

Application by Highways England for A47 Wansford to Sutton Dualling

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 16 December 2021

The following table sets out the Examining Authority's (ExA's) draft written questions and requests for information - ExQ1. This is being issued prior to the Preliminary Meeting to allow parties who wish to, to undertake work towards their responses. The ExA will issue Written Questions after the Preliminary meeting, with the Rule 8 letter setting out the timetable, this will include a deadline for responses to be provided.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues which was published on 30 November 2021. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

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

Each question has a unique reference number which starts with 1 (indicating that it is from ExQ1) and then has an issue number and a question number. For example, the first question on air quality and emissions issues could be identified as 1.1.1. **Affected Road Network** - should be cited as follows: Question reference: issue reference: question number, eg **ExQ1.1.1** - refers to question 1 in this table.

The draft Examination Timetable issued with the Rule 6 letter gives a date for response of Tuesday 15 February 2022, and this can be discussed at the Preliminary Meeting. Confirmation of the questions will be made following the Preliminary Meeting, but parties can reasonably assume that this schedule will, at least, be repeated.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table is available on the project page of the website or on request from the case team:

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Abbreviations used

PA2008	The Planning Act 2008	LPA	Local planning authority
Art	Article	NMU	Non-Motorised User
ALA 1981	Acquisition of Land Act 1981	NNC	North Northamptonshire Council
BoR	Book of Reference	NE	Natural England
BMV	Best and Most Versatile Land	NPPF	National Planning Policy Framework
CA	Compulsory Acquisition	NSER	NSER - Report to Inform Habitats Regulations Assessment (No Significant Effects Report) [APP-140]
CCC	Cambridgeshire County Council	NSIP	Nationally Significant Infrastructure Project
CPO	Compulsory purchase order	NPSNN	National Policy Statement for National Networks
dDCO	Draft DCO [AS-008]	PA2008	Planning Act 2008 (as amended)
EA	Environment Agency	PCC	Peterborough City Council
EIA	The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended)	PPG	Planning Practice Guidance
Regulations			
EM	Explanatory Memorandum	PRoW	Public Right of Way
EMP	Environmental Management Plan	R	Requirement
ES	Environmental Statement	SI	Statutory Instrument
ExA	Examining authority	SoS	Secretary of State
FN	Footnote	TA	Transport Assessment [APP-143]
HBMCE	Historic Buildings and Monuments Commission for England (generally known as Historic England)	TP	Temporary Possession
HDC	Huntingtonshire District Council	WCH	Walker, Cyclist, Horserider
LIR	Local Impact Report	ZOI	Zone of Influence

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained at this [link](#). It will be updated as the examination progresses.

ExQ1	Question to:	Question:
1.0	General Questions:	
1.0.1.	The Applicant	Name of Applicant The Applicant changed its name to National Highways Limited on 8 September 2021. Could the Applicant please make any necessary changes. By "necessary", it is not necessary to undertake changes retrospectively or where the change would make no material difference. "Necessary", in this context is required going forward from this time, having an implication for, if consented, how the Proposed Development were to be implemented. It is not necessary to change a document only for this reason if it anticipated that the document will be updated for another reason later in the Examination. In that situation then both changes can be made at the same time.
1.0.2.	The Applicant	Updated documents and plans When submitting revised documents, with the exception of the Application Documents Tracker (see ExQ1.0.12 below), documents should be provided as a 'clean' new document and 'tracked change' from the previous submission version. However, there is no need for tracked change versions of drawings or plans since the changes should be set out in the table of revisions on the drawing and identified with a revision number.
1.0.3.	The Applicant	Location Plan The Location Plan [APP-004] does not conclude in the south-eastern corner, could the Applicant please resolve this.
1.0.4.	The Applicant	Works Plans In the Works Plan [AS-006] individual works/ elements of the works are shown with a series of dotted lines. Those lines frequently overlap with one another making it hard to establish where works begin and end, including whether they are set for the inside or outside of the lines. This set of plans are difficult to interpret by anyone with a red/ green or other colour deficiency, or visual stress condition. Could the Applicant please reconsider how these are displayed to seek to resolve the difficulties identified above.

