Council	Melton Borough Council have no comments to make.	Noted by the Applicant
National Grid			
Appendix 2	National Grid	I refer to your letter dated 14 th September 2022 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET). Having reviewed the scoping report, I would like to make the following comments regarding NGET infrastructure within or in close proximity to the current red line boundary.	Noted by the Applicant
Appendix 2	National Grid	NGET has no assets within the proposed red line boundary. NGET does have high voltage electricity overhead transmission lines, which form an essential part of the electricity transmission network in England and Wales, within close proximity to the proposed red line boundary.	Noted by the Applicant and we acknowledge this feedback.
Appendix 2	National Grid	Overhead Lines 4VK 400kV OHL Cottam – Easton Socon – Wymondley 2	Noted by the Applicant and we acknowledge this feedback.
Appendix 2	National Grid	I enclose a plan showing the location of NGET's apparatus in close proximity to the scoping area.	Noted by the Applicant.
Appendix 2	National Grid	We would appreciate being kept informed of any further developments.	Noted by the Applicant.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: ▪ NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset	Noted by the Applicant and we acknowledge this feedback.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: ▪ Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)".	NGET have confirmed that there are no assets within the Order Limits for the Scheme.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: ▪ If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.	The Scheme will adhere to Health and Safety Executive (HSE) 'Avoiding danger from overhead power lines' (Guidance Note GS6). The Scheme will adhere to 'Safe Working in the Vicinity of National Grid High Pressure Gas Installations – Requirements for Third Parties' (SSW/22) throughout construction for asset protection. NGET have confirmed that there are no assets within the Order Limits for the Scheme.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: ▪ The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS	Noted by the Applicant-- this guidance will be followed with continuous consultation with the plant protection team.

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		6" Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.	
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: <ul style="list-style-type: none"> ▪ Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above. 	The Scheme will adhere to SSW/22 throughout construction for asset protection.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: <ul style="list-style-type: none"> ▪ If a landscaping Scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances. 	NGET have confirmed that there are no assets within the Order Limits for the Scheme. Therefore no further action has been taken by the Applicant in relation to NGET assets. However, the Scheme may impact on some National Grid Electricity Distribution (NGED) assets and as such discussions regarding those works are ongoing with NGED.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: <ul style="list-style-type: none"> ▪ Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above. 	Noted by the Applicant.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: <ul style="list-style-type: none"> ▪ NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place. 	NGET have confirmed that there are no assets within the Order Limits for the Scheme.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: <ul style="list-style-type: none"> ▪ Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented. 	Noted by the Applicant.
Appendix 2	National Grid	Specific Comments – Electricity Infrastructure: To download a copy of the HSE Guidance HS(G)47, please use the following link: http://www.hse.gov.uk/pubns/books/hsg47.htm	Noted by the Applicant.
Appendix 2	National Grid	Further Advice: We would request that the potential impact of the proposed Scheme on NGET's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.	Noted by the Applicant. Potential impacts on any NGED existing assets are considered in the ES (TR010065/APP/6.1). Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) sets out the protection works needed in relation to NGET.
Appendix 2	National Grid	Further Advice: Where any diversion of apparatus may be required to facilitate a Scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.	Noted by the Applicant.
Appendix 2	National Grid	Further Advice: Where the promoter intends to acquire land, extinguish rights, or interfere with any of	Noted by the Applicant.

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		NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.	
Appendix 2	National Grid	Further Advice: NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: box.landandacquisitions@nationalgrid.com	Noted by the Applicant and regular and continued dialogue is being had with the NGED asset protection team.
Appendix 2	National Grid	I hope the above information is useful. If you require any further information, please do not hesitate to contact me.	Noted by the Applicant.
Appendix 2	National Grid	The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity customer services.	Noted by the Applicant.
Network Rail			
Appendix 2	Network Rail	Thank you for your letter of 14 September 2022 providing Network Rail with an opportunity to comment on the abovementioned Scoping Opinion.	Noted by the Applicant.
Appendix 2	Network Rail	With reference to the protection of the railway, the Environmental Statement should consider any impact of the Scheme upon the railway infrastructure and upon operational railway safety. It should also include a Transport Assessment to identify any HGV traffic/haulage routes associated with the construction and operation of the site that may utilize railway assets such as bridges and level crossings during the construction and operation of the site.	<p>The permanent works for the Scheme will not have any impact on Network Rail assets / land or their operations.</p> <p>The clearance below bridges has been set to allow existing assets such as overhead electrical equipment to be modified and bridge abutments have been placed outside Network Rail land.</p> <p>During construction the aim will be to utilise rules of the route possessions to minimise the operational impact on the railway and not disruptive possessions to construct the works. Heavy Good Vehicle (HGV) traffic and haulage routes will not use Network Rail Assets Other than bridges on the highway network on the existing A46 and Lincoln Road. HGV's will not be able to enter Newark town centre and therefore will not use the Castlegate level crossing.</p> <p>Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1) details the works needed in and around rail infrastructure during construction.</p> <p>Schedule 9 of the draft DCO (TR010065/APP/3.1) contains protective provisions that protect the interests of third parties, including Network Rail, and govern the interaction between the Scheme and the apparatus.</p>
Appendix 2	Network Rail	Please note that for intended works on and over operational railway land, the developer will need an easement/licence agreements with Network Rail and we would recommend that they engage with us early in the planning of their Scheme in order to discuss and agree this element of the proposals.	The Applicant will engage with Network Rail about easements and licence agreements that may be required for any intended works on and over operational railway land. A Statement of Common Ground with Network Rail is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Ground will be submitted during the Examination of the application.
Newark & Sherwood District Council			
Appendix 2	Newark & Sherwood District Council	Thank you for consulting Newark and Sherwood District Council (NSDC) on the Environmental Scoping Report submitted by Skanska Mott MacDonald on behalf of National Highways in respect of the A46 Newark Bypass. This Scheme is classified as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 Section 22 (3) and (4) (as amended by The Highway and Railway (National Significant	Noted by the Applicant.

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		Infrastructure Project) Order 2013). The Scheme falls within paragraph 10(f) of Schedule 2 to the Infrastructure Planning (EIA) Regulations 2017.	
Appendix 2	Newark & Sherwood District Council	It is understood that the Applicant intends to prepare an Environmental Statement (ES).	The ES (TR010065/APP/6.1) is made up of four Volumes; Volume 6.1 containing the main ES chapters (TR010065/APP/6.1), Volume 6.2 containing the ES Figures (TR010065/APP/6.2), Volume 6.3 containing the ES Appendices (TR010065/APP/6.3) and Volume 6.4 containing the Non-Technical Summary of the ES (TR010065/APP/6.4) all of which have been submitted as part of development consent application.
Appendix 2	Newark & Sherwood District Council	Location: The proposal is located to the western fringe of Newark on Trent which is located within the county of Nottinghamshire but also bounds Lincolnshire. The A46 is already located along this western fringe and from the Farndon roundabout to the south (joining the B6166) and the Winthorpe roundabout to the north (joining the A1133), it is single carriageway. The Widmerpool to Farndon dualling was completed in approximately 2012 and the northern section to Lincoln was completed prior to this.	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	Location: Along its route, it crosses A617 and B6326, at the Cattle Market junction, and A1 between the Friendly Farmer and Brownhills roundabouts.	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	Location: Below is the Council's response on the submission and matters which will need to be considered.	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	Environmental Assessment Methodology: The Scoping Report considers the following factors contained in Regulation 5(2) of the Infrastructure Planning (Environmental Impact Assessment) (EIA) Regulations: <ul style="list-style-type: none"> • Population and human health (a). • Biodiversity (b). • Land, soil, water, air and climate (c). • Material assets, cultural heritage and the landscape (d). • The interaction between the factors referred to in sub-paragraphs (a) to (d). 	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	Environmental Assessment Methodology: To support the Scheme through DCO and the final Business Case (FBC) the Scoping Report confirms that traffic modelling will be updated. The updated model will use the second generation regional transport models (RTM2) which have a March 2019 base. Quantitative air quality and noise assessments will be undertaken using these revised traffic flows and will inform the ES. This approach is welcomed.	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	Air Quality: The applicant should continue to liaise with / consult Newark and Sherwood District Council's Environmental Health Team regarding air quality impacts / proposed mitigation.	<p>Consultation with the local authority Environmental Health Officers (EHOs) has been progressed through the key stakeholder engagement exercises as part of the development of the ES (TR010065/APP/6.1). A meeting with the Newark & Sherwood District Council EHOs, including the air quality officer, was held on the 14 September 2022 where air quality was discussed and an overview of the Scheme-specific air quality monitoring survey was provided. Newark & Sherwood District Council was in agreement with the points raised in the meeting and had no further comments or queries.</p> <p>Further consultation was undertaken on 21 June 2023 to provide the EHOs from Newark & Sherwood District Council with an overview of the assessment findings and proposed mitigation for air quality. This was part of a wider environmental meeting where the assessment findings and proposed</p>

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			<p>mitigation for noise and contaminated land were also presented to the relevant EHOs. The EHO for air quality at Newark & Sherwood District Council was in agreement with the assessment findings for air quality and asked to review the proposed mitigation for construction dust in further detail. The EHO for air quality at Newark & Sherwood District Council was notified that this mitigation would be detailed in the First Iteration EMP (TR010065/APP/6.5) which would be submitted as part of the development consent application and subsequently made available to the EHOs.</p> <p>Further to this, an email was received from the EHO for air quality on 22 June 2023 with regard to the implementation of construction dust mitigation measures on site and the type of monitoring undertaken for the Scheme-specific survey. A response was subsequently provided on 11 July 2023 that included a list of the proposed construction dust mitigation measures for air quality and an explanation of why the Scheme-specific survey had been undertaken using diffusion tubes rather than automatic monitoring. A response was received from Newark & Sherwood District Council on 12 July 2023 that acknowledged receipt of the information provided. No comments or further queries were received from Newark & Sherwood District Council .</p>
Appendix 2	Newark & Sherwood District Council	<p>Landscape and Visual Effects: The Council acknowledges and welcomes reference to policies in the Newark and Sherwood Amended Core Strategy in relation to landscape character: Core Policy 12 Biodiversity and Green Infrastructure; Core Policy 13 Landscape; and Core Policy 14 Historic Environment.</p>	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	<p>Landscape and Visual Effects: Confirmation by the Scoping Report that a detailed Landscape and Visual Impact Assessment (LVIA) will be produced as part of the ES is welcomed. It is acknowledged that this will address all visual receptors with the potential of experiencing effects of the Scheme. Receptors include residential properties, Public Rights of Way, road users, businesses and recreational facilities. At this scoping stage, the potential visual receptors have been identified through desk top study. The scope of the visual receptors will be reviewed during further assessment, taking into consideration Scheme design development and the findings of field studies. This approach is welcomed and supported.</p>	Noted by the Applicant. An LVIA has been produced and can be found in Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1).
Appendix 2	Newark & Sherwood District Council	<p>Biodiversity: With regard to biodiversity impact, the Council welcomes confirmation that Natural England will be consulted on the approach taken.</p>	<p>Natural England have attended and continue to attend the Scheme's quarterly Environmental Technical Working Group (TWG), as well as a specific monthly meeting and are engaged in email correspondence with the Applicant to ensure they have been informed of the impacts of the Scheme on biodiversity, and to agree mitigation and compensation proposals. Details of the consultation with Natural England is contained within Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1). A Statement of Common Ground with Natural England is currently being progressed to record matters that have been agreed between the parties and identify any matters where comments are still to be resolved. The Statement of Common Grounds will be submitted during the Examination of the application.</p>
Appendix 2	Newark & Sherwood District Council	<p>Biodiversity: The Scoping Report also indicates that an HRA will be undertaken for each Special Area of Conservation (SAC) and Special Protection Area (SPA) which could be affected. As a matter of policy Ramsar sites (wetlands of international importance) are also considered within the HRA process. Where HRA Screening identifies that there is a likely significant effect this will determine any requirement for an Appropriate Assessment. The Appropriate Assessment will define any requirement for mitigation that is necessary to ensure there is no adverse effect on the integrity of these sites, alone or in combination</p>	<p>There are no SPA and Ramsar sites within the survey area (within 2 kilometers to the Scheme or further if hydrologically connected). The Humber Estuary SAC is located 68 kilometres from the Scheme and is hydrologically connected by the River Trent. This is the only designated site requiring an Appropriate Assessment as detailed in the Habitats Regulations Assessment (HRA) (TR010065/APP/6.6). Any mitigation is captured within the HRA,</p>

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		with other plans and projects. Any required mitigation would then be incorporated into the proposed Scheme. This approach is also welcomed.	Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) and Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5).
Appendix 2	Newark & Sherwood District Council	<p>Geology and Soils: The Council welcomes the Scoping Report's acknowledgement that (para 10.6.3), any remediation works required to manage contamination risk will be agreed with Newark and Sherwood District Council and Environment Agency. Remediation will need to be completed and verified before completion of the Scheme. Acute risks to construction and maintenance workers resulting from short-term exposure to potentially contaminated soils/groundwater will be mitigated by the contractor, through appropriate design of the works and compliance with health and safety legislation.</p>	<p>Investigations completed to date have recorded limited visual or olfactory evidence of contamination across the majority of the Scheme area which testing has also confirmed. The only location where contamination was encountered was a hotspot location (WS46 and S3BH05) and BH11 at Nether Lock, in the centre of the Scheme. These observations and the descriptions of encountered Made Ground and natural ground material do not suggest a significant source of contamination is present on the Scheme.</p> <p>Based on the proposed works and the findings of the ground investigation, Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.6) and Appendix 9.2 Contaminated Land Risk Assessment of the ES Appendices (TR010065/APP/6.6) outlines the assessment and concludes that the risks to identified receptors from contamination are not significant and therefore no specific remediation measures are proposed.</p> <p>Should unexpected contamination be found during construction, works will cease, and the Local Planning Authority, the Environment Agency and the Secretary of State will be advised as soon as is reasonably practicable. Development on the part of the Scheme affected must be halted and ground investigations shall be carried out. The extent of any contamination will be investigated and a plan to deal with this developed. This is secured by Requirement 8 of the draft DCO (TR010065/APP/3.1) which requires the Applicant to consult the Local Planning Authority and the Environment Agency on the content of the remediation plan before submitting the plan for the approval of the Secretary of State prior to works commencing.</p>
Appendix 2	Newark & Sherwood District Council	<p>Material Assets and Waste: The Scoping Report indicates that consultation with the Environment Agency and Newark and Sherwood District Council will be progressed if required during the development of the Scheme design and ES. This is welcomed. The Council would also recommend consultation with Nottinghamshire County Council's Waste and Minerals Policy Team on this matter.</p>	<p>Based on the works and the findings of the ground investigation, Appendix 9.2 (Contaminated Land Risk Assessment) of the ES Appendices (TR010065/APP/6.3) concludes that the risks to identified receptors from contamination are not significant and therefore no specific remediation measures are proposed.</p> <p>Desk based research identified a permitted landfill within 500 metres of the Order Limits. Any contaminated excavated material arising from it will be dealt with in accordance with the OSWMP (Appendix B.1 of the First Iteration EMP, TR010065/APP/6.5), which will be developed into a full SWMP as part of the Second Iteration EMP. Moreover, the materials and waste assessment predicts that no significant effects are anticipated as a result of the Scheme in terms of materials assets use and waste management. Therefore, no specific consultation has been undertaken with Nottinghamshire County Council's Waste and Minerals Policy Team. However, information has been provided by Nottinghamshire County Council through the Statutory Consultation that includes reference to minerals and waste. The information refers to the Minerals Safeguarding Areas (MSA) and a specific location likely to have potential to contain sand and gravel. It also includes information related to landfills that would not be suitable for the Scheme to use. The information provided by Nottinghamshire County Council has been included and considered within the assessment for material assets and waste generation.</p>
Appendix 2	Newark & Sherwood District Council	<p>Noise and Vibration: The applicant should continue to liaise with / consult Newark and Sherwood District Council's Environmental Health Team regarding noise and vibration impacts / proposed mitigation.</p>	The Applicant has continued to liaise with and consult Newark & Sherwood District Council's Environmental Health Team regarding noise and vibration impacts and the proposed mitigation. Consultation details are provided within

