

Highways England’s response to the Examining Authority’s written questions and requests for information (ExQ2) from 2nd round of questions.

ExQ2	Question to:	Question:	HE Response
2.7.5.	The Applicant, Highways England (HE), NCC	<p>In answer to ExQ1.8.11 (Doc 8.2 [REP1-020]) in respect of road traffic-induced ground vibration, the Applicant noted that “When all of the road construction and highway mitigation works have been completed, the associated road surfaces will be newer and smoother than existing, which will represent an improved position, over and above that existing for current traffic, traffic growth and the development traffic” and it is not expected that any significant increase in road traffic-induced ground-borne vibration will occur.</p> <p>The ExA understands Highways England’s intention nationally to employ a new road surfacing technique that will reduce noise, particularly in built-up areas (reported in The Times, 29 January 2019):</p> <p>i) is such a technique likely to be employed in respect of road works resulting from the Proposed Development (including those not within the ambit of Highways England) and, if so, please comment on the potential impact on the noise climate?; and</p> <p>ii) if such surfacing is to be used, what implications might this have for road traffic-induced ground-borne vibration?</p>	<p>The noise-busting road surfaces the article refers to are standard Thin Surface Course (TSC) systems, which have been widely used across HE network since 2000. Those surface types have negative texture and hence absorb a substantial proportion of noise, making them much quieter than the positive textured (ie stones sticking out of the surface) Hot Rolled Asphalt (HRA).</p> <p>Previously asphalt was laid on to the road and then stones were rolled into it, which creates noise when tyres hit the stones. This was known as Hot Rolled Asphalt (HRA) which was used up until 2000. Since then Highways Agency (back then) started looking into quieter surfacing materials ie Thin Surface Systems.</p> <p>We therefore assume the author of the article is referring to the TSC systems as a ‘noise-buster’.</p> <p>As far as noise characteristics are concerned. The smaller the aggregate within the TSC mix, the better - ie quieter surface. Typically, there are 3 types of aggregate sizes – 6mm, 10mm and 14mm. So 6mm will be quieter than 10mm, whereas 10mm will be quieter than 14mm. All 3 types are quieter than HRA.</p>

2.9.15.	The Applicant, HE	<p>CIL Regulation 123. HE's attention is drawn to their answers to ExQ1:1.18 and to 1.11.2 [REP1-124]. The former says no contribution is being sought to the improvement of M1 Junction 15 and the latter says the improvements to Junction 15 are done through the Northampton Growth Management Scheme.</p> <p>Please can the Applicant and HE explain clearly how and by what mechanisms the Junction 15 improvements are intended to be secured?</p> <p>The specific question at 1.11.2 was "Is it therefore the view of HE and the local highway authority that appropriate capacity improvements to J15 are only likely if led and funded by the Proposed Development?" Could HE please give its answer to that question?</p>	<p>Roxhill / Segro will need to implement and bear the full costs of the improvements at J15 which have been assessed as necessary to mitigate the traffic impact of Northampton Gateway.</p> <p>The Northampton Management Growth Scheme (NGMS) is a contribution strategy for the A45. This provides certainty to developers as, under NGMS, developments adjacent to Northampton can proceed, following agreement to make a contribution, rather than being subject to 'Grampian' conditions preventing any progress until Highways England undertakes improvements to the A45. Funds secured through NGMS will accrue until there is a sufficient amount to enable works to be undertaken at the constituent junctions along the A45. NGMS is only funded from developments which have been identified with a Local Plan.'</p>
2.15.8.	HE, NCC	<p>Para 14.1 – Routeing of construction traffic – the project manager, as the para stands at the moment, is to obtain the agreement of both Highways England AND the County Council but "as appropriate for the relevant component". Should this read "OR the County Council?"</p>	<p>Para 14.1 Routing of Construction Traffic is part of construction Environmental Management Plan. It is considered that "and /or" may be more appropriate.</p>

Highways England Response to Schedule of Questions on the Draft Development Consent Order.

Question No	Question directed to	Part of DCO	Drafting example (where relevant)	Question	HE Comments
41	HE	Sch 13 Pt 2, Protection of Highways England		<p>1. Please will the Applicant and HE confirm that the drafting of the DCO (Doc 3.1C and onwards [REP4-004]) now reflects all the drafting set out in the SoCG (Doc 7.1C, REP 1-007) and that the only items where they have not been able to agree are those set out in the Applicant's responses to HE's written representation [REP1-115] and HE's responses to ExQ1 (REP1-114)?</p> <p>2. Please will the Applicant and HE confirm that the result is that the only matters between the Applicant and HE and which are for the ExA to decide are the time limits for certain approvals and the principle of deemed approvals (para 15).</p>	<p>It is understood that the applicant shall be submitting a revised draft DCO and it is anticipated that this will reflect what is agreed subject to our respective positions on deemed approval (as set out in the documents referenced).</p> <p>The only matter between the Applicant and HE relates to the deemed approval provisions as follows:</p> <ol style="list-style-type: none"> 1. HE objects to the deemed approval provisions as a matter of principle in relation to Article 13 and paragraph 15 of the Protective Provisions on Part 2 of Schedule 13. 2. HE does not object to the deemed approval provisions included in articles 11(5),17(7) and 22(6) but would wish them to refer to a time period of 56 days rather than 42.

				<p>3. What is the HE position on ExQ1.102 (Sch 14 Misc Controls para 3. In its response [REP1-114] an update by Deadline 2 was promised.</p>	<p>3. HE does not object to these provisions except that we would wish to see para 3 (12) amended as follows “<i>No directions under paragraph 3 of that Schedule (directions as to the date on which undertakers may begin to execute proposed works) may be issued to the undertaker in relation to the authorised development</i>”. This change has been agreed with the applicant and can be formalised through an additional statement of common ground should the ExA consider necessary.</p>
42		Sch 13, Pt 2,	Bond sum	<p>This is under discussion with HE according to the Changes Tracker (Doc3.4B [REP4-005]). Has the amendment to the definition of Bond Sum now been agreed with Highways England? Is the Commuted Sum to be included in the Bond Sum?</p>	<p>It is understood that the Applicant shall be submitting a revised draft DCO in which the definition of Bond Sum shall revert to that as was agreed in the SoCG (doc 7.1C). The Commuted Sum is to be included in the Bond Sum.</p>
43		Sch 13 Pt 2		<p>The ExA will wish to hear concise final submissions from the Applicant and HE on the issues in dispute at ISH5 on 13th March 2019.</p>	<p>Highways England shall attend on the 13th March to present its oral submissions on the issues that remain in dispute.</p>