ExQ1	Question to:	Question:
		(It is appreciated that this may also involve changes to the dDCO, particularly to deal with limits of deviation.)
1.0.5.	The Applicant	Works Plans The key to the original version of the Works Plans [APP-006] included "Construction Compound"; this was not included within the plans themselves and this has been omitted from the key from the revised version [AS-006]. Could the Applicant please clarify the position geographically of any proposed construction compounds.
1.0.6.	The Applicant	Engineering Drawings a) Can the Applicant please put chainage markers from the Engineering sections onto a plan showing the proposed works (preferably as additional drawings at the end of the Engineering Sections or as an addition to the Works Plans). Chainages need only be shown every 50m so as to avoid too much information on the drawings. b) Can the location of the sections shown on sheets 4, 5 and 6 of the Engineering drawings also be shown on plans.
1.0.7.	The Applicant	Engineering Drawings Could sections please be prepared along the line of the proposed Sacrewell Farm entrance private way showing the relationship both along the length and across the width. The length should be, at the south, from the proposed junction with the new link to 10m beyond the tie in at the northern end. There should be at least four cross-sections north of the proposed underbridge, and these should be from at least 10m to the west of the edge of the proposed cutting to 10m to the east of the existing right of way. Could any necessary changes please be made to the extent of the cutting as shown

ExQ1	Question to:	Question:
		on the plans? Given the shape of the existing landform there are doubts as to whether the consistent nature as shown is accurate.
1.0.8.	The Applicant	Rights of Way and Access Plans a) Key has Schedule X and Y – please amend. b) Some drawings are titled “Rights of Way and Access Plans” and other “Public Rights of Way and Access Plans” – is there a reason for this or should/ can this please be made consistent?
1.0.9.	The Applicant	Environmental Masterplan Each of the seven sheets contained within the Environmental Masterplan [AS-021] is titled “Confidential Badger Report Environmental Masterplan Sheet [X] of 7”. Could this please be amended as appropriate.
1.0.10.	The Applicant	Site Area Could the Applicant please set out the Application site area: Table 4.3 of Appendix 9.2 [APP-117], Table 9-10 of Chapter 9 of the ES [APP-047] and paragraph 4.1.2 of the Statement of Reasons [APP-020] all give different figures (although those in the Table 9-10 and the Statement of Reasons are similar).
1.0.11.	The Applicant	Construction Period Section 2.6 of Chapter 2 of the ES [AS-013] indicates that construction is expected to take approximately 16 months, to be carried out in phases as set out in Table 2-3 and is scheduled to start in March 2023. However, the EMP indicates that construction is anticipated to take 18 months. The approximate programme time for Phase 5 (construction of A1 alternative access to properties) also differs to that presented in Chapter 2 of the ES Table 2-3. Please can the Applicant clarify these points and confirm the basis on which the assessments in the ES were made.
1.0.12	The Applicant	Application Documents Tracker Could the Applicant please check the list of documents in the Application Documents Tracker. The current version [AS-002] has errors, for example Chapter 8 of the ES which was superseded in July 2021 is still shown as the original.

ExQ1	Question to:	Question:
		The Application Documents Tracker document only should be kept in “tracked changes” from the original submitted with the application [APP-003] rather than being amended incrementally.
1.0.13	The Applicant	National Planning Policy Framework The Framework was revised in July 2021 after the submission of the application. Could the Applicant please set out in a schedule any changes that it considers material, along with a response.
1.0.14	PCC HDC	Development Plan a) Could PCC and HDC please provide respectively a copy of the Peterborough Local Plan and the Huntingdonshire Local Plan which may affect consideration of the Proposed Development, along with appropriate extracts and key from the policies map? b) Could PDC and HDC indicate any parts of their Plan which they consider to be of particular relevance to the consideration of the Proposed Development? c) Is either Local Plan subject to review? d) If so, at what stage has it reached? e) Does any emerging Local Plan review have any implications for the Proposed Development?
1.0.15	The Applicant PCC CCC	Development Plan The Cambridgeshire and Peterborough joint Minerals and Waste Plan was adopted on 28 July 2021. Are there any implications of this for the consideration of the Proposed Development?
1.0.16	PCC Parish Councils	Neighbourhood Plans a) Could PCC and the Parish Councils please provide details of any designated Neighbourhood planning areas, along with current details of progress towards any such Neighbourhood Plans being made. b) Where Neighbourhood Plans have been made, published for consultation, or later, purposes could copies please be provided, along with any relevant documents, such as Examiner Reports.