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			Section 11.4 of Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1).
Appendix 2	Newark & Sherwood District Council	Population and Human Health: The Scoping Report recognises that Newark and Sherwood District Council's Economic Growth Strategy 2021-2026 defines how the Council will work with businesses and residents to lead the local economy and 'build a shared prosperity'.	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	Population and Human Health: The Scoping Report also mentions the 2010 Infrastructure Delivery Plan. Please note, this document was updated in 2017 to support the policies in the Amended Core Strategy (2019). It is currently being updated to support the production of the Newark and Sherwood Allocations and DM DPD which is due to be submitted for Examination early in 2023. Feeding into the Economic Growth Strategy, the Infrastructure Delivery Plan Update (2017) identifies the various forms of infrastructure that are required to meet the level of growth anticipated in the area up until 2033. It identifies that the A46 at Newark as requiring improvements in order to accommodate planned growth in the area.	Acknowledged and captured within Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1).
Appendix 2	Newark & Sherwood District Council	Road Drainage and the Water Environment: The majority of the Scheme is within Flood Zones 2 and 3 and the Scoping Report confirms that a Flood Risk Assessment will be undertaken. The Council welcomes the fact that the Scoping Report recognises that there will be a need for flood alleviation to address flood risk within the vicinity of the Scheme. The proposed enlarged embankment for the A46 carriageway passes through land that acts as the floodplain for the River Trent. By using this land, the Scheme has the potential to increase flood risk elsewhere unless mitigation is provided. To demonstrate that the floodplain compensation areas are effective, the Scoping Report confirms that analytical flood modelling will be carried out. Three areas have been identified for floodplain compensation: Kelham and Averham Floodplain Compensation Area, Brownhills Floodplain Compensation Area, and the Borrow Pits West Floodplain Compensation Area.	A Flood Risk Assessment has been produced and included in Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3). Flood modelling has also been undertaken. The results of these are also reflected within the Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1). Please note that the Brownhills site is no longer being considered for floodplain compensation.
Appendix 2	Newark & Sherwood District Council	Road Drainage and the Water Environment: Flood risk and drainage are of particular relevance with regard to members of the traveller community residing on Tolney Lane, to the south of the A46 between the Cattle Market roundabout and the Farndon roundabout. This area supports one of the largest traveller sites in the region, with a concentration of around 300 pitches. As part of the District Council's ongoing development plan review process, the update of the Strategic Flood Risk Assessment explored options (in conjunction with the EA) for improving flood resilience. Modelling work has recently been commissioned by the Council in this respect. Consequently, the results of this assessment should be taken into consideration in the ES. The Council would welcome the opportunity to discuss this further with National Highways and other relevant stakeholders.	Effects on communities have been assessed within Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3). The Flood Risk Assessment has identified that there would be no increase in flood risk at the Tolney Lane Gypsy and Traveller Site as a result of the Scheme during operation; this can be seen in Figure 9.1 of Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3). The Flood Risk Assessment has identified that there would be a marginal temporary increase in fluvial flood risk predicted in the near vicinity of the Tolney Lane Gypsy and Traveller Site during construction; this can be seen in Figure 10.1 of Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3). Engagement has taken place with Newark & Sherwood District Council throughout the design development. The Applicant is aware of the modelling work that has recently been commissioned by the Council with respect to the Strategic Flood Risk Assessment to explore options for improving flood resilience. The Applicant has not incorporated these proposals into the hydraulic model that has been prepared and used to inform the Scheme, as the proposals are not considered to be implemented prior to construction of the Scheme. The Applicant is in continued discussion with Newark & Sherwood District Council and has agreed to share the hydraulic model prepared for the Scheme once approval has been obtained from the Environment Agency.
Appendix 2	Newark & Sherwood District Council	Road Drainage and the Water Environment: The Scoping Report also indicates that additional features associated with the Scheme include new drainage, including improvements to existing infrastructure, landscape	Noted by the Applicant.

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		planting, environmental mitigation, lighting, traffic signage, facilities in and around proposed junctions to accommodate walking, cycling and horse riding as required, and utility diversions. Again, this is welcomed.	
Appendix 2	Newark & Sherwood District Council	Water Framework Directive (WFD) Assessment: The Scoping Report confirms that a WFD Assessment will be undertaken and a WFD compliance assessment report produced, which is welcomed.	A WFD compliance assessment has been produced and included as Appendix 13.1 (Water Framework Directive Compliance Assessment) of the ES Appendices (TR010065/APP/6.3) .
Appendix 2	Newark & Sherwood District Council	Climate: A climate emergency was declared by the Council on 16 July 2019. The Council has produced the following documents in relation to Climate Change: <ul style="list-style-type: none"> • Climate Emergency Strategy climate emergency strategy (PDF File, 2,770kb) • Newark and Sherwood Community Plan https://www.newark-sherwooddc.gov.uk/councilpriorities/ 	Noted by the Applicant. These documents have been considered in the climate assessment and are included in the Legislative and Policy Framework section of Chapter 14 (Climate) of the ES (TR010065/APP/6.1) .
Appendix 2	Newark & Sherwood District Council	Climate: The Scoping Report confirms that, for both construction and operational effects on climate, it is unlikely that the Scheme will result in GHG emissions that would be defined as significant considering the GHG emissions from the Scheme are unlikely to have a material impact on the Government achieving its carbon targets. It goes on to say that, in line with the UK Government's Carbon Reduction Plan, the Scheme will seek to reduce GHG emissions as far as practicable to contribute to the UK's net reduction in GHG emissions and maximise the potential for reducing GHG emissions. Assessing the level of GHG emissions associated with the Scheme is key in assisting and focusing the reduction effort. A carbon assessment will be carried out using the methodology identified in Section 15.8 and detailed in the ES. This approach is welcomed.	A carbon assessment has been undertaken and detail is provided in the Chapter 14 (Climate) of the ES (TR010065/APP/6.1) .
Appendix 2	Newark & Sherwood District Council	Accessibility: The Scoping Report acknowledges that construction works will cause disruption to day-to-day activity in the area. It acknowledges that walking and cycling routes will be maintained or diverted as necessary. Ongoing dialogue with the Council and public regarding route changes and accessibility will be important in this respect.	A Traffic Management Plan (TMP) would be implemented during the construction phase of the Scheme and signed off by Newark & Sherwood District Council and Nottinghamshire County Council prior to work phases commencing, to ensure that access is maintained and disruption is minimised as far as possible for road users and walkers, cyclists and horse riders (WCH) users. The TMP would be developed from the Outline TMP (TR010065/APP/7.7) and consulted on with the Highway Authorities in accordance with Requirement 11 of the draft DCO (TR010065/APP/3.1) . There has been ongoing engagement with Nottinghamshire County Council and other local stakeholders regarding planned diversion routes for WCH. This engagement will continue through the development of the detailed design and during delivery.
Appendix 2	Newark & Sherwood District Council	Additional consultations have been carried out which are summarised below.	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	NSDC Conservation: As per our original advice on the public consultation held between December 2020 and Feb 2021, the proposed highway Scheme will have a significant impact on the historic environment.	An assessment on the historic environment has been undertaken and included in the Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1) and associated appendices with the ES Appendices (TR010065/APP/6.3) . Dedicated stakeholder consultation sessions with Nottinghamshire County Council, Newark & Sherwood District Council and Historic England are ongoing.
Appendix 2	Newark & Sherwood District Council	NSDC Conservation: The key areas of impact include: <ul style="list-style-type: none"> • Landscape impact on Winthorpe Conservation Area (CA) and listed buildings therein (notably Lowwood). The new bridge over the A1 and road section down to the Winthorpe 	These key areas and impacts have been considered in Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3) . The assessment of

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		<p>junction results in substantial impact on the setting and significance of the Winthorpe CA. Proximity to Lowwood is likely to lead to adverse visual and noise impacts.</p> <ul style="list-style-type: none"> • Visual interruption of the landscape at the Cattle Market Roundabout, being an important entrance to the town, resulting in impact on key views along Great North Road. Great North Road is an important historic route. The tree lined avenue on approach to Castle Station is an important feature. On approach from Muskham along Smeaton's Arches (Georgian era causeway bridge), the flyover will present as a significant obstruction to views of the Castle and St Mary's Church. Physical impact on Smeaton's Arches, which may include partial removal/widening of the arches closest to the roundabout, is likely to be harmful. • Impacts on known and unknown archaeology- notably the extensive Civil War potential along the A46 corridor. • Wider visual impact on setting of listed buildings and Newark CA. Inter-visibility of Kelham Hall with Newark heritage assets and Smeaton's arches along road network, experience of traversing local footpath network, views between local landmarks such as the Castle, St Mary's and Church of All Saints in Winthorpe etc. 	<p>effects has been discussed in dedicated stakeholder sessions and feedback incorporated into the ES.</p>
Appendix 2	Newark & Sherwood District Council	<p>NSDC Conservation: We recognise that the Preferred Option is an improvement on options previously presented insofar as the new A1 bridge and position of roadway adjacent to Winthorpe CA is concerned, but the Scheme will still have a significant adverse impact. Mitigation in terms of planting/trees remains a critical aspect of proposals in the Winthorpe area. The parkland character between Lowwood and the Winthorpe Junction roundabout suggests that medium and larger trees will need to be considered.</p>	<p>These key areas and impacts have been considered in the Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3). This issue has also been considered in the development of the environmental masterplan and requirements for essential mitigation including the selection of tree species. Medium and large tree species have been selected to reflect the parkland character of the local area in this location.</p>
Appendix 2	Newark & Sherwood District Council	<p>NSDC Conservation: Extensive work on archaeology is needed to evaluate impact. Impact on Smeaton's arches is particularly important around the roundabout area. Consideration of emerging policy on Civil War sites and Farndon Fields potentially to be factored in (part of the emerging revised LDF DPD).</p>	<p>These key areas and impacts have been considered in the Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3).</p>
Appendix 2	Newark & Sherwood District Council	<p>NSDC Conservation: Landscape visual assessment of the flyover in the context of heritage assets, notably high grade, within Newark, Winthorpe and Kelham is needed: - It is recognised that the flyover will significantly disrupt landscape views, but new views of the townscape will be offered from raised areas. A detailed evaluation of these is needed. The new ASI building (planning reference 21/02484/FULM) at the former Cattle Market will present a different visual receptor than solely the current lorry park character of the site affords (this is due to start construction soon). - The riverside is an important feature of the CA, and impact on river related heritage assets such as the Grade II* Fidler's Elbow Bridge is relevant. The quality of new development along North Gate is variable however, and there are no specific concerns of detrimental impact at this point.</p>	<p>These key areas and impacts have been considered in the Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3). Chapter 6 (Cultural Heritage) of the ES has included the assessment for the Grade II* Fidler's Elbow Bridge.</p> <p>The new ASI building has not been considered as a visual receptor within Chapter 7 Landscape and Visual Effects of the ES (TR010065/APP/6.1) as ES assesses existing receptors only.</p>
Appendix 2	Newark & Sherwood District Council	<p>Lincolnshire County Council Historic Environment (Archaeology): The Environmental Scoping Report for the A46 Newark Bypass sets out the proposed approach regarding Cultural Heritage at Chapter 7.</p>	<p>Noted by the Applicant.</p>
Appendix 2	Newark & Sherwood District Council	<p>Lincolnshire County Council Historic Environment (Archaeology): The preferred route runs through areas of high archaeological potential and sensitivity associated with a broad range in activity including sites dating to the late Upper Paleolithic (LUP), pre-historic, Roman, Anglo-Saxon, medieval and post-medieval periods. Of particular note are the LUP site at the Farndon roundabout and the numerous Civil War remains associated with the sieges at Newark in the mid-17th century, of which several sites are Scheduled.</p>	<p>These key areas and impacts have been considered in the Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape and Visual Impacts) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3). Geoarchaeological investigations have been undertaken to understand the potential for late Upper Paleolithic features. Further intrusive and non-intrusive surveys have been undertaken to understand the potential for other periods and where possible</p>

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			the construction and Scheme design has been adjusted to avoid significant impacts. Archaeological trial trenching is currently being conducted to understand the level of archaeological mitigation required during the pre-commencement and construction phases as well as informing detailed design. Further details are contained within the Archaeological Management Plan (TR010065/APP/6.8) . No scheduled monuments will experience significant effects as a result of the Scheme.
Appendix 2	Newark & Sherwood District Council	Lincolnshire County Council Historic Environment (Archaeology): Archaeological impacts and subsequent mitigation have the potential for significant impacts, consequently sufficient evaluation is essential in informing the selection process and in ensuring the subsequent design and work programme is devised with an understanding of the level of archaeological work which may be required before and during the construction phase.	These key areas and impacts have been considered in the Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3) . This has been informed by a programme of desk-based assessment, fieldwalking, metal detector and geophysical survey, geoarchaeological assessment and archaeological monitoring.
Appendix 2	Newark & Sherwood District Council	Lincolnshire County Council Historic Environment (Archaeology): We are generally supportive of the programme presented, and the applicant has recognised the potential for significant impact from the Scheme on the historic environment for both designated and non-designated assets.	Noted by the Applicant.
Appendix 2	Newark & Sherwood District Council	Lincolnshire County Council Historic Environment (Archaeology): The Environmental Impact Assessment (EIA) will require desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation. The provision of sufficient baseline information to identify and assess the impact on known and potential heritage assets is required by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), National Planning Statement Policy EN1 (Section 5.8), and the National Planning Policy Framework.	A robust baseline has been produced including all information received from the National Heritage List for England (NHLE), Historic Environmental Record (HER), and archaeological works which have already been completed. The Scheme design is being developed alongside incoming results from archaeological works and several changes to design have already been implemented. As additional construction information is received the detailed design will be adjusted to preserve as many archaeological sites as possible.
Appendix 2	Newark & Sherwood District Council	Lincolnshire County Council Historic Environment (Archaeology): Non-intrusive survey and intrusive evaluation trenching results are essential for effective risk management and to inform programme scheduling, budget management and design change where necessary. Failing to adequately assess the archaeological potential could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided.	A non-intrusive survey has been completed and all information analysed and added into the baseline as well as informing the follow on intrusive works. Geoarchaeological coring has been undertaken to understand the geoarchaeological potential and inform further works. A bespoke programme of trial trenching is currently being conducted in Autumn/Winter 2023 to inform the archaeological mitigation requirements during the pre-commencement and construction phases of the Scheme. The archaeological mitigation strategy will be described within Phase 3 of the Archaeological Management Plan which will be produced upon completion of the trial trenching and is secured by Requirement 9 of the draft DCO (TR010065/APP/3.1) . This will build Phase 2 of the Archaeological Management Plan that has been submitted as part of the application (TR010065/APP/6.8) .
Appendix 2	Newark & Sherwood District Council	Lincolnshire County Council Historic Environment (Archaeology): We are therefore reassured that a full programme of non-intrusive and intrusive evaluation will be undertaken (as outlined in section 7.9.1) and the results presented in the Environmental Statement (ES) as part of the DCO application. The details of the surveys and evaluation will need to be agreed as early as possible and each stage of investigation will inform the nature, location and extent of the next.	Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1) has been informed by the non-intrusive surveys and geoarchaeological assessment which included geoarchaeological monitoring and coring. Trial trench evaluation is currently being undertaken in Autumn/Winter 2023 and this is detailed within the Archaeological Management Plan (TR010065/APP/6.8) . The results of the trial trenching will inform Phase 3 of the AMP which will be produced upon completion of the trial trenching and is secured by Requirement 9 of the draft DCO (TR010065/APP/3.1) . This will build Phase 2 of the Archaeological Management Plan that has been submitted as part of the application (TR010065/APP/6.8) .