ExQ1	Question to:	Question:
1.0.17	The Applicant	Equality Impact Assessment [APP-147] a) What evidence is there that the consultation has involved stakeholders for those representing those with protected characteristics by each protected characteristic? b) In relation to the protected characteristic of religion or belief, while it is noted that there are eight churches in the area no information on denomination has been provided. Can this please be provided? c) For each denomination could the Applicant please identify how many are ministered together, with a plan identifying these? d) Could the Applicant please ascertain any differences in distances which would be required to travel between individual places of worship within any single denomination and/or benefice if the Proposed Development were to be operational. e) In relation to the protected characteristic of age – older people - it is indicated that journey length will increase from the east for accessing the Castor Lodge Care Home. Could this please be quantified? f) In relation to the protected characteristic of age – young people - could the Applicant please assess the effect of the Proposed Development on travel distance to places of education, particularly in respect of those living to the north of the Proposed Development?
1.0.18	The Applicant	Environmental Management Plan The ExA understands that following recent changes to DMRB the Applicant utilises a single EMP rather than different titles during application, construction and operational phases, but instead uses “iterations”. However, the use of this term introduces an unnecessary level of complication which does not seem to take account of the fact that several versions of the ‘first iteration EMP’ might emerge prior to the Examination’s close (see, for example, ExQ1.7.7), while the second iteration EMP could also be subject to significant revision.

ExQ1	Question to:	Question:
		The dDCO relies upon mechanisms to relating to first, second and third iterations of the Environmental Management Plan. The drafting of the dDCO would be a lot clearer if 'iterations' were dispensed with and references were made to an 'outline EMP' and 'the EMP'. If outline EMP and the EMP were to be used this would not preclude the EMP evolving as a 'live document', as may be necessary, during the Examination and following any DCO being made.
1.0.19	The Applicant	Consent/licences/permits Table 1.6 of the EMP [AS-027] identifies the consents and permissions that "may be required to deliver the EMP", to which references are made in the ES (and HRA report). Please can the Applicant provide an update on progress with applications or shadow applications for the required consents/ licences/ permits.
1.0.20	The Applicant	Overall design Could the Applicant please explain how the proposal was drawn up to take account of "Design Principles for National Infrastructure" published by the National Infrastructure Commission.
1.0.21	All parties	Covid-19 pandemic a) Does any party have any view as to whether the Covid-19 pandemic has had any material implication as to how the Proposed Development should be considered? b) If so, they should explain why they hold that view, evidenced where possible.
1.0.22	All parties	Environment Act 2021 All parties are given the opportunity to make comment in light of the passing into law of the Environment Act 2021 in relation to the consideration of the Proposed Development. Any response should make reference to those applicable parts of the Act that have come into force, those which come into force on a stated date and those parts which will come in force by Regulation.
1.1.	Air Quality and Emissions	
1.1.1.	IPs	Affected Road Network

ExQ1	Question to:	Question:
	PCC NNC HDC	a) Do IPs, particularly the Councils, agree with the extent of the Affected Road Network as defined by the Applicant? b) If not, could you please explain why you think it should be different, setting out the extent and giving reasons for your position.
1.1.2.	IPs PCC NNC HDC	Risk of Poor Air Quality a) Do IPs, particularly the Councils, agree with the Applicant (paragraph 5.4.10 of Chapter 5 of the ES [APP-043]) that where the PM ₁₀ concentrations are lower than the threshold, it can be assumed there is no risk of the PM _{2.5} threshold being exceeded and consequently, there is no need to model PM _{2.5} ? b) If you do not agree, please explain why you take the view that you do, and what implications this may have.
1.1.3.	IPs PCC NNC HDC	Air Quality Assessment a) Do the IPs, particularly the Councils, agree with the Applicant's assumptions set out in paragraph 5.4.18 of Chapter 5 of the ES [APP-043] in relation to the NO _x to NO ₂ conversion and the use of "All other urban UK traffic" for modelling purposes? b) If you do not agree, please explain why you take the point of view that you do, what, if any alternative model you would use, and what implications this may have.
1.1.4.	The Applicant	Air Quality Assessment a) Paragraph 5.7.10 of Chapter 5 of the ES [APP-043] indicates that a six-month NO ₂ survey was undertaken from September 2019 to March 2020. Could the precise dates of this be provided? b) Should any adjustment be included for the early effects of the Covid-19 pandemic on these results? c) If so, what implications does this have?
1.1.5.	The Applicant	Receptors Table 5.14 in Chapter 5 of the ES [APP-043] sets out various modelled receptor results for various locations shown in Figure 5.4 [APP-057]. Table 5.14 includes