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Ext updated Appendix 2	Newark & Sherwood District Council	Lincolnshire County Council Historic Environment (Archaeology): The results will inform a fit for purpose mitigation strategy which will identify what measures are to be taken to minimise or adequately record the impact of the proposal on archaeological remains.	An Archaeological Management Plan (TR010065/APP/6.8) has been produced which covers the mitigation strategy adopted.
Appendix 2	Newark & Sherwood District Council	Lincolnshire County Council Historic Environment (Archaeology): In summary, the ES will need to contain sufficient information on the archaeological potential and impact of the Scheme and must include evidential information on the depth, extent and significance of the archaeological deposits which will be impacted, directly or indirectly, by the development. The results will inform an appropriate mitigation strategy for implementation post consent.	These key areas and impacts have been considered in Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3), which include the evidential information on the depth, extent and significance of the archaeological deposits which will be impacted, directly or indirectly, by the Scheme.
Appendix 2	Newark & Sherwood District Council	Lincolnshire County Council Historic Environment (Archaeology): The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 states "The EIA must identify, describe and assess in an appropriate manner...the direct and indirect significant impacts of the proposed development on...material assets, cultural heritage and the landscape." (Regulation 5 (2d))	These key areas and impacts have been considered in the Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3).
Appendix 2	Newark & Sherwood District Council	Public Consultation: Continuing dialogue with the Council and local residents will be key to ensuring the Scheme explores all credible options in terms of mitigation.	Ongoing engagement has taken place with a range of stakeholders, including Newark & Sherwood District Council and local residents, with statutory consultation undertaken between 26 October and 12 December 2022 as well as further targeted consultation undertaken between 17 March to 16 April 2023. Regular meetings continue to take place with the host local authorities (Newark & Sherwood District Council and Nottinghamshire County Council) on the Scheme including the development of Statements of Common Ground to be submitted during the Examination of the development consent application.
Appendix 2	Newark & Sherwood District Council	Public Consultation: We understand, from direct contact with individuals in the village and the 'Think Again' Winthorpe residents group that they continue to have concern about the proximity of the new link section of the A46, between the A1 and the Winthorpe roundabout to the village. There is also concern about the cumulative effects of noise and air pollution from both the A1 and the A46.	Likely significant effects have been assessed within Chapter 5 (Air Quality) and Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1). The assessment has been based on traffic data which includes traffic generated by other developments in the area to account for cumulative effects. Air quality modelling accounts for all roads within the study area that meet the criteria for assessment. Dispersion modelling to determine the air quality effects includes all roads within 200 metres of 'affected' roads where they add to total pollution concentrations. Roads modelled within the air quality assessment are presented in Figure 5.4 (Air Quality Affected Road Network) of the ES Figures (TR010065/APP/6.2). The new link section of the A46, between the A1 and Winthorpe roundabout to the village, is included in the study area. The dispersion modelling demonstrates that pollutant concentrations at human health receptors in the vicinity of the new link section are predicted to be well below the annual mean NO ₂ objective (40 µg/m ³) in the opening year of the Scheme, with concentrations up to 29.6µg/m ³ being predicted in the Do-Something scenario (with Scheme). Overall, the assessment concludes the effects on air quality are not significant in accordance with DMRB LA 105 standard. Noise emissions from the A46 and A1 have been predicted in Winthorpe using traffic forecasts. The results of this modelling highlights that there will not be any significant adverse effects for noise in this area. There is predicted to be a Negligible change in traffic forecast on the A1, which for many receptors will remain the dominant source of noise. Additionally, the noise barrier on the eastbound carriageway of the A46 (as shown on Figure 2.3 (Environmental Masterplan) of the ES Appendices (TR010065/APP/6.2)) is required as

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			mitigation, reducing the noise impacts of the Scheme to result in no significant adverse effects.
Appendix 2	Newark & Sherwood District Council	Public Consultation: Prior to and during the construction stage, traffic management engagement and communication will need to be extensive and in consultation with local organisations and communities. Additionally, there remains the potential to utilise new infrastructure, such as the Southern Link Road (SLR) (when completed), to be part of this solution. Failure to deliver the SLR allowing a connection between the A46 and the A1 poses a significant risk to greater congestion in the area.	An Outline Traffic Management Plan (OTMP) (TR010065/APP/7.7) has been prepared which outlines the measures needed before and during construction in relation to traffic management and engagement with local organisations and communities. The OTMP has been prepared on the basis that the SLR will not be in place such that the Scheme does not rely upon this. Should the SLR be in place then this will potentially reduce the impact of the construction on the road network during construction. The TMP will reflect the actual situation when developed further prior to implementation of the works.
Appendix 2	Newark & Sherwood District Council	Summary: In summary the Authority is supportive of the proposal from an economic growth perspective through improved infrastructure through the District. However, there is a need to provide substantial visual impact assessments from key views in and around the vicinity, which should be agreed in conjunction with the Authority's Conservation Officer, as the development is likely to have a significant adverse impact upon existing heritage assets. In addition the Environmental Impact Assessment (EIA) will require desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed archaeological impact.	These key areas and impacts have been considered in the Chapter 6 (Cultural Heritage) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and Appendix 6.1 (Cultural Heritage Desk Based Assessment) of the ES Appendices (TR010065/APP/6.3). Locations of key views were reviewed and agreed with the Newark & Sherwood District Council Conservation Officer, as detailed in Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1). In addition, desk-based research, non-intrusive surveys, and intrusive field evaluation proposals have been detailed within the Archaeological Management Plan (TR010065/APP/6.8).
Appendix 2	Newark & Sherwood District Council	I trust this will help in the preparation of an Environmental Statement.	Noted by the Applicant.
Newark Town Council			
Appendix 2	Newark Town Council	The above application was discussed at Newark Town Council's Planning Meeting on 28th September, 2022 and no concerns were raised at this stage. Members of the Committee noted that more detailed information will follow in due course.	Noted by the Applicant.
North Kesteven District Council			
Appendix 2	North Kesteven District Council	Thank you for consulting North Kesteven District Council on the EIA Scoping Opinion being sought by National Highways for the proposed A46 Newark Bypass.	Noted by the Applicant.
Appendix 2	North Kesteven District Council	The comprehensive report accompanying the scoping request is noted. North Kesteven DC is a neighbouring local authority and not a host authority.	Noted by the Applicant.
Appendix 2	North Kesteven District Council	In paragraph 2.3.2 it is noted that amongst the objectives of the Scheme is the ambition to tackle congestion highlighting the A1/A46 junction (the responsibility for National Highways) but not referencing A17 (part of the Strategic Road Network but maintained by the respective County Councils along its route). No substantial works are proposed at the A1/A17/A46 junction from an inspection of the materials available, other than modification of the existing A46 dual carriageway to a single carriageway in the direction of Lincoln from the 'Friendly Farmer Roundabout' (Fig. 2.1).	The A46 through traffic is removed from the junction and the modelling work undertaken demonstrates that the junction has sufficient capacity when allowing for predicted growth in 2043 (refer to the Transport Assessment (TR010065/APP/7.4)). No issues with this junction have been raised during the ongoing weekly technical calls with North Kesteven District Council.
Appendix 2	North Kesteven District Council	The Scoping Report is comprehensive, and the Council has no observations on the content under the listed headings for chapters 6-16.	Noted by the Applicant.

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Appendix 2	North Kesteven District Council	The Council is however curious why there is no socio-economic chapter setting out the costs versus benefits of the proposed Scheme and articulating how its delivery might benefit the wider sub-regional economy through improved connectivity and reduced congestion. The A17 and A46 are key entry points into North Kesteven and are therefore regarded as important economic assets for this Council individually and as part of Central Lincolnshire (we share a plan-making role with City of Lincoln and West Lindsey for the Central Lincolnshire Local Plan). As presented the Scheme offers potential benefits for the economy of North Kesteven through improved and more reliable accessibility to Sleaford and the south of the district and for wider Central Lincolnshire via A46 to Lincoln and beyond to the A15 corridor towards the Humber.	This information is now provided in the Equality Impact Assessment (EqIA) Screening, Analysis and Monitoring (TR010065/APP/7.5) and captured in the Case for the Scheme (TR010065/APP/7.1).
Appendix 2	North Kesteven District Council	The Council would welcome confirmation that socio-economic issues will be subject to a detailed assessment as part of the proposal.	This information is provided in the Equality Impact Assessment (EqIA) Screening, Analysis and Monitoring (TR010065/APP/7.5) as well as the Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1).
Nottinghamshire County Council			
Appendix 2	Nottinghamshire County Council	Thank you for your email dated 14th September 2022 requesting strategic planning observations on the above planning application. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make.	Noted by the Applicant.
Appendix 2	Nottinghamshire County Council	In terms of the County Council's responsibilities there are a number of elements of national planning policy and guidance that are of particular relevance in the assessment of planning applications these include Minerals and Waste, Transport and Public Health.	Noted by the Applicant, these have been included in Chapter 10 (Material Assets and Waste), Chapter 12 (Population and Human Health) and Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1). A Transport Assessment (TR010065/APP/7.4) has also been prepared and submitted with the application.
Appendix 2	Nottinghamshire County Council	County Planning Context - Flood Risk Management: The Flood Team have no comments at this stage we are engaged with the applicant on surface water flooding issues as part of their project.	Noted by the Applicant. Engagement has continued with relevant stakeholders, as set out in Appendix 13.2 (Flood Risk Assessment) of the ES Appendices (TR010065/APP/6.3).
Appendix 2	Nottinghamshire County Council	County Planning Context - Strategic Highways: A Transport Assessment is required. This is likely to focus on the Strategic Road Network under National Highway's jurisdiction, NCC will comment further at the next stage of the application.	A Transport Assessment (TR010065/APP/7.4) has been completed for the Scheme and submitted with the application.
Appendix 2	Nottinghamshire County Council	County Planning Context - Minerals and Waste: The adopted Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1: Waste Core Strategy (adopted 10 December 2013) and the saved, non-replaced policies of the Waste Local Plan (adopted 2002), along with the policies of the Adopted Nottinghamshire Minerals Local Plan March 2021, form part of the development plan for the area. As such, relevant policies in these plans need to be considered. In addition, Minerals Safeguarding and Consultation Areas (MSA/MCA) have been identified in Nottinghamshire and in accordance with Policy SP7 of the Adopted Minerals Local Plan (March 2021) these should be taken into account where proposals for non-minerals development fall within them.	All of these policies mentioned and Minerals Safeguarding and Consultation Areas have been considered in Chapter 10 (Material Assets and Waste) of the ES (TR010065/APP/6.1).
Appendix 2	Nottinghamshire County Council	County Planning Context - Minerals: In relation to the Minerals Local Plan, the proposed junction improvement works to the A46 Newark By-Pass is not in close proximity to any existing or proposed mineral extraction allocation sites. However, the site lies within a Mineral Safeguarding and Consultation Area for Sand and Gravel. In line with the National Planning Policy Framework (paragraph 212) the Adopted Local Plan March 2021 sets out a policy (DM13)	Noted by the Applicant.

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		concerning these areas. However, due the nature of the development and the surrounding area, there seems little scope for prior extraction. The County Council therefore raises no concern in terms of mineral safeguarding.	
Appendix 2	Nottinghamshire County Council	County Planning Context - Waste: In terms of the Waste Core Strategy, whilst there are a number of waste management facilities neighbouring the route of the existing A46 Newark By-Pass, there are no existing waste management facilities in the vicinity of the proposed development to raise any issues in terms of safeguarding our existing waste management facilities (as per Policy WCS10 of the Waste Core Strategy). Should the detail of the proposed improvement works change, the County Council as Waste Planning Authority should be consulted at the earliest convenience.	Waste hierarchy and circular economy principles are to be included as part of the construction of the Scheme, minimising waste arising as much as technically feasible; these measures are secured in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5). Chapter 10 (Material Assets and Waste) of the ES (TR010065/APP/6.1) and Outline Site Waste Management Plan (OSWMP) contained within Appendix B.1 of the First Iteration EMP (TR010065/APP/6.5), outline waste management facilities within 10 kilometres of the Scheme. Although not all of these treatment facilities may be suitable for accepting waste generated by the Scheme, it is anticipated that sufficient treatment facilities are located within the surrounding areas of the Scheme.
Appendix 2	Nottinghamshire County Council	County Planning Context - Waste: As set out in Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy, the development should be 'designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development.	Waste hierarchy and circular economy principles are to be included as part of the construction of the Scheme, aiming to ensure an efficient use of materials, to minimise waste arising as much as technically feasible, and to ensure an appropriate waste management. These measures are secured in Table 3-2 REAC of the First Iteration EMP (TR010065/APP/6.5).
Appendix 2	Nottinghamshire County Council	County Planning Context - Geology and Soils: The desk study and ground investigation report are not included in the submission. NCC would not normally expect these to be provided with a scoping report, but since they have been used to inform the baseline information, it would have been useful to include these with the submission. It is also noted that a contamination hotspot was identified in the ground investigation, but not where this was in relation to the Scheme.	There is a localised contamination hotspot at Nether Lock and includes exploratory holes (WS46 – S3BH05). The anticipated source of contamination has been identified as the former glue factory. This information is included in the baseline section of the Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1). Appendix 9.1 (Preliminary Sources Study Report) and Appendix 9.2 (Contaminated Land Risk Assessment) are provided in the ES Appendices (TR010065/APP/6.3). The Contaminated Land Risk Assessment includes a detailed assessment of ground investigation data and includes the factual reports from the phases of GI. The Contaminated Land Risk Assessment concludes that is unlikely that there is any substantial risk to identified receptors from contamination and therefore no specific remediation measures are required.
Appendix 2	Nottinghamshire County Council	County Planning Context - Geology and Soils: The operational phase has been completely scoped out for geology and soils. NCC do not feel that this has been sufficiently justified in the scoping report. There will for example, be changes to crossing points over watercourses, a new section of road and increases in traffic elsewhere. Potential contamination effects to surface watercourses have also been identified during operation in Chapter 14 – Road Drainage and the Water Environment, which is inconsistent with the conclusions of Chapter 10 – Geology and Soils. NCC would therefore recommend that this is not scoped out of the assessment.	There will be no effects associated with the loss of agricultural land during the operational phase as land lost permanently from agriculture will already be removed in the construction phase. Contamination associated with the operation of the road is degradation, maintenance, etc. of the road and it's infrastructure, not from use of the road. Users of the road should be undertaking their own risk assessments when transporting goods with the potential to cause contamination, and it is beyond the scope of a Geology and Soils ES Chapter to take those into account. However, contamination has been considered in Appendix 4.2 (Major Accidents and Natural Disasters) of the ES Appendices (TR010065/APP/6.3), which cross references Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1), and other technical appendices within the ES Appendices (TR010065/APP/6.3). Chapter 13 (Road Drainage and the Water Environment) of the ES (TR010065/APP/6.1) refers to mobilised contaminants associated with potential accidental spillage and discharge of routine road runoff within the road footprint. These contaminants have the potential to enter watercourse

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			through outfalls connected to the road drainage network. This potential impact is not related to geology and soils receptors.
Appendix 2	Nottinghamshire County Council	County Planning Context - Geology and Soils: Chapter 14 – Road Drainage and the Water Environment indicates that contamination from landfills has been scoped out during the operational phase and refers back to Chapter 10 – Geology and Soils for the reasons. However, NCC cannot find this information in Chapter 10. This may require clarification.	The historical landfills identified are >400 metres away from the Scheme and therefore beyond the likely extent of impact pathways. This justification is included within the Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) . The authorised landfills are subject to current permit requirements regarding pollution/containment.
Appendix 2	Nottinghamshire County Council	County Planning Context - Geology and Soils: It is not clear in the report (see for example section 10.3 “Study Area”) whether the Scheme boundary for the geology and soils assessment will include the flood compensation / borrow pit areas and any areas required for the temporary works (e.g. construction compounds, haul roads). The ES will need to consider the effects related to the temporary and permanent work areas separately as these both form part of the Scheme. The Scheme boundary and wider study area both need to be clearly defined within the geology and soils assessment.	The 500 metre study area does include the proposed floodplain compensation areas and borrow pit areas. Section 9.7 of the Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) has been updated for clarification.
Appendix 2	Nottinghamshire County Council	County Planning Context - Public Health: Public Health note that any further specific health impacts arising from the proposed development, either negative or positive, on human health from the construction of the proposed A46 bypass are being considered as part of the ongoing environmental impact assessment which include and are not limited to, health improvement impacts such as active travel, access to services/facilities/ community assets, economic impacts, health protection impacts such as on air quality). Public Health are supportive of these being included and have no further comments to make at this stage of the process.	Noted by the Applicant.
Appendix 2	Nottinghamshire County Council	County Planning Context - Heritage: Consultation with Newark and Sherwood DC (NSDC) conservation and Historic England (HE) built heritage officers did not include the Nottinghamshire County Council (NCC) building conservation officer who will be making a primary consultation input into any planning submission. With regards to the commitment provided in 7.8.4 of the ESR, ‘in depth analysis of the design of the Scheme to understand the potential impacts on listed buildings, conservation areas and unknown archaeological remains’ that it is indicated will include consulting the ZTV, this should include the use of photomontage and wireframe imagery from key heritage set as receptors in the LVIA. Consultation with NCC, NSDC and HE to determine which receptors to include should take place and must include consideration of noise and light impacts.	A dedicated built heritage session was held on 3 May 2023 to present the impact assessment produced for built heritage. The Applicant and the Conservation Officers from Nottinghamshire County Council and Newark & Sherwood District Council were invited but only the Conservation Officer from Newark & Sherwood District Council attended. The presentation and meeting minutes were sent by the Applicant to the Newark & Sherwood District Council and Nottinghamshire County Council Conservation Officers, and Historic England, who acknowledged receipt.
Appendix 2	Nottinghamshire County Council	County Planning Context - Rights of Way: NCC have checked the working copy of the Definitive Map of recorded Public Rights of Way and can confirm that the proposal will affect numerous Public Rights of Way. The applicant has listed some Public Rights of Way in paragraph. 13.4.10 but this list is incomplete.	Public Rights of Way (PRoW) information has been reviewed and Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) lists all relevant PRoWs with associated figures.
Appendix 2	Nottinghamshire County Council	County Planning Context - Rights of Way: The applicant should be aware that accurate Public Rights of Way Data is held by Nottinghamshire County Council as the surveying authority. The list omits the following: <ul style="list-style-type: none"> • Newark Footpath No. 14 (which crossed the Kelham Road (A617) and the A46 at grade) • Newark Footpath No. 48 passes under the A46 near the Crankley Point Sewage Works • Winthorpe Footpath No. 3 which is the continuation of Winthorpe Footpath No. 2 from the A46 connecting Winthorpe village to Coddington Village. 	Noted by the Applicant. Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) provides a revised list of all affected Public Rights of Way, with associated figures.

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Appendix 2	Nottinghamshire County Council	County Planning Context - Rights of Way: Newark Bridleway No. 5 runs along the western bank of the River Trent. There appears to be an anomaly from the recorded bridleway route where the dismantled railway meets the river. The line on the Definitive Map shows the route of Bridleway No. 5 passing tight along the riverbank however there is no available route at this point and path users follow the surfaced track under the dismantled railway bridge 30m to the west (Grid. ref. SK 80066 54782. What3Words: shirtless.truly.warned).	Noted by the Applicant. This anomaly has no impact on the assessment within Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) .
Appendix 2	Nottinghamshire County Council	County Planning Context - Rights of Way: It is recommended that the applicant undertake an official Public Rights of Way Search with Nottinghamshire County Council (the Highway Authority for Public Rights of Way in Nottinghamshire) – email row.landsearches@nottscc.gov.uk .	Noted by the Applicant. The Applicant undertook an official Public Rights of Way Search from the website that hosts all UK data and then confirmed this with Nottinghamshire County Council's ProW Officer. Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) has used the latest PRoW data available from Nottinghamshire County Council.
Appendix 2	Nottinghamshire County Council	County Planning Context - Rights of Way: It is recommended that early discussions are held with Nottinghamshire County Council's Rights of Way Team. Nottinghamshire County Council is the surveying, order making, and closure making authority for Nottinghamshire's Public Rights of Way Network. The applicant will need to discuss any proposed changes, improvements and mitigation measures with the Rights of Way Team. Contact countryside.access@nottscc.gov.uk	Meetings have been held with the Nottinghamshire County Council PRoW officer and two meetings with the Active Travel Group chaired by the Nottinghamshire County Council PRoW Officer. Where possible the Scheme has incorporated their requests.
Appendix 2	Nottinghamshire County Council	County Planning Context - Rights of Way: These comments have been provided by Via East Midlands Limited on behalf of Nottinghamshire County Council, in its capacity as Highway Authority, through Via's continuing role of providing operational services on behalf of the County Council.	Noted by the Applicant.
Appendix 2	Nottinghamshire County Council	County Planning Context - Nature Conservation: With reference to the Environmental Scoping Report, NCC agree overall with the scope of the proposed EIA from an ecology perspective. However, NCC would like to highlight the following: <ul style="list-style-type: none"> • In section 9.4.14, which lists the surveys being completed to support the EIA, no reference is made to Breeding Bird Surveys. This may be an accidental omission, but if it is not, I would advise that such surveys are undertaken (potentially targeted to areas most likely to support sensitive bird species such as the pits south of Newark sugar factory). • In section 9.6.6, reference is made to areas identified for ecological compensation shown in Appendix B, however, NCC can see no such areas annotated on the plan found there. • Section 9.7.2 refers to the loss of Local Wildlife Sites, including temporary loss from works areas associated with construction. NCC would highlight that temporary losses should be kept to an absolute minimum, and that losses for things like compounds or storage areas are not acceptable and would not be consistent with the mitigation hierarchy. • In relation to delivering Biodiversity Net Gain and ecological enhancement, the potential flood compensation areas present an excellent opportunity to create new priority habitat such as flood plain grazing marsh to benefit breeding and passage waders and wintering wildfowl. Consideration should also be given to public access to these areas (for wildlife watching) to deliver a social benefit. • Landscaping along the road itself should include the creation of species-rich grassland on areas of low-nutrient substrate (i.e. subsoils). 	Section 9.4.14 of the Scoping Report discusses surveys " <i>currently being completed</i> " / outstanding surveys at the time of writing (August 2022). Appendix E clarifies " <i>Breeding bird surveys have been undertaken through April to June 2022 inclusive, with the final surveys scheduled for July 2022.</i> " July 2022 data for breeding bird surveys was not captured in the Scoping Report due to timings for data analysis, checking and approval of documents and therefore inclusion of all breeding bird survey results are within Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) . To confirm, Section 9.6.6 of the Scoping Report does not state specific locations of mitigation areas are within Appendix B, only that mitigation will be within the red line boundary. Appendix B of the Scoping Report shows the red line boundary. Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) provides further details of mitigation. Pond locations, wetland areas and planting are detailed in Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) . Species specific mitigation such as barn owl box locations or hibernacula will be subject to refinement at the detailed design stage (indicative locations are shown in Figure 2.3 (Environmental Masterplan) of the ES Figures, TR010065/APP/6.2) and these requirements are secured in Table 3-2 REAC within the First Iteration EMP (TR010065/APP/6.5) . The Scheme is working to the mitigation hierarchy. Due to a number of constraints within the Scheme boundary, for example the River Trent, railway crossings etc, the location of specific compounds and storage areas are unavoidable and there would therefore be some temporary and permanent losses of habitats within certain Local Wildlife Sites such as Great North Road Grasslands for example. However, the locations of these have been

ID	Respondent	Comment	Applicant's Response
			<p>considered to minimise environmental impacts where possible whilst also meeting health and safety requirements.</p> <p>The floodplain compensation area at Farndon West is being developed as a wider wetland habitat to support wildlife and includes proposed floodplain grazing marsh. For both Farndon West and Farndon East FCAs, public access has been considered, but safe access from the A46 carriageway and provision of parking on site would unreasonably expand the scope of the Scheme and is considered to have wider security implications.</p> <p>The landscape design presented in Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) includes the use of species rich grassland on areas of low nutrient soils.</p>
Appendix 2	Nottinghamshire County Council	<p>County Planning Context - Noise and Vibration: NCC have reviewed and are satisfied with the proposed scope and methodology for the Noise and Vibration related works as set out in the EIA Scoping Report. The chapter describes with detail the assessment of the potential noise and vibration impacts associated with the construction of the Scheme and the traffic noise impacts associated with the operation of the Scheme, following the methodology set out in Design Manual for Roads and Bridges (DMRB) LA 111 Noise and Vibration.</p>	Noted by the Applicant.
Appendix 2	Nottinghamshire County Council	<p>County Planning Context - Noise and Vibration: The chapter summarises the regulatory and policy framework related to noise and vibration, details the methodology followed for the assessment, and describes the existing environment in the area surrounding the Scheme. Following this, the design and mitigation measures proposed to manage and minimise potential noise and vibration impacts are specified.</p>	Noted by the Applicant.
Appendix 2	Nottinghamshire County Council	<p>County Planning Context - Noise and Vibration: However, NCC would advise that the Environmental Statement contain a set of noise contours for LA10,18hr and Lnight for all the developed scenarios DMOY, DMFY, DSOY, and DSFY. The potential noise impacts on sensitive ecological receptors (where identified) should also be considered within the Biodiversity Chapter (with noise contours across the study area with all impacts on ecological receptors being assessed).</p>	<p>Lnight values are calculated from the Daytime LA10,18h therefore modelling data to produce night-time contours is not available. All impacts are assessed within Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) using A-weighted levels. Noise sensitive ecological receptors have different auditory functions and therefore A-weighted levels are not appropriate for the assessment of impact due to noise, and there is insufficient evidence in the literature to justify an assessment for alternative weightings.</p>
Appendix 2	Nottinghamshire County Council	<p>County Planning Context - Landscape: The Landscape Team have no major comments to make on the attached scoping document which follows the standard National Highways methodology for Landscape and Visual Impact Assessment.</p>	Noted by the Applicant.
Appendix 2	Nottinghamshire County Council	<p>County Planning Context - Landscape: NCC note that the baseline landscape character section describing the study area should also make reference to the relevant Landscape Policy Zones in the following landscape character areas:-</p> <ul style="list-style-type: none"> • Mid Nottinghamshire Farmlands • Trent Washlands • South Nottinghamshire Farmlands • East Nottinghamshire Sandlands 	<p>These are captured within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1). Each of these Landscape Policy Zones are mentioned in Section 7.8 of Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1).</p>
Appendix 2	Nottinghamshire County Council	<p>County Planning Context - Landscape: Appendices 1-8 set out the relevant key plans from the Newark and Sherwood District Council Landscape Character Assessment which show the distribution of the Policy Zones, the full information for each relevant Policy Zone is contained in this document.</p>	<p>Each of these Policy Zones are mentioned in Section 7.8 of Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1). Reference to local species has helped inform the selection of the indicative plant species list shown in Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2).</p>

ID	Respondent	Comment	Applicant's Response
		The appendices also set out the associated species list for each of the above landscape character areas.	
Appendix 2	Nottinghamshire County Council	County Planning Context - Landscape: The Newark Open Break policy (Newark Open break review 2 dated January 2022 reference CN2150850) has recently been reviewed within the Amended Allocations and Development Management DPD on behalf Newark and Sherwood District Council (NSDC). This will form an evidence base document for the NSDC Plan Review.	Reference to this is made in the LVIA presented within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) .
Appendix 2	Nottinghamshire County Council	County Planning Context - Landscape: The Landscape Team report concluded that the Open Break continued to be an effective planning designation helping to retain the separate identities of Newark and its surrounding villages and that the A46 proposals did reduce the degree of separation between Newark and Winthorpe. The drawings included in the A46 scoping report show that the proposed Scheme most closely resembles Option 1 considered in this review.	Noted by the Applicant.
Appendix 2	Nottinghamshire County Council	County Planning Context - Landscape: Therefore, in summary the proposed Scheme will have landscape and visual impacts on the Winthorpe Open Break, and this needs to be considered in the submitted application. The applicant should particularly note the following requirement within the report: 'The proposed A46 dualling will remove some of the shelter belts and tree cover which is a characteristic feature of this landscape. Design proposals should aim to minimise loss and replace that removed with new tree planting. The extent should be in line with current Biodiversity Net Gain principles (10%) and reflect the pattern and native species within the East Nottinghamshire Sandlands landscape character area.'	Reference to this is made in the LVIA presented within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and considerations regarding loss of existing vegetation and the implementation of new or replacement planting has been accommodated within Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) and reflected within the LVIA.
Appendix 2	Nottinghamshire County Council	County Planning Context - Landscape: The tree and shrub species selected to provide this planting should make reference to the species list in the appendices.	Reference has been made to species listed in the relevant Policy Zones in Section 7.8 of Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) .
Rotherham Metropolitan Borough Council			
Appendix 2	Rotherham Metropolitan Borough Council	With regard to the above, please note that Rotherham Metropolitan Borough Council have no objections to this Scoping Opinion request.	Noted by the Applicant.
Royal Mail			
Appendix 2	Royal Mail	Royal Mail and its consultants BNP Paribas Real Estate have reviewed the consultation material for the above project and wish to submit this holding response as part of this consultation.	Noted by the Applicant.
Appendix 2	Royal Mail	Royal Mail – relevant information: Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.	Noted by the Applicant.
Appendix 2	Royal Mail	Royal Mail – relevant information: Royal Mail is under some of the highest specification performance obligations for quality of service in Europe. Its performance of the Universal Service Provider obligations is in	Noted by the Applicant.

ID	Respondent	Comment	Applicant's Response
		the public interest and this should not be affected detrimentally by any statutorily authorised project.	
Appendix 2	Royal Mail	Royal Mail – relevant information: The Government imposes financial penalties on Royal Mail if its Universal Service Obligation service delivery targets are not met. These penalties relate to time targets for: · collections, · clearance through plant, and · delivery.	Noted by the Applicant.
Appendix 2	Royal Mail	Royal Mail – relevant information: Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network.	Noted by the Applicant.
Appendix 2	Royal Mail	Royal Mail – relevant information: Royal Mail is a major road user nationally. Disruption to the highway network and traffic delays can have direct consequences on Royal Mail's operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services thereby presenting a significant risk to Royal Mail's business.	Noted by the Applicant.
Appendix 2	Royal Mail	Royal Mail position: Royal Mail and its advisor BNP Paribas Real Estate have reviewed the Environmental Scoping (ES) Report, dated 26 August 2022.	Noted by the Applicant.
Appendix 2	Royal Mail	Royal Mail position: Royal Mail has 4 operational properties within 11 miles of the proposed works: · BE 1328, Newark DO, NG24 4XE – c. 0.6 miles south of the Cattle Market junction; · BE 4355, Newark PAR, NG24 4AE – c. 0.7 miles south of the Cattle Market junction; · Be 3410/4112, Bingham DO/PAR, NG13 8AS – c. 9 miles south-west of the Farndon roundabout; and · BE 3452, Tuxford PAR, NG22 0LF – c. 10.5 miles north of the Cattle Market junction	Noted by the Applicant.
Appendix 2	Royal Mail	Royal Mail position: An outline Construction Traffic Management Plan (CTMP) will be prepared and submitted as part of the DCO application. The published ES Report states "the construction phase will introduce additional construction vehicle movements to the road network and traffic management which have the potential to affect traffic flows and speeds". Temporary traffic management arrangements are expected to take place on the A46, A1 and local road networks during the construction phase of this Scheme. The ES Report considers changes in traffic during the construction phase are unlikely to lead to a significant effect, however the extent of the impact on the highway network cannot be assessed as "traffic forecasts are currently unavailable as they are being updated".	Traffic forecasts have been updated and impacts are assessed within the Transport Assessment (TR010065/APP/7.4). Changes in traffic during the construction phase are unlikely to result in any significant effects with mitigation measures in place, as detailed in Chapter 5 (Air Quality) and Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1). An Outline Traffic Management Plan (OTMP) (TR010065/APP/7.7) has been submitted with the development consent application. The OTMP has been prepared to detail measures which are to be implemented to ensure that the safety and integrity of road workers and road users is maintained whilst the construction work is being carried out. Details on temporary traffic management are detailed in the OTMP. The Traffic Management Plan must be developed substantially in accordance with the OTMP, in consultation with the Local Highway Authority, in line with Requirement 11 of the draft DCO (TR010065/APP/3.1).
Appendix 2	Royal Mail	Royal Mail position: Every day, in exercising its statutory duties Royal Mail vehicles use all of the main roads that may potentially be affected by the proposed A46 Newark Bypass. Any periods of road disruption / closure, night or day, on or to the roads immediately connected to the A46 Newark Bypass or the surrounding highway network will have the potential to impact operations and may consequently disrupt Royal Mail's ability to meet its Universal Obligation service delivery targets.	Noted by the Applicant – every effort will be made to minimise disruption to road users during construction. Temporary traffic management will be in place and details of these measures are within the Outline Traffic Management Plan (TR010065/APP/7.7). A Construction Communications Management Plan will be prepared alongside the Second Iteration EMP and full Traffic Management Plan to detail how any temporary road closures would be communicated during construction.