ExQ1	Question to:	Question:
		Receptor ID R_11. However, this is not shown on Figure 5.4. Could this please be rectified, or an explanation given as to why it is not on the Figure?
1.1.6.	The Applicant	Receptors Table 5.16 in Chapter 5 of the ES [APP-043] the last Transect receptor ID is given as "1_SH_SSSI_1". Could it please be confirmed that this should be "Sutton Heath and Bog".
1.1.7.	The Applicant	Receptors a) Table 5.17 in Chapter 5 of the ES [APP-043] sets out a list of Transect receptor IDs in the form "1_SH_SSSI_X". Could the details of the locations of all these please be identified or do they all relate to Sutton Heath and Bog. b) If so, could the locations be identified on a Figure. c) Assuming that they are all within Sutton Heath and Bog, could this Figure also show a line 40m from proposed road alignment.
1.1.8.	The Applicant IPs	Air Quality Assessment a) Do the Government's policy statements 'Decarbonising transport: a better, greener Britain' and 'Net Zero Strategy: Build Back Greener' have any implications for the air quality assessment on the basis that this would result in an increase in electric vehicles rather than those powered by internal combustion engines, as electric vehicles do not emit gases of combustion? b) If so, what would be the resultant effects?
1.1.9.	The Applicant	WHO Standards In September 2021 the World Health Organisation published new Global Air Quality Guidelines. Could the Applicant please set out their response to these guideline standards, setting out any implications that this may have for the consideration of this Proposed Development.
1.1.10.	The Applicant PCC	Greenhouse Gas Emissions and Climate Change adaptations With respect to greenhouse gas emissions, the cumulative impact assessment that

ExQ1	Question to:	Question:
		the Applicant has undertaken is limited. At paragraph 14.8.9 of the Chapter 14 of the ES [APP-052] it is predicted that the Proposed Development would contribute 0.0078% to the UK's fourth, fifth and sixth Carbon Budgets. However, the Proposed Development has been assessed in isolation from any in combination effects associated with the implementation of projects forming part of the Road Improvement Strategy. While the Proposed Development of itself may have a limited effect on greenhouse gas emissions, this scheme when taken with others might '... have a material effect on the ability of the Government to meet its carbon reduction targets' (paragraph 5.18 of the NPSNN). In light of the quashing of the A38 Derby Junctions DCO by the High Court, further representations are requested on the following matters: a) the carbon impact of the development; the implications, if any, of the development in relation to the Paris Agreement and the UK's nationally-determined contribution under the Paris Agreement, the 2050 net zero target in the Climate Change Act 2008, and carbon budgets set under the 2008 Act (including the sixth carbon budget as set out in the Carbon Budget Order 2021); and, whether the increase in carbon emissions resulting from the development is so significant that it would have a material impact on the ability of the Government to meet its carbon reduction targets; b) the direct, indirect and cumulative likely significant effects of the development on climate, including greenhouse gas emissions and climate change adaptation, in light of the requirements set out in the EIA Regulations and in light of paragraphs 5.17 and 5.18 of the NPSNN.
1.1.11.	The Applicant	Emissions from construction activity Paragraph 14.5.1 of Chapter 14 of the ES [APP-052] sets out that plant emissions