ID	Respondent	Comment	Applicant's Response
Appendix 2	Royal Mail	Royal Mail position: Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.	Noted by the Applicant – every effort will be made to minimise disruption and potential adverse effects to road users during construction. Temporary traffic management will be in place and details of these measures are within the Outline Traffic Management Plan (TR010065/APP/7.7), along with how any temporary road closures would be communicated. The Scheme will improve journey time reliability in the long term for users of the A46 between Farndon Junction and the A1.
Appendix 2	Royal Mail	Royal Mail position: Royal Mail does not wish to stop or delay the A46 Newark Bypass works from occurring. However, Royal Mail does wish to ensure the protection of its future ability to provide an efficient mail sorting and delivering service to the public from and to the above identified operational facilities in accordance with its statutory obligations. Due to insufficient information presently being available by which to assess the level of potential risk to its operations and any proposed mitigations for such risk, at this point in time Royal Mail is not able to provide a consultation response. Therefore, Royal Mail wishes to reserve its position to submit a consultation response/s later in the DCO consenting process when sufficient information is available. Royal Mail also wishes to reserve its position to submit representations to the future Public Examination, if required.	The Applicant acknowledges this comment and is committed to continued engagement with Royal Mail. The OTMP (TR010065/APP/7.7) will set out how any temporary road closures would be communicated.
Rushcliffe Borough Council			
Appendix 2	Rushcliffe Borough Council	I refer to the recent correspondence regarding the above matter. I can confirm that we do not wish to make any comments.	Noted by the Applicant.
Severn Trent Water			
Appendix 2	Severn Trent Water	We have no comments at this stage.	Noted by the Applicant.
South Kesteven District Council			
Appendix 2	South Kesteven District Council	South Kesteven has no comments to make on the above EIA scoping consultation.	Noted by the Applicant.
UK Health Security Agency			
Appendix 2	UK Health Security Agency	Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID. The response is impartial and independent.	Noted by the Applicant.
Appendix 2	UK Health Security Agency	The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers residual significant effects from noise, air quality and landscape and visual amenity on the health of an individual or population.

ID	Respondent	Comment	Applicant's Response
Appendix 2	UK Health Security Agency	Having considered the submitted scoping report we wish to make the following specific comments and recommendations:	Noted by the Applicant.
Appendix 2	UK Health Security Agency	Environmental Public Health: We recognise the promoter's proposal to include a health section. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.	These key areas are included in Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	Environmental Public Health: In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document 'Advice on the content of Environmental Statements accompanying an application under the NSIP Regime', setting out aspects to be addressed within the Environmental Statement ¹ . This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.	Noted by the Applicant. Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) has been informed by IEMA's Health Impact Assessment, which is considered best practice and covers the content contained within the Public Health England (PHE) guidance. As such, PHE guidance has not been referenced.
Appendix 2	UK Health Security Agency	Recommendation: Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e. an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to nonthreshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers residual significant effects from air quality on human health, based on findings from Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1) . As detailed in Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1) , impacts from construction dust will be mitigated using best practical means such as wetting down and effects are not predicted to be significant. During operation of the Scheme there are not predicted to be any exceedances of the NO ₂ , PM ₁₀ or PM _{2.5} air quality objectives at any human health receptors within the study area and changes in air quality are also concluded to be not significant. In addition, as indicated by the modelled results for NO ₂ , the Scheme will have a beneficial effect within Newark by reducing traffic where pollutant concentrations and population density are highest. Therefore, the Scheme would help contribute to exposure reduction.
Appendix 2	UK Health Security Agency	Recommendation: We request that the ES clarifies this and if necessary, the proposer should confirm either that the proposed development does not impact any receptors from potential sources of EMF; or ensure that an adequate assessment of the possible impacts is undertaken and included in the ES.	The Scheme would not impact any receptors from potential sources of electromagnetic fields (EMF) and therefore as confirmed in the Scoping Report, heat and radiation was scoped out of the ES (TR010065/APP/6.1) as no effects are expected to arise from the development in relation to these aspects.
Appendix 2	UK Health Security Agency	Noise: This section of the scoping response focusses on the public health impacts of environmental noise and considers matters we expect the Environmental Statement (ES) to address. Having considered the submitted scoping report, specific comments and recommendations regarding matters of environment noise are detailed in Appendix A: NSIP National Networks – Road Schemes (scoping stage) UK Health Security Agency Generic Response: Noise and Public Health.	Noted and the Applicant has provided responses to the points raised below.

ID	Respondent	Comment	Applicant's Response
Appendix 2	UK Health Security Agency	<p>Human Health and Wellbeing – OHID: This section of OHIDs response, identifies the wider determinants of health and wellbeing we expect the Environmental Statement (ES) to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:</p> <ul style="list-style-type: none"> • Access • Traffic and Transport • Socioeconomic • Land Use 	Noted by the Applicant. The ES is structured in accordance with the DMRB but the assessments cover these four themes within Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	Having considered the scoping report, OHID wish to make the following specific comments and recommendations.	Noted by the Applicant.
Appendix 2	UK Health Security Agency	<p>Methodology - Determination of significant effects: It is noted that Chapter 13 is drafted with reference to LA112 and as such no assessment of significance is provided for human health. The assessment methodologic approach does propose to identify sensitivity and magnitude yet does not convert these indicators into an assessment of significance.</p>	Assessment of significance for human health is now included in the Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	<p>Methodology - Determination of significant effects: Chapter 13 uses Table 13.7 to differentiate level of impact magnitude and references this as from LA112, yet the content of this table cannot be found within LA112.</p>	References have been corrected to Institute of Environmental Management and Assessment (IEMA) guidance for Table 12.4, 12.5 and 12.6 of Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	<p>Methodology - Determination of significant effects: This approach does not conform to the requirements of the EIA Regulations and as such an assessment of significance will be required to form part of the Environmental Statement. This follows recent PINS consideration of this aspect within the SoS Scoping opinion for the National Highways M60/M62/M66 Simister Island Scheme.</p>	Assessment of significance for human health is now included in the Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	<p>Methodology - Determination of significant effects: Regulation 18 4(b) requires an Environmental Statement to 'include the information reasonably required for reaching a reasoned conclusion on the significant effects of the development on the environment, taking into account current knowledge and methods of assessment'.</p>	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) takes into account current knowledge and methods of assessment to enable reaching a reasoned conclusion on the significant effects of the Scheme.
Appendix 2	UK Health Security Agency	<p>Methodology - Determination of significant effects: In addition, Schedule 4 (5) requires a description of the likely significant effects of the development on the environment resulting from, inter alia: (d)the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);</p>	Chapter 12 (Population and Human Health) and Chapter 6 (Cultural Heritage) of the ES (TR010065/APP/6.1) , and Appendix 4.2 (Major Accidents and Natural Disasters) of the ES Appendices (TR010065/APP/6.3) includes descriptions of the likely significant effects as a result of the Scheme. These documents include significant effects as a result of the Scheme on the environment resulting from the risks to human health, cultural heritage or the environment (for example, due to accidents and disasters).
Appendix 2	UK Health Security Agency	<p>Recommendation: The ES must provide an assessment of significance for those health determinants scoped into the population and human health chapter.</p>	Assessment of significance for human health is included in the Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	<p>Recommendation: The population and human health assessment should draw upon the findings from other relevant chapters, including air quality and noise.</p>	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers residual significant effects from noise, air quality and landscape and visual amenity.

ID	Respondent	Comment	Applicant's Response
Appendix 2	UK Health Security Agency	Recommendation: As there is not a define approach to the assessment of significance for population and human health, it is strongly advised that any proposed approach is agreed with OHID/UKHSA and the local Directors of Public Health. The guidance issued by the International Association of Impact Assessment (IAIA)2 could be used as a basis for the assessment of significance.	Assessment of significance for human health is included in the Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) using latest Institute of Environmental Management and Assessment (IEMA) guidance which is considered best practice and contains a clear methodology for assessing and assigning significance of health effects.
Appendix 2	UK Health Security Agency	Health Baseline Data and vulnerable populations: The scoping report indicates health baseline data will comply with LA112. Local data sets and publications may assist in providing this data to understand baseline and inform sensitivity, for example the Joint Strategic Needs Assessment (JSNA), Health and Wellbeing Strategy and any Integrated Care System (ICS) strategies.	Noted by the Applicant. Publicly available data has been used to inform the assessment where relevant as this provides the most current baseline information.
Appendix 2	UK Health Security Agency	Health Baseline Data and vulnerable populations: The impacts on health and wellbeing and health inequalities of the Scheme may have particular effect on vulnerable or disadvantaged populations, including those that fall within the list of protected characteristics. The Environmental Statement and any Equalities Impact Assessment (EqIA) should not be completely separated.	Whilst the ES (T010065/APP/6.1) and the Equality Impact Assessment (EqIA) Screening, Analysis and Monitoring (TR010065/APP/7.6) application documents remain separate, the assessments have been produced collaboratively and cross reference is provided between the EqIA (TR010065/APP/7.6) and Chapter 12 (Population and Human Health) of the ES (T010065/APP/6.1) regarding health.
Appendix 2	UK Health Security Agency	Health Baseline Data and vulnerable populations: The scoping report provides lists of community land and assets (para 13.4.5) which appears to be missing those within Farndon, including Red Rose Care Community (Nursing home) and Lemon Tots Childcare. It is also missing the gypsy and traveller community off Tolney Lane, which should also be considered within the EqIA.	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) has incorporated Red Rose Care Community and Lemon Tots Childcare within its baseline. Assessment of the gypsy and traveller community off Tolney Lane has been considered within the Equality Impact Assessment (EqIA) Screening, Analysis and Monitoring (TR010065/APP/7.6).
Appendix 2	UK Health Security Agency	Recommendation: The lists of community land assets and sensitive populations should be reviewed to ensure it captures all of those present within the local impact area.	The baseline section of the Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) has been reviewed and updated where relevant.
Appendix 2	UK Health Security Agency	Recommendation: The applicant should refer to the vulnerable groups identified by the Wales Health Impact Assessment Support Unit and IAIA to inform assessments of any possible differential impacts. In addition to health data this should encompass deprivation, demographics and other socio-economic factors from local data sources or the review of local publications such as the JSNA.	The Equality Impact Assessment (EqIA) Screening, Analysis and Monitoring (TR010065/APP/7.6) considers impacts on vulnerable groups as identified within the Equality Act 2010 legislation (UK legislation) and therefore considered appropriate to IAIA. Wales Health Impact Assessment Support Unit is not considered relevant as the Scheme is in England.
Appendix 2	UK Health Security Agency	Recommendation: The assessments and findings of the Environmental Statement and any Equalities Impact Assessment should be crossed reference between the two documents. In particular, to ensure the comprehensive assessment of potential impacts for health and inequalities for vulnerable populations and where resulting mitigation measures are mutually supportive.	Whilst the ES (TR010065/APP/6.1) and Equality Impact Assessment (EqIA) Screening, Analysis and Monitoring (TR010065/APP/7.6) application documents remain separate, they have been produced collaboratively and cross reference is provided.
Appendix 2	UK Health Security Agency	Physical activity and active travel: The report identifies how walkers, cyclists and horse riders (WCH) will be impacted through the loss or change in formal Public Rights of Way (PRoW), open space and the existing road network.	Noted by the Applicant. This has been reviewed and updated in Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1).
Appendix 2	UK Health Security Agency	Physical activity and active travel: Active travel forms an important part in helping to promote healthy weight environments and as such it is important that any changes have a positive long term impact where possible. Changes to WCH routes have the potential to impact on usage, create displacement. We welcome the Schemes opportunity to enhance the existing infrastructure that supports active travel and physical activity. We expect good	Ongoing engagement has taken place with a range of stakeholders, including Newark & Sherwood District Council and local residents, with statutory consultation undertaken between 26 October - 12 December 2022 as well as further targeted consultation undertaken between 17 March - 16 April 2023. Regular meetings continue to take place with the host local authorities

ID	Respondent	Comment	Applicant's Response
		consultation with local agencies and the community to further identify improved provision for active travel, physical activity and access to green space.	(Newark & Sherwood District Council and Nottinghamshire County Council) on the Scheme including the development of Statements of Common Ground. The Scheme has provided improvements to users on Great North Road and around Cattle Market junction, provided a link to the south from Winthorpe that had previously being severed by the A46 and a new walking cycling route around Winthorpe roundabout to access Drove Lane and the show ground entrance.
Appendix 2	UK Health Security Agency	Physical activity and active travel: Given the likely potential impacts on WCH and the opportunity for enhancements a WCH survey should be completed.	WCH surveys have been undertaken. Detail is provided in Appendix 12.1 (Walker, Cyclist and Horse-rider (WCH) Survey Results) of the ES Appendices (TR010065/APP/6.3) which support Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1).
Appendix 2	UK Health Security Agency	Recommendation: The overall risk to WCH and impact on active travel should be considered on a case-by-case basis, taking into account, the number and type of users and the effect that the temporary traffic management system will have on their journey and safety. As such a WCH survey should be completed.	WCH surveys have been undertaken. Detail is provided in Appendix 12.1 (Walker, Cyclist and Horse-rider (WCH) Survey Results) of the ES Appendices (TR010065/APP/6.3) which support Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1). Consideration is given for effects of the Scheme on journey and safety for WCH on a case by case basis as well as the number and type of WCH users as part of the WCH assessment within Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1).
Appendix 2	UK Health Security Agency	Traffic & Transport: The scoping report identifies (para 13.5.3) increases in traffic from construction activities could impact access to private property and housing in Newark and Winthorpe. Community land and assets, such as Winthorpe Community Centre, development land, businesses within the LIA may also be affected. The report provides no indication of how this is to be assessed and the exact scope of the impacts which are to be assessed.	A Traffic and Transport Chapter has not been produced as part of the ES (TR01005/APP/6.1). As such, Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers increases in volumes of traffic based on haul routes and as identified with the traffic assessment. Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) identifies affected routes and key resources where appropriate.
Appendix 2	UK Health Security Agency	Traffic & Transport: The impacts on the local road network resulting from construction or operation of the Scheme should be identified. It should consider issues of community severance, WCH safety and amenity.	These key areas are included in the Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1).
Appendix 2	UK Health Security Agency	Recommendation: The ES should consider the potential effects on the local highway network, including amenity, safety and severance. The ES should confirm the methodology used for such an assessment. The normal approach would be to use the IEMA GEART framework.	It is unclear what the IEMA GEART framework identified by the stakeholder is. Potential effects, including amenity, safety and severance, are key areas and are included in Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1). The methodology is outlined in Section 12.5 of Chapter 12 (Population and Human Health) of the ES and uses DMRB and IEMA's recently published human health impact assessment guidance.
Appendix 2	UK Health Security Agency	Land Take: The scoping reports identifies the potential need to require the demolition of the redundant buildings within the now disused Nottinghamshire County Council Highways depot and the demolition of the disused Mint Leaf restaurant adjacent to the existing A46 to the east of the A1. It later (para 13.7.2) identifies both permanent and temporary land take from the grounds of residential properties and businesses within the Newark and Winthorpe communities, with a likely significant effect on the viability of businesses. The reporting of land take and impacts appears to be inconsistent and incomplete.	Land requirements have been updated as the Scheme design has developed. Detail is provided in the Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) and confirms that land is no longer required from residential properties. The Scheme is anticipated to result in adverse effects upon businesses however, and compensation will be provided to business owners if considered due under the Compensation Code.
Appendix 2	UK Health Security Agency	Recommendation: The ES should clearly identify all necessary temporary and permanent land take, identify impacts and subsequent mitigations.	These key areas are included in Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1). The Land Plans identify land take requirements for the Scheme (TR010065/APP/2.2).

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Appendix 2	UK Health Security Agency	Recommendation: The ES should report on the viability of the affected domestic property and likelihood for demolition or purchase. Health related impacts and effects from forced relocation after mitigation should be identified and reported.	Land take from domestic properties is no longer required for the Scheme. Details of the impacts associated with land take required for the Scheme are provided in Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) . The Land Plans identify land take requirements for the Scheme (TR010065/APP/2.2) .
Appendix 2	UK Health Security Agency	Appendix A: NSIP National Networks – Road Schemes (scoping stage) UK Health Security Agency Generic Response: Noise and Public Health (see below)	Noted by the Applicant.
Appendix 2	UK Health Security Agency	Environmental noise can cause stress and disturb sleep, which over the long term can lead to a number of adverse health outcomes [1, 2].	The Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers the significant effects from noise, air quality, landscape and visual amenity.
Appendix 2	UK Health Security Agency	The Noise Policy Statement for England (NPSE) [3] sets out the government's overall policy on noise. Its aims are to: <ul style="list-style-type: none"> • avoid significant adverse impacts on health and quality of life; • mitigate and minimise adverse impacts on health and quality of life; and • contribute to the improvement of health and quality of life. 	The aims of the NPSE have been considered within Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	These aims should be applied within a broader context of sustainable development, where noise is considered alongside other economic, social and environmental factors. UKHSA expects such factors may include [4]: <ul style="list-style-type: none"> • Ensuring healthy lives and promoting well-being for all at all ages; • promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all; • building resilient infrastructure, promoting inclusive and sustainable industrialisation and fostering innovation; • reducing inequality; and • making cities and human settlements inclusive, safe, resilient and sustainable. 	The SDGs have been considered within the context of the NPSE in Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) where appropriate and proportionate.
Appendix 2	UK Health Security Agency	UKHSA's consideration of the effects of health and quality and life attributable to noise is guided by the recommendations in the 2018 Environmental Noise Guidelines for the European Region [1] published by the World Health Organization, and informed by high quality systematic reviews of the scientific evidence [2, 5, 6]. The scientific evidence on noise and health is rapidly developing, and UKHSA's recommendations are also informed by relevant studies that are judged to be scientifically robust and consistent with the overall body of evidence.	The World Health Organisation (WHO) Environmental Noise Guidelines have been considered within the ES Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) , however only within the context of DMRB LA 111. DMRB LA 111 provides the most robust means for assessing a development of this size and nature. The WHO guidelines do not take account of sustainability which is a key element of the NPSE and UK government policy, and therefore an example of a limitation of the WHO guidelines.
Appendix 2	UK Health Security Agency	In line with its mission, UKHSA believes that Nationally Significant Infrastructure Projects (NSIP) should not only limit significant adverse effects, but also explore opportunities to improve the health and quality of life of local communities and reduce inequalities.	New walking routes provided by the Scheme will improve the health and quality of life for local communities and help reduce inequalities as detailed in Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	UKHSA also recognises the developing body of evidence showing that areas of tranquility offer opportunities for health benefits through psychological restoration. NSIP applications need to demonstrate that they have given due consideration to the protection of the existing sound environment in these areas.	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers the impact of noise and air quality on the local community. Noise mitigation is provided as required and this is secured in Table 3-2 REAC within the First Iteration EMP (TR010065/APP/6.5) and shown on Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) to ensure effects on tranquility are minimised.
Appendix 2	UK Health Security Agency	Significance of Impacts: Determining significance of impacts is an essential element of an Environmental Impact Assessment, and therefore significance needs to be clearly defined at the earliest opportunity by the Applicant. UKHSA recommends that the definition of significance is	The methodology for determining significance is set out in the assessment methodology section of each topic chapter (Chapters 5-15) of the ES (TR010065/APP/6.1) .

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		discussed and agreed with relevant stakeholders, including local authority environmental health and public health teams and local community representatives, through a documented consultation process. UKHSA recommends that any disagreement amongst stakeholders on the methodology for defining significance is acknowledged in the planning application documentation and could inform additional sensitivity analyses.	The planning regime established by the Planning Act 2008 places a significant importance on pre-application consultation. The Applicant has encouraged a range of stakeholders, including the community, those with an interest in the land, local authorities and statutory consultees, to express their views on the Scheme through non-statutory engagement, non-statutory consultation and statutory consultation activities. The main stages of the Applicant's pre-application consultation is described within the Consultation Report (TR010065/APP/5.1) . Consultation has been undertaken with different environmental consultation bodies which included engagement regarding different aspects of the ES as detailed in Section 4.6 of Chapter 4 (Environmental Assessment Methodology) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	Significance of Impacts: For noise exposure, UKHSA expects assessments of significance to be closely linked to the associated impacts on health and quality of life, and not on noise exposure per se (in line with the NPSE). The latest revision of the Design Manual for Roads and Bridges (DMRB) Table 3.49 LA111 [7] includes proposed values for the Lowest Observable Adverse Effect Level (LOAEL) and Significant Observable Adverse Effect Level (SOAEL) ³ for operational noise, and these values are likely to inform judgements on significance of impact. Whilst DMRB does not explicitly reference the underpinning evidence that informed these numbers, the night time LOAEL and SOAEL of 40 dB L _{night} (outside, free-field) and 55 dB L _{night} (outside, free-field) respectively, correspond to the guideline value and interim target proposed in the WHO Night Noise Guidelines (2009) [8]. The Night Noise Guidelines emphasized that the interim target was "not a health-based limit value by itself. Vulnerable groups cannot be protected at this level".	Noted by the Applicant. DMRB LA 111 provides the most robust means for assessing a development of this size and nature, and therefore has been implemented within ES Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) . As it is recognised that LOAEL and SOAEL are not health-based limits in isolation, the values are considered within the context of the impact that the Scheme will have on noise sensitive receptors, and therefore they are not the only factors in the designation of significant effects.
Appendix 2	UK Health Security Agency	Significance of Impacts: The daytime SOAEL of 68 dB LA _{10,18hr} (façade) appears to be derived from the relative noise level in the Noise Insulation Regulations (NIR) [9], which is linked to the provision of enhanced noise insulation for new highway infrastructure. The NIR does not explicitly refer to the underpinning evidence on which the relevant noise level is based, and there is a lack of good quality evidence linking noise exposure expressed in the LA ₁₀ metric to health effects. Therefore, it is helpful to convert these levels to L _{den} and LA _{eq,16hr} metrics, which are more widely used in the noise and health literature. Assuming motorway traffic, a level of 68 dB LA _{10,18hr} (façade) is approximately equivalent to 4 free-field outdoor levels of 69dB L _{den} (or 5 64LA _{eq,16hr}). The corresponding internal noise levels are 6 approximately 54dB LA _{eq,16hr} (open windows), 48dB LA _{eq,16hr} (tilted windows) and 36dB LA _{eq,16hr} (closed windows).	Noted by the Applicant. LA 111 provides the most robust means for assessing a development of this size and nature, and therefore has been implemented within Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) . DMRB LA 111 assesses on the basis of the Calculation of Road Traffic Noise (CRTN) which calculates LA ₁₀ , not L _{den} or LA _{eq,16hr} , and remains the most robust calculation standard for road traffic noise in the UK.
Appendix 2	UK Health Security Agency	Significance of Impacts: For construction noise the latest revision of the DMRB makes reference to Section E3.2 and Table E.1 in Annex E (informative) of BS 5228-1:2009+A1:2014 [10] for the definition of SOAELs. Table E.1 of BS 5228-1:2009+A1:2014 provides examples of threshold values in three categories, based on existing ambient values. Threshold values are higher when ambient noise levels are higher. Daytime (07:00-19:00, weekdays) thresholds can be traced back to principles promoted by the Wilson Committee in 1963 [11]: "Noise from construction and demolition sites should not exceed the level at which conversation in the nearest building would be difficult with the windows shut." The Wilson committee also recommended that "Noisy work likely to cause annoyance locally should not be permitted between 22.00 hours and 07.00 hours." BS 5228 states that these principles have been expanded over time to include a suite of noise levels covering the whole day/week period taking into account the varying sensitivities through these periods.	Noted by the Applicant. The methodology used, including LOAEL/SOAEL values, is described within Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) . BS 5228-1:2009+A1:2014 has been adopted to inform the construction noise assessment methodology and is also referred to in Chapter 11 (Noise and Vibration) of the ES.
Appendix 2	UK Health Security Agency	Significance of Impacts: With reference to the noise exposure hierarchy table in the Planning Practice Guidance	Noted by the Applicant. The noise assessment considers a number of input parameters to determine significance, albeit LOAEL/SOAEL remain as per

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		<p>(Noise) [14], UKHSA is not aware of good quality scientific evidence that links specific noise levels to behavioural/attitudinal changes in the general population. Reactions to noise at an individual level are strongly confounded by personal, situational and environmental non-acoustic factors [16, 17], and large inter-personal variations are observed in the reaction of a population to a particular noise level [18-21]. For these reasons UKHSA is not able to provide evidence-based general recommendations for SOAELs that are able to achieve the aims and objectives of the Noise Policy Statement for England and the Planning Practice Guidance on noise. DMRB allows for project specific LOAELs and SOAELs to be defined if necessary, and UKHSA recommends that for each Scheme the Applicant gives careful consideration of the following:</p> <ul style="list-style-type: none"> i. The existing noise exposure of affected communities – in particular, consideration of any designated Noise Important Areas identified in proximity to the Scheme; ii. The size of the population affected – for example an effect may be deemed significant if a large number of people are exposed to a relatively small noise change; iii. The relative change in number and type of vehicle pass-bys; iv. Changes in the temporal distribution of noise during day/evening/night, or between weekdays and weekends; v. Soundscape and tranquility, in particular the value that communities put on the lack of environmental noise in their area, or conversely, on the lack of public areas within walking distance that are relatively free from environmental noise; vi. Opportunities for respite (predictable periods of relief from noise), either spatially or temporally; vii. Cumulative exposure to other environmental risk factors, including other sources of noise and air pollution, viii. Local health needs, sensitivities and objectives. 	<p>Table 3.49.1 of DMRB LA 111 for the purposes of this assessment. Therefore, after consideration of the parameters set out by the consultee and employing professional judgment, the Applicant is of the view that Scheme specific values are not required.</p> <p>The methodology used is described within the Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1). Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers residual significant effects from noise amongst other environmental factors, such as air quality and visual amenity.</p>
Appendix 2	UK Health Security Agency	<p>Significance of Impacts: The WHO Environmental Noise Guidelines (2018) do not define LOAELs for environmental noise sources, partly because the scientific evidence suggests that there is no clear threshold where adverse impacts on health and quality of life cease to occur in the general population. Based on the systematic reviews that informed the 2018 WHO Environmental Noise Guidelines [2], the daytime operational noise LOAEL quoted in DMRB is equivalent to approximately 8% of the population Highly Annoyed⁷, and the night time LOAEL is equivalent to approximately 2% of the population Highly Sleep Disturbed⁸. Therefore, the impact assessment should acknowledge that adverse health effects will occur beyond the assessment threshold (LOAEL). UKHSA recommends that the Applicant explains what its chosen SOAELs for a specific Scheme mean in population health terms in a similar fashion. UKHSA does not believe that the current scientific evidence supports the modification of SOAELs and UAELs based on the existing noise insulation specification of residential dwellings, and in particular whether enhanced sound insulation avoids significant adverse effects on health and quality of life. See also sections on Mitigation and Step Changes in Noise Exposure.</p>	<p>Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers residual significant effects from Chapter 11 (Noise and Vibration), Chapter 5 (Air Quality) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1).</p> <p>The World Health Organisation (WHO) Environmental Noise Guidelines have been considered within Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1), however only within the context of DMRB LA 111. DMRB LA 111 provides the most robust means for assessing a development of this size and nature. There are limitations of the WHO guidelines such as it does not take account of sustainability which is a key element of the NPSE and UK government policy.</p>
Appendix 2	UK Health Security Agency	<p>Health Outcomes: UKHSA encourages the applicant to present noise exposure data in terms of the Lden metric (in addition to Leq and L10), to facilitate interpretation by a broad range of stakeholders. This is because most recent scientific evidence on the health effects of environmental noise is presented in terms of Lden [1, 5, 6]. UKHSA believes that quantifying the health impacts associated with noise exposure and presenting them in health-based metrics allows decision makers to make more informed decisions.</p>	<p>Noted by the Applicant. Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) is required to report on the basis of DMRB LA 111. While Lden is used within the EU, there is little evidence of its use in the UK for road traffic noise assessment and as such it has not been used in the assessment set out in Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1). DMRB LA 111 assesses on the basis of the Calculation of Road Traffic Noise (CRTN) which calculates LA10, not Lden or LAeq,16hr, and remains the most robust calculation standard for road traffic noise in the UK.</p>
Appendix 2	UK Health Security Agency	<p>Health Outcomes: For transportation sources, UKHSA recommends the quantification of health outcomes using the methodology agreed by the Interdepartmental Group on Costs and Benefits –</p>	<p>Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers residual significant effects from Chapter 11 (Noise and Vibration), Chapter 5 (Air Quality) and Chapter 7 (Landscape and Visual Effects) of the</p>

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		<p>Noise subgroup [IGCB(N) [23] (currently under review)), and more recent systematic reviews [1, 5, 6]. UKHSA believes there is sufficient evidence to quantify the following health outcomes: long-term annoyance, sleep disturbance, ischaemic heart disease (IHD), and potentially stroke⁹ and diabetes¹⁰. Effects can be expressed in terms of number of people affected, number of disease cases, and Disability Adjusted Life Years (DALYs). THE IGCB(N) guidance can also be used to translate these effects into monetary terms.</p>	<p>ES (TR010065/APP/6.1). IEMA guidance on assessing human health impacts in Environmental Impact Assessments has been used to determine the significance of effects where applicable. The impacts of noise on human health is assessed in Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) which uses WHO noise level limits to determine when noise would have a human health effect (including sleep disturbance). A monetised consideration of the health effects is usually considered at options stage through WebTAG in accordance with the Department for Transport's TAG guidance and the generation of the net present value for each option. The output of the WebTAG monetised assessment is presented in the Section 5.4 of the Case for the Scheme (TR010065/APP/7.1).</p>
Appendix 2	UK Health Security Agency	<p>Health Outcomes: Some health outcomes, namely annoyance and self-reported sleep disturbance, can be influenced by the local context and situation. In these cases, it would be preferable to use exposure-response functions (ERFs) derived in a local context. However, UKHSA is not aware of any ERFs for road traffic being available for a UK context from data gathered in the last two decades. Therefore, in UKHSA's view the ERFs presented in the WHO-commissioned systematic reviews offer a good foundation for appraisal of the health effects associated with road traffic noise [2]. For annoyance, the average curve derived excluding Alpine and Asian studies may be considered more transferable to a UK context. For metabolic outcomes, no ERF was published in the WHO ENG 2018. A recent meta-analysis of five cohort studies of road traffic noise and incidence of diabetes was reported by Vienneau in 2019 [24].</p>	<p>Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers residual significant effects from Chapter 11 (Noise and Vibration), Chapter 5 (Air Quality) and Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1). IEMA guidance on assessing human health impacts in Environmental Impact Assessments has been used to determine the significance of effects where applicable. The impacts of noise on human health is assessed in Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) which uses WHO noise level limits to determine when noise would have a human health effect (including sleep disturbance).</p> <p>The World Health Organisation (WHO) Environmental Noise Guidelines have been considered within the Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1), however only within the context of DMRB LA 111. DMRB LA 111 provides the most robust means for assessing a development of this size and nature. There are limitations of the WHO guidelines such as it does not take account of sustainability which is a key element of the NPSE and UK government policy.</p>
Appendix 2	UK Health Security Agency	<p>Health Outcomes: Where Schemes have the potential to impact a large number of people, UKHSA expects the Applicant to carry out literature scoping reviews to ensure that the most robust and up-to-date scientific evidence is being used to quantify adverse effects attributable to the Scheme. UKHSA expects to see a clear outline of the steps taken to arrive at the final judgement of significance based on these health outcomes, including a description of local circumstances and modifiers anticipated, and how reasonably foreseeable changes in these circumstances will be dealt with during the assessment process.</p>	<p>Section 12.5 of Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) sets out the methodology used to undertake the assessment on health outcomes. Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) has carried out literature scoping reviews by using the most recent publicly available data to determine the local context within which the Scheme sits.</p>
Appendix 2	UK Health Security Agency	<p>Identification and Consideration of Receptors The identification of noise sensitive receptors in proximity to the proposed Scheme - or route options - is essential in providing a full assessment of potential impacts. Examples of noise sensitive receptors include but are not limited to: i. Noise Important Areas ii. Residential areas iii. Schools, hospitals and care homes iv. Community green and blue spaces and areas valued for their tranquility, such as local and national parks v. Public Rights of Way (PRoWs) vi. Noise Important Areas (NIAs) are areas with the highest levels of noise exposure at a national level and as such require very careful consideration in terms of protection from increased noise levels as well as opportunities for noise mitigation that can lead to an improvement in health and quality of life. DMRB requires a list of noise mitigation measures that the project will deliver in Noise Important Areas. UKHSA supports this requirement - new development should offer an opportunity to reduce the health burden of</p>	<p>Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) considers all relevant receptors on the basis of address base data points. The methodology used is described within the Chapter 11 (Noise and Vibration) of the ES. Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers the residual significant effect of noise on sensitive community receptors, including those identified by the Stakeholder.</p> <p>Noise barriers and low noise running surface are included in the design to provide mitigation for noise sensitive receptors in Northern Newark and Southern Winthorpe, from which NIAs 7838, 7839, and 7840 will all benefit. Mitigation measures are discussed further in Section 11.10 in Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1).</p>