ExQ1	Question to:	Question:
		have only been included for site clearance, earthworks and drainage for the purposes of this environmental assessment. a) Can the Applicant please explain why the remaining emissions cannot be at least estimated given the assumptions as to the vehicles to be used as set out in Appendix 11.5 – Construction noise assessment [APP-127]? b) If this reasonably allows such emissions to be estimated during the remaining construction phases beyond site clearance, earthworks and drainage, could this please be undertaken, and any implications reported for the overall analysis? c) In light of this, is it possible to undertake a plant fuel use analysis (including that associated with the replacement of the wearing surface course)? If so, could this please be undertaken. d) If this assumption, referred to in question EXQ1.1.11 a), does not allow such an estimation can this please be explained? e) Please also provide an analysis in the light of your response to ExQ1.9.10.
1.1.12.	PCC IPs	Emissions from maintenance activity a) The Applicant considers in paragraph 14.5.2 of the ES [APP-127] that including carbon emissions from future activities beyond the replacement of the wearing surface course due to inherent uncertainty over frequency and extent. Do IPs consider that a reasonable approach? b) If not, what approach should be followed, and does the respondent have any information which could assist that assessment?
1.1.13.	The Applicant	Relationship to East Midlands Region Given the proximity of the application site to the East Midlands climate district, could the Applicant undertake a sensitivity analysis if the regional climate data for that region were to be used rather than that for Eastern England, and implications from that be reported.
1.1.14.	The Applicant	Decarbonisation of transport - Emissions a) Do the Government's policy statements 'Decarbonising transport: a better,

ExQ1	Question to:	Question:
		greener Britain' and 'Net Zero Strategy: Build Back Greener' have any implications for the emissions assessment on the basis that this would result in an increase in electric vehicles rather than those powered by internal combustion engines, as electric vehicles do not emit gases of combustion? b) If so, what would be the resultant effects?
1.2.	Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))	
1.2.1.	The Applicant	Legal Compliance Regulation 7 of the Infrastructure Planning (Decisions) Regulations 2010 requires the SoS to have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992. Could the Applicant please explain how it considers that the proposal would comply with this obligation.
1.2.2.	The Applicant IPs PCC HDC NNC NE EA	Assessment criteria Paragraph 8.4.21 of the ES [AS-015] sets out the assessment criteria for biodiversity. a) Given the location of the application site close to the boundary with Cambridgeshire and Northamptonshire, the latter being in a different English Region, could the Applicant explain why the relative biodiversity resource importance were not considered in relation to the East Midlands Region, and Cambridgeshire and Northamptonshire. b) Do IPs agree with the Applicant's approach, or do they consider other geographic areas should be considered? c) If IPs consider other geographic areas should be considered, then could they please explain what that area should be and why they hold that view. d) Could the Applicant please undertake a sensitivity analysis on the assessment based on comparisons with the East Midlands Region, and Cambridgeshire and Northamptonshire.
1.2.3.	The Applicant	Surveys

ExQ1	Question to:	Question:
	IPs	a) Table 8-3 in Chapter 8 of the ES [AS-015] indicates that a number of the ecological surveys that were undertaken are three or more years old. Please can the Applicant explain why it considers the surveys remain current and whether the age of the survey data introduces any uncertainty into the biodiversity assessment? b) Do any IPs consider that any of the surveys are no longer current? If so, could these please be specifically identified, with a reason given for the view held.
1.2.4.	The Applicant NE	Surveys Appendix A - Table of consents and agreements of the Consents and Agreements Position Statement [APP-018] indicates that further surveys for great crested newts, bats, badgers and water voles will be undertaken. Similarly, paragraph 8.5.3 of Chapter 8 of the ES [AS-015] indicates the Applicant intended to undertake eDNA surveys of the ponds that could not be accessed in 2020. a) Could the Applicant please set out whether these have now been done, and if so, report the results with an assessment of any implications. b) If not, could details of when all the surveys will be undertaken be provided and when the results will be delivered? c) If not, how can the SoS be satisfied that species and habitats are protected from the adverse effects of the Proposed Development (see paragraph 5.35 of the NPSNN)? d) Does NE have any comments on the final assessment approach and whether there are any 'gaps' in surveys, and if so, how they are to be filled?
1.2.5.	PCC NE CCC HDC NNC	Biodiversity Zones of Influence a) Do IPs consider the Zones of Influence set out in Table 8-2 of Chapter 8 of the ES [AS-015] for biodiversity resources are appropriate? b) If not, could you please explain which ones you consider to be unsuitable giving a full explanation for your views.
1.2.6.	IPs	Construction and operational impacts on ecology