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		existing transport infrastructure, particularly for those worst affected. UKHSA would encourage this approach to extend beyond NIAs, in line with the third aim of NPSE [3].	
Appendix 2	UK Health Security Agency	<p>Baseline Sound Environment: The greater the understanding of the baseline sound environment, the greater the potential for the assessment to reflect the nature and scale of potential impacts, adverse or beneficial, associated with the Scheme. UKHSA recommends that traditional averaged noise levels are supplemented by a qualitative characterisation of the sound environment, including any particularly valued characteristics (for example, tranquility) and the types of sources contributing to it [25].</p>	<p>Noted by the Applicant. Site visits incorporated elements of a qualitative assessment, with the information recorded for future reference. Appendix 11.2 (Baseline Noise Survey) of the ES Appendices (TR010065/APP/6.3) reports on the baseline noise survey. Furthermore, when considering significance of effects, the assessment has taken the guidance in DMRB LA 111 to consider the wider acoustic context, in particular any scheme related changes to the acoustic character. Beyond these considerations there are no recognised robust methods for considering qualitative characterisation of the sound environment on a scheme-wide scale, and therefore it has only been in exceptional cases where this has taken place. The likely significant operational noise effects of the Scheme are outlined in Table 11-36 of Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) and include the qualitative aspects of the assessment.</p>
Appendix 2	UK Health Security Agency	<p>Baseline Sound Environment: UKHSA recommends that baseline noise surveys are carried out to provide a reliable depiction of local diurnal noise variations for both weekdays and weekends, in a variety of locations, including the difference between day (07:00-19:00), evening (19:00-23:00) and night-time (23:00-07:00) periods. This is particularly important if there are areas within the Scheme assessment boundary with atypical traffic day/evening/night distributions. Achieving these aims is likely to require long-term noise monitoring in multiple locations for a period greater than seven days. This information should be used to test the robustness of any conversions between noise metrics (e.g. converting from LA10,18hr to LAeq,2300-0700 and Lden). UKHSA suggests that a variety of metrics can be used to describe the sound environment with and without the Scheme – for example, levels averaged over finer time periods, background noise levels expressed as percentiles, and number of event metrics (e.g. N65 day, N60 night) – and that, where possible, this suite of metrics is used to inform judgements of significance. There is emerging evidence that intermittency metrics can have an additional predictive value over traditional long-term time-averaged metrics for road traffic noise [27].</p>	<p>Appendix 11.2 (Baseline Noise Survey) of the ES Appendices (TR010065/APP/6.3) reports on the baseline noise survey. The surveys completed are sufficient for the assessment, including multiple survey locations and durations exceeding seven days.</p> <p>Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) balances the value that could be obtained from a comprehensive set of data that can be gleaned from multiple data sets against the requirements of DMRB LA 111 and the need for stakeholders to be informed without an excess of information. On this basis, metrics such as L10 and Leq are included within the assessment. There is no currently robust approach to assess the Scheme using other metrics.</p>
Appendix 2	UK Health Security Agency	<p>Mitigation: UKHSA expects decisions regarding noise mitigation measures to be underpinned by good quality evidence, in particular whether mitigation measures are proven to reduce adverse impacts on health and quality of life. For interventions where evidence is weak or lacking, UKHSA expects a proposed strategy for monitoring and evaluating their effectiveness during construction and operation, to ensure the effectiveness of said measures.</p>	<p>Noise assessment results, including details of mitigation requirements for both the construction and operational phases, are discussed within the Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1). Monitoring requirements are discussed within Section 11.12 of Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1).</p>
Appendix 2	UK Health Security Agency	<p>Mitigation: With regards to road traffic noise, low-noise road surfaces, acoustic barriers, traffic management and noise insulation Schemes can all be considered. Priority should be given to reducing noise at source, and noise insulation Schemes should be considered as a last resort. UKHSA expects any proposed noise insulation Schemes to take a holistic approach which achieves a healthy indoor environment, taking into consideration noise, ventilation, overheating risk, indoor air quality and occupants' preference to open windows. There is, at present, insufficient good quality evidence as to whether insulation Schemes are effective at reducing long-term annoyance and self-reported sleep disturbance [28], and initiatives to evaluate the effectiveness of noise insulation to improve health outcomes are strongly encouraged.</p>	<p>Noted by the Applicant. The noise assessment and associated mitigation measures are discussed within Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) and have followed this hierarchy towards mitigation. No properties eligible for noise insulation under the Noise Insulation Regulations 1975 (amended 1988) have been identified within the noise assessment.</p>

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Appendix 2	UK Health Security Agency	Mitigation: UKHSA notes the suggestion in DMRB methodology that post-construction noise monitoring cannot provide a reliable gauge for reference against predicted impacts of operational noise. The issues highlighted in DMRB relate to noise exposure, and not to health outcomes. UKHSA suggests that monitoring of health and quality of life can be considered pre and post operational phases, to ascertain whether mitigation measures are having the desired effect for local communities.	Noted by the Applicant. The noise assessment and associated monitoring requirements are discussed within Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) .
Appendix 2	UK Health Security Agency	Mitigation: UKHSA expects consideration of potential adverse effects due to noise and vibration during construction and recommends that a full and detailed Construction Environmental Management Plan (CEMP) is developed and implemented by the Applicant and/or the contractor responsible for construction. UKHSA recommends that the CEMP includes a detailed programme of construction which highlights the times and durations of particularly noisy works, the measures taken to reduce noise at source, the strategy for actively communicating this information to local communities, and procedures for responding effectively to any specific issues arising.	Noted by the Applicant. The First Iteration EMP (TR010065/APP/6.5) outlines the approach and mitigation measures in response to the construction assessment as presented within Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) . In accordance with Requirement 3 of the draft DCO (TR010065/APP/3.1) a Second Iteration EMP will include additional details of this approach to reflect the maturity of the assessment at that time, including the strategy to communicate this information to local communities. This will be outlined in the Construction Communications Plan as part of the Second Iteration EMP and secured under Requirement 3 of the draft DCO (TR010065/APP/3.1) . This will be prepared prior to construction commencing.
Appendix 2	UK Health Security Agency	Mitigation: There is a paucity of scientific evidence on the health effects attributable to construction noise associated with large infrastructure projects [5, 6] where construction activities may last for a relatively long period of time. UKHSA recommends that the Applicant considers emerging evidence as it becomes available and reviews its assessment of impacts as appropriate.	Noted by the Applicant. Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) considers the effects of construction noise and vibration on sensitive receptors and has been undertaken in accordance with DMRB LA 111 Noise and Vibration and British Standard 5228. These standards remain the benchmark for the assessment of noise from construction of highways and the Application is not aware of the emergence of evidence that suggests that the above standards should not be followed in this case.
Appendix 2	UK Health Security Agency	Green Spaces and Private Amenity Areas: UKHSA expects proposals to take into consideration the evidence which suggests that quiet areas can have both a direct beneficial health effect and can also help restore or compensate for the adverse health effects of noise in the residential environment [29-31]. Research from the Netherlands suggests that people living in noisy areas appear to have a greater need for areas offering quiet than individuals who are not exposed to noise at home [29]. Control of noise at source is the most effective mitigation for protecting outdoor spaces; noise insulation Schemes do not protect external amenity spaces (such as private gardens and balconies or community recreation facilities and green spaces) from increased noise exposure.	Noted by the Applicant. Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) considers how different areas may be affected to propose reasonably practicable mitigation measures as appropriate.
Appendix 2	UK Health Security Agency	Green Spaces and Private Amenity Areas: UKHSA expects consideration to be given to the importance of existing green spaces as well as opportunities to create new tranquil spaces which are easily accessible to those communities exposed to increased noise from the Scheme. These spaces should be of a high design quality and have a sustainable long-term management strategy in place.	Amenity and noise impacts are considered within Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) . Based on the Population and Human Health Assessment, the need to provide new tranquil and quiet green spaces hasn't arisen.
Appendix 2	UK Health Security Agency	Step-changes in Noise Exposure and the Change-effect: The Applicant should take into consideration the "change-Effect", i.e. the potential for a real or anticipated step-change in noise exposure to result in attitudinal responses that are greater or lower than that which would be expected in a steady state scenario [28, 32]. Where a perception of change is considered likely, UKHSA recommends that the change-effect is taken into account in the assessment for the opening year of the proposed development. For longer term assessments, the effects of population mobility need to be taken into consideration.	Chapter 12 (Population and Human Health) of the ES (TR010065/APP/6.1) considers residual significant effects from noise, air quality and landscape and visual amenity. The importance of considering changes in perception is highlighted in DMRB LA 111 Table 3.60. The assessment of noise effects on sensitive receptors in Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) has been prepared on the basis of DMRB LA 111.

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Appendix 2	UK Health Security Agency	Community Engagement and Consultation Feedback: UKHSA recommends that public consultations carried out during the planning application process clearly identify the predicted changes to the sound environment during construction and operation of the Scheme, the predicted health effects on neighbouring communities, proposed noise mitigation strategies and any proposed measures for monitoring that such mitigation measures will achieve their desired outcomes.	The statutory consultation materials clearly identified the predicted changes to the sound environment during construction and operation of the Scheme. It is noted that the design has evolved since then and as such the detail in the application is up to date. Refer to Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) for more information on the predicted health effects on neighbouring communities, proposed noise mitigation strategies and proposed monitoring of mitigation measures.
Appendix 2	UK Health Security Agency	Community Engagement and Consultation Feedback: UKHSA encourages the Applicant to use effective ways of communicating any changes in the acoustic environment generated by the Scheme to local communities. For example, immersive and suitably calibrated audio-visual demonstrations can help make noise and visual changes more intuitive to understand and accessible to a wider demographic. If the proposed Scheme will have an impact over a relatively large geographical area, the Applicant should consider community-specific fact-sheets and/or impact maps, which are easily accessible to all individuals both in hard copy and online. If online, search functionality can potentially be included, for example, by postcode.	The Applicant has presented any changes to the Acoustic Environment through Chapter 11 (Noise and Vibration) of the ES (TR010065/APP/6.1) assessment and associated figures in the ES Figures (TR010065/APP/6.2). As part of this, Figure 11.11 (Long-term Noise Changes) in the ES Figures (TR010065/APP/6.2) includes noise contours which show changes in noise in operation.
West Lindsey District Council			
Appendix 2	West Lindsey District Council	I refer to the above. West Lindsey District Council have no comment to make.	Noted by the Applicant.
Natural England			
Appendix 2	Natural England	Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 14 September 2022, received on 14 September 2022.	Noted by the Applicant.
Appendix 2	Natural England	Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.	Noted by the Applicant.
Appendix 2	Natural England	A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.	The Applicant confirms that the ES (TR010065/APP/6.1) provides a robust assessment of the environmental impacts and opportunities. The Applicant further confirms that the ES is based on relevant and up to date environmental information. The ES will be submitted as part of the application for development consent.
Appendix 2	Natural England	Detailed advice on scoping the Environmental Statement is available in the attached Annex.	Noted by the Applicant.
Appendix 2	Natural England	For any further advice on this consultation please contact the case officer [REDACTED] and copy to consultations@naturalengland.org.uk.	Noted by the Applicant.
Annex A – Natural England Advice on EIA Scoping – 1. General principles			
Appendix 2	Natural England	Regulation 11 of the Infrastructure Planning Regulations 2017 – (The EIA Regulations) sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes: <ul style="list-style-type: none"> • A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases • Appropriately scaled and referenced plans which clearly show the information and features associated with the development 	A description of the development is included in Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1), which provides a description of the development including physical characteristics and the full land use requirements of the site during construction and operational phases. Appropriately scaled and referenced figures are contained within the ES Figures (TR010065/APP/6.2).

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		<ul style="list-style-type: none"> • An assessment of alternatives and clear reasoning as to why the preferred option has been chosen • A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided1. • Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development • A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors • A description of the likely significant effects of the development on the environment –this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment • A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment • An outline of the structure of the proposed ES 	<p>An assessment of alternatives is included in Chapter 3 (Assessment of Alternatives) of the ES (TR010065/APP/6.1). A description of the aspects and matters requested to be scoped out of further assessment is provided in this Appendix as well as the individual topic chapters (Chapters 5 to 15) of the ES (TR010065/APP/6.1).</p> <p>Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development are included in the relevant topic chapters of the ES (TR010065/APP/6.1). A description of the aspects of the environment likely to be significantly affected by the development are included in the individual topic chapters (Chapters 5 to 15) of the ES (TR010065/APP/6.1).</p> <p>A description of the likely significant effects of the development on the environment are included in the individual topic chapters (Chapters 5 to 15) of the ES (TR010065/APP/6.1).</p> <p>A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment are included in the individual topic chapters (Chapters 5 to 15) of the ES (TR010065/APP/6.1).</p>
Annex A – Natural England Advice on EIA Scoping – 2. Cumulative and in-combination effects			
Appendix 2	Natural England	<p>An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):</p> <ol style="list-style-type: none"> a. existing completed projects b. approved but uncompleted projects c. ongoing activities d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects. <p>The Planning Inspectorate uses a four staged approach to Cumulative Effects Assessment (CEA) with the applicant required to fill in templates 4 Stage CEA Process.</p>	<p>A combined and cumulative effects assessment has been undertaken; this is contained within Chapter 15 (Combined and Cumulative Effects Assessment) of the ES (TR010065/APP/6.1). The types of projects identified in points (a) to (e) of Natural England's comment are considered in this assessment. The assessment for Cumulative Effects has been undertaken in accordance with the four staged approach detailed in the Planning Inspectorate's Advice Note Seventeen 'Cumulative Effects Assessment'.</p>
Annex A – Natural England Advice on EIA Scoping – 3. Environmental data			
Appendix 2	Natural England	<p>Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at http://www.naturalengland.org.uk/publications/data/default.aspx.</p>	Noted by the Applicant.
Appendix 2	Natural England	<p>Detailed information on the natural environment is available at www.magic.gov.uk.</p>	Noted by the Applicant.
Appendix 2	Natural England	<p>Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.</p>	Noted by the Applicant.
Appendix 2	Natural England	<p>Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental</p>	Available data has been sourced from third parties where relevant.

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		records centre, the local wildlife trust, local geo-conservation group or other recording society.	
Annex A – Natural England Advice on EIA Scoping – 4. Biodiversity and Geodiversity			
Appendix 2	Natural England	The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.	Impacts of the proposal upon sites and features of nature conservation interest are included in Section 8.9 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) . The BNG assessment is detailed within Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3) .
Appendix 2	Natural England	Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. Guidelines have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).	Guidance published by the Chartered Institute of Ecology and Environmental Management (CIEEM) informs the methodology of the biodiversity assessment in Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) .
Annex A – Natural England Advice on EIA Scoping – 5. Designated nature conservation sites			
Appendix 2	Natural England	The A46 Newark Bypass NSIP is unlikely to adversely impact any European or internationally designated nature conservation sites or nationally designated sites and has not triggered an Impact Risk Zone.	Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) captures this and acknowledges the hydrological connection of the Scheme with the Humber Estuary SAC, including suitable mitigation measures outlined in Section 8.10 of Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) . As river lamprey (a qualifying feature of this SAC) migrate up the River Trent to spawn, a HRA (TR010065/APP/6.6) has also been undertaken. This determined a Slight Adverse (not-significant) effect on Humber Estuary SAC and Ramsar during construction. No Impact Risk Zones would be triggered by the Scheme.
Annex A – Natural England Advice on EIA Scoping – 6. Regionally and Locally Important Sites			
Appendix 2	Natural England	We are not aware that the applicant has considered regionally and locally important sites through our current engagement. We would welcome the Inspectorate reminding the applicant that the ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.	<p>Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) captures these points. Regionally and locally important sites have been identified and the impacts on those sites have been considered as part of the assessment. The Applicant has sought advice from Natural England regarding the permanent and long-term temporary (less than 3 years) impacts on habitat at Local Wildlife Sites (LWS) and appropriate compensation and enhancement.</p> <p>An online presentation was held with Natural England on 22 March 2023 detailing the loss of Habitats of Principal Importance (HPI) and LWSs associated with the Scheme, seeking advice on whether a bespoke compensatory package would be acceptable and requesting input from Natural England. Newark & Sherwood District Council was invited but a representative could not attend and so the slide deck and summary email was shared with both stakeholders on 24 March 2023.</p> <p>A further online presentation on 02 June 2023 was held with Natural England, the Nottinghamshire County Council County Ecologist and Nottinghamshire Wildlife Trust to provide an overview of impacts to LWSs and HPIs, air quality impacts on ecological receptors (following receipt of air quality modelling), and options for mitigation and bespoke compensation packages. All parties responded positively to enhancing retained habitat, the creation of equivalent habitat to those which would be lost from LWSs and loss of HPIs. Confirmation of the finalised bespoke mitigation package is pending but discussions between the Applicant and Natural England are still ongoing.</p>

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Appendix 2	Natural England	These are contacts for the relevant local body in this area who will be able to provide further information.	Noted; consultation has been undertaken with Nottinghamshire Wildlife Trust.
Annex A – Natural England Advice on EIA Scoping – 7. Protected Species			
Appendix 2	Natural England	The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System.	Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) captures legislation and policy including consideration of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017.
Appendix 2	Natural England	Natural England advise that National Highways have sought and been provided with protected species advice through our Discretionary Advice service.	Advice has been sought through the Discretionary Advice Service. Whilst some feedback has been received to date, we are also awaiting feedback on protected species survey methodologies, assessment of effects and mitigation relating to protected species. Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) captures these points.
Appendix 2	Natural England	The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.	Available data has been sourced from site specific surveys, biological records and third parties where relevant. Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) captures these points and assesses the impact of the Scheme on protected species during construction and operation. Consideration has been given to the wider context of the site, including for habitat linkages and protected species populations in the wider area.
Appendix 2	Natural England	The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.	Site specific surveys have been undertaken by qualified ecologists on behalf of the Applicant. Feedback has been sought from Natural England on protected species survey methodologies, assessment of effects and proposed mitigation. Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) captures these points.
Appendix 2	Natural England	Natural England has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.	Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) captures these points. Any requirements for protected species licences are outlined in Chapter 8 (Biodiversity) of the ES and Table 3-2 REAC within the First Iteration EMP (TR010065/APP/6.5) .
Annex A – Natural England Advice on EIA Scoping – 8. Priority Habitats and Species			
Appendix 2	Natural England	Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found here. Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.	Available data has been sourced from site specific surveys and third parties where relevant such as the Magic website. Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) captures these points.
Appendix 2	Natural England	Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to download. Further information is also available here.	The OMH inventory map was reviewed and no brownfield sites were identified within the Order Limits. Following habitat surveys across the Scheme, no additional brownfield sites were identified within the Order Limits. Brownfield sites identified outside of the Order Limits, via the OMH inventory map, are considered inappropriate for habitat creation or enhancement, with regards to the requirements of the BNG Metric trading rules for the Scheme.

ID	Respondent	Comment	Applicant's Response
Appendix 2	Natural England	An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.	Appropriate levels of habitat surveys have been undertaken for the Scheme including for birds, botanicals and invertebrates. A Phase 1 Habitat survey was carried out plus additional surveys for relevant birds and terrestrial and aquatic invertebrate surveys which have been carried out in their respective season window. The results for these can be found in the Biodiversity Technical Appendices (Appendices 8.1 to 8.15) of the ES Appendices (TR010065/APP/6.3) .
Appendix 2	Natural England	The Environmental Statement should include details of: <ul style="list-style-type: none"> • Any historical data for the site affected by the proposal (e.g. from previous surveys) • Additional surveys carried out as part of this proposal • The habitats and species present • The status of these habitats and species (e.g. whether priority species or habitat) • The direct and indirect effects of the development upon those habitats and species • Full details of any mitigation or compensation measures • Opportunities for biodiversity net gain or other environmental enhancement 	Chapter 8 (Biodiversity) of the ES (TR010065/APP/6.1) contains all of these details. Available data has been sourced from site specific surveys and third parties where relevant. Feedback has been sought from Natural England on protected species survey methodologies, assessment of effects and proposed mitigation and compensation.
Annex A – Natural England Advice on EIA Scoping – 9. Biodiversity net gain			
Appendix 2	Natural England	The Environment Act 2021 includes NSIPs in the requirement for Net Gain but the implementation details including what marine net gain means is not yet clear and not likely to come into force until November 2025.	The Applicant will deliver a net gain in biodiversity units for this Scheme whilst noting that there is no requirement under the Environment Act 2021 for it to achieve biodiversity net gain (BNG).
Appendix 2	Natural England	The ES should use an appropriate biodiversity metric such as Biodiversity Metric 3.0 together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.	Metric 3.1. has been used for this Scheme to date. Whilst it is acknowledged that Metric 4.0 was published in March 2023, in agreement with Natural England, the Scheme will continue to use Metric 3.1 on the basis that the project has already made progress with Biodiversity Metric 3.1 when Metric 4.0 was released. There is therefore no requirement to change Metrics. Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3) outlines the BNG score for the Scheme, and provides further justification as to why Metric 3.1 was used.
Appendix 2	Natural England	The metric should be used to: <ul style="list-style-type: none"> • assess or audit the biodiversity unit value of land within the application area • calculate the losses and gains in biodiversity unit value resulting from proposed development • demonstrate that the required percentage biodiversity net gain will be achieved 	Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3) captures this assessment. As outlined in the assessment, the project achieves a net gain for habitat, hedgerow and river units.
Appendix 2	Natural England	Biodiversity Net Gain outcomes can be achieved on-site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies. These are prepared by local planning authorities.	Appendix 8.14 (Biodiversity Net Gain Technical Report) of the ES Appendices (TR010065/APP/6.3) captures this assessment. Habitat creation and enhancement will largely be delivered on-site (98.4% of the post-development land is on site). The remaining 1.6% will comprise off-site enhancement of existing woodlands that will provide compensation for a predicted impact upon lowland mixed deciduous woodland. To understand local conservation priorities all baseline habitats were reviewed against the Nottinghamshire Biodiversity Action Plan (BAP) and the National Character Area (NCA) for Trent and Belvoir Vales. The BAP provided a relatively long list of Habitat Action Plans which should be considered local priorities, which have been considered in our assessment. The National Character Areas (NCA) also emphasised the local ecological importance of woodland and agricultural grassland (covering both the site and the off-site enhancement area). The majority of baseline and post-development habitats were therefore classed as high strategic significance (with the exceptions of

ID	Respondent	Comment	Applicant's Response
			amenity grassland, scrub and ruderal). Opportunities to strategically deliver post-development habitats are therefore considered to have been maximised.
Annex A – Natural England Advice on EIA Scoping – 10. Landscape			
Appendix 2	Natural England	The environmental assessment should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.	NCA are considered within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) . NCA 48 Trent and Belvoir Vales is within the study area for the Scheme.
Appendix 2	Natural England	The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.	Landscape character has been assessed as part of the broader Landscape and Visual Impact Assessment presented within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) . The methodology follows that of DMRB LA107 Landscape and Visual Effects which is influenced by Guidelines for Landscape and Visual Impact Assessment 3 (GLVIA 3) produced jointly by the Landscape Institute and Institute of Environmental Assessment. This includes landscape character assessment. A review of regional character areas addressed within the Newark & Sherwood Landscape Assessment, and review of urban areas has helped inform the identification of the landscape character areas (LCA), which are assessed in Chapter 7 (Landscape and Visual Effects) (TR010065/APP/6.1) . Seven LCAs have been identified. These are described in more detail in Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) and Figure 7.2 (Landscape Character Areas) of the ES Figures (TR010065/APP/6.2) presents the locations of each of these. Reference has been made to relevant key characteristics, as described within the Newark & Sherwood Landscape Character Assessment, including details presented in the relevant Policy Zones, Newark Open Breaks assessment, as well as Conservation Area Appraisals where available.
Appendix 2	Natural England	A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 ((3 rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management.	The LVIA within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) follows DMRB LA107 as the required methodology for assessing highways Schemes. The methodology aligns with the Guidelines for Landscape and Visual Impact Assessment 2013.
Appendix 2	Natural England	The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.	A Combined and Cumulative Effects Assessment has been undertaken and is included in Chapter 15 (Combined and Cumulative Effects) of the ES (TR010065/APP/6.1) . The assessment includes relevant existing or proposed developments in the area.
Appendix 2	Natural England	To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the National Design Guide and National Model Design Code. The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.	In addition to the findings of the Landscape and Visual Impact Assessment presented within Chapter 7 (Landscape and Visual Effects) of the ES (TR010065/APP/6.1) , the Scheme design has also been developed whilst taking consideration of the National Infrastructure Commission's Design Principles for National Infrastructure, National Highways Good Road Design and by key landscape drivers and actions presented within the Landscape Character Supplementary Planning Document (SPD) published by Newark & Sherwood District Council. The Applicant has prepared a Scheme Design Report (TR010065/APP/7.5) which summarises the design policy context and which discusses the overarching design principles to respond to the design objectives set out in the NPSNN, The Road to Good Design and Design Principles for National Infrastructure. Figure 2.3 (Environmental Masterplan) of the ES Figures (TR010065/APP/6.2) details an integrated planting design with the existing wider landscape, whilst maintaining the local landscape character. Planting is also key in aiding screening of the Scheme and to help soften the presence of the Scheme within the receiving environment. The design has

ID	Respondent	Comment	Applicant's Response
			<p>been developed collaboratively in a multi-disciplinary environment to avoid and then limit environmental effects wherever possible, including those effects upon landscape character. Embedded mitigation proposals are set out in Chapter 2 (The Scheme) of the ES (TR010065/APP/6.1), whilst Chapter 7 (Landscape and Visual Effects) of the ES also sets out further mitigation measures associated with landscape and visual effects.</p> <p>The assessment of alternatives is captured in Chapter 3 (Assessment of Alternatives) of the ES (TR010065/APP/6.1) which provides details and justification for the chosen option. The landscape impact was a factor taken into consideration when determining the chosen route option.</p>
Appendix 2	Natural England	The National Infrastructure Commission has also produced Design Principles Design Principles for National Infrastructure – NIC endorsed by Government in the National Infrastructure Strategy.	<p>The Scheme and environmental design has been developed in accordance with National Infrastructure Commission Design Principles and those specified by the Applicant in their design publications as well as design requirements set out in DMRB LD117 Landscape Design.</p> <p>The Applicant has prepared a Scheme Design Report (TR010065/APP/7.5) which summarises the design policy context and which discusses the overarching design principles to respond to the design objectives set out in the NPSNN, The Road to Good Design and Design Principles for National Infrastructure.</p>
Annex A – Natural England Advice on EIA Scoping – 11. Soils and Agricultural Land Quality			
Appendix 2	Natural England	Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line paragraphs 5.168, 5.167 and 5.179 of the NPS for National Networks. Further guidance is set out in the Natural England Guide to assessing development proposals on agricultural land.	<p>Impacts from the Scheme on soils and best and most versatile agricultural land have been considered in Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1).</p> <p>The assessment in Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) considers the NPSNN paragraphs stated, Natural England Guide, Ministry of Agriculture, Fisheries and Food (MAFF) Agricultural Land Classification (ALC) framework and DMRB LA109. DMRB highlights the importance of considering soil function - as well as agricultural land area - in the significance criteria, which is shown in Table 9.1 of Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1).</p>
Appendix 2	Natural England	The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES): <ul style="list-style-type: none"> • The degree to which soils would be disturbed or damaged as part of the development • The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted. 	Consideration to the degree to which soils would be disturbed or damaged as part of the Scheme and the extent to which agricultural land would be disturbed or lost as part of this Scheme, including whether any best and most versatile (BMV) agricultural land would be impacted is given in Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) , with reference to the areas of ALC grades (including BMV land) to be affected in both the construction and operational stages.
Appendix 2	Natural England	This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see [REDACTED]	ALC surveys have been undertaken to cover the Order Limits. The full report of these surveys can be found in Appendix 9.3 (ALC Report) of the ES Appendices (TR010065/APP/6.3) .
Appendix 2	Natural England	Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).	The ALC surveys undertaken have been conducted in line with the stated methodological requirements and by suitably experienced and qualified soil scientists. Natural England was consulted on the soil survey methodology and approved of the approach. As highlighted, the findings of the survey have fed into Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) and the production of an Outline Soil Management Plan (OSMP) (included in Appendix

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			B.3 to the First Iteration EMP, (TR010065/APP/6.5) in order to appropriately tailor soil management guidance.
Appendix 2	Natural England	The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.	Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) assesses the impact of the Scheme on BMV agricultural land in Section 9.11. The key piece of mitigation for avoiding adverse impacts on BMV land relates to the production of the tailored SMP. An OSMP has been produced and is included as an appendix to the First Iteration EMP (TR010065/APP/6.5) which outlines the site design and construction design aspects (such as stockpile locations, machinery planning) to avoid and mitigate impacts to soils during key soil handling stages including stripping, stockpiling, reinstatement. This will be developed into a full SMP as part of the Second Iteration EMP as secured by Requirement 3 of the draft DCO (TR010065/APP/3.1) .
Appendix 2	Natural England	The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.	Chapter 9 (Geology and Soils) of the ES (TR010065/APP/6.1) assesses the impact on soils as a result of the Scheme. An OSMP has been produced and is included in Appendix B.3 to the First Iteration EMP (TR010065/APP/6.5) , which outlines the key soil handling procedures required to avoid and minimise adverse impacts on soils. This refers specifically to how soils should be sustainably used and managed, including the minimisation of soil handling instances wherever possible. This is all presented with a view to ensuring that soils can fulfil their expected end uses following construction.
Appendix 2	Natural England	Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.	An OSMP has been produced and is contained in Appendix B.3 of the First Iteration EMP (TR010065/APP/6.5) . ALC surveys have been undertaken to inform the Outline SMP and to guide soil management during construction, in line with the stated industry best-practice guidance, including the Defra Construction Code of Practice.
Annex A – Natural England Advice on EIA Scoping – 12. Air Quality			
Appendix 2	Natural England	The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).	Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1) considers potential air quality impacts of the Scheme on sensitive human health receptors and designated habitats within the study area and takes account of how such impacts should be managed or reduced where necessary. The Air Pollution Information System (APIS) was used to obtain the background nitrogen deposition rate at each designated site as outlined in Section 5.5 of Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1) .
Appendix 2	Natural England	Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations – NEA001	Noted by the Applicant. Chapter 5 (Air Quality) of the ES (TR010065/APP/6.1) has been undertaken in line with the DMRB LA 105 standard which incorporates some aspects of Natural England's guidance for assessing the impacts of road traffic emissions to air quality capable of affecting European Sites.
Appendix 2	Natural England	Information on air pollution modelling, screening and assessment can be found on the following websites: <ul style="list-style-type: none"> • SCAIL Combustion and SCAIL Agriculture – http://www.scail.ceh.ac.uk/ • Ammonia assessment for agricultural development https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit • Environment Agency Screening Tool for industrial emissions https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit 	Noted by the Applicant.

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		• Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England [REDACTED]	