ExQ1	Question to:	Question:
		a) Do IPs agree with the Applicant's assessment of impacts during both construction and operation as set out in Tables 8-9 and 8-10 of Chapter 8 of the ES [AS-015]? b) If not, could you explain why not and what needs to be amended?
1.2.7.	IPs	Construction and operational ecological mitigation a) Do IPs agree that the Applicant's approach to ecological design and mitigation measures during construction and operation as set out in Tables 8-11 and 8-12 of Chapter 8 of the ES [AS-015] are appropriate? b) If not, could you explain why not and what needs to be amended?
1.2.8.	The Applicant	Sutton Heath and Bog a) Could the Applicant please provide further information on the work that has been done to determine the location and distribution of qualifying features of the SSSI that are sensitive to nitrogen deposition so as to demonstrate that there would be no significant effect on the SSSI? b) Could the Applicant set out the measures to be used for mitigation and monitoring of air quality impacts on Sutton Heath and Bog SSSI and how they are to be secured.
1.2.9.	The Applicant	Ancient woodland Figures 8.2 to 8.3 [APP-072] set out various ecological constraints. However, ancient woodland is not included. Please can the Applicant provide a plan that identifies the location of the ancient woodland that was assessed in the ES? This can either be an amendment to Figure 8.2 or an additional plan.
1.2.10.	The Applicant	Felling of trees To fully assess the Proposed Development the need for the felling of trees should have been identified. However, in Appendix A to the Consents and Agreements Position Statement [APP-018] it is stated that there is insufficient detail of the design in relation to the felling of trees to ascertain whether a Felling Licence under the Forestry Act will be required. Could the Applicant please undertake an analysis so that the decision can be properly

ExQ1	Question to:	Question:
		informed in respect of biodiversity and ecology?
1.2.11.	The Applicant	Veteran Tree (T20) Appendix 4: Tree Survey Schedule to Appendix 7.6 of the ES [APP-096] indicates that the oak tree identified as T20 is a veteran tree and is identified for felling. a) Could the Applicant please explain why it has come to the view that this is a veteran tree? Paragraph 5.32 of the NPSNN indicates that the SoS should not grant development consent for any development that would result in the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this. b) Could the Applicant please set out its reasons for the felling of this tree, the options assessed for its retention and the compensation proposed?
1.2.12.	The Applicant	Hedgerows In its RR [RR-036] PCC indicates it considers that the translocation of hedges should be considered as compensation rather than mitigation, hedges which have been identified to be translocated should be risk assessed for the potential of failure after translocation and any potential for failure of translocation should have a backup plan for replacement of the habitat appropriate to the potential loss of hedge. a) Could the Applicant please respond to this view and request, indicating how any measures would be secured? b) Could the Applicant also respond to the request from PCC for additional tree planting in various hedgerows and alternative species as set out in PCC's RR [RR-036]?

ExQ1	Question to:	Question:
1.2.13.	The Applicant	Future Baseline ES Chapter 8 Biodiversity [AS-015] Section 8.7, identifies the existing baseline conditions. Please can the Applicant explain how the future baseline has been considered in the assessments on the basis of the absence of the Proposed Development.
1.2.14.	The Applicant	Biodiversity matrix a) Paragraph 8.4.15 of Chapter 8 of the ES [AS-015] indicates that biodiversity net gains and losses have been assessed by using the Defra Biodiversity metric 2.0. Could this assessment please be submitted, along with information on the date when it was undertaken? b) If this was after 9 July 2021 could the Applicant explain why the Defra Biodiversity metric 3.0 was not used?
1.2.15.	The Applicant	Decarbonisation of transport a) Do the Government's policy statements 'Decarbonising transport: a better, greener Britain' and 'Net Zero Strategy: Build Back Greener' have any implications for the biodiversity assessment on the basis that this would result in an increase in electric vehicles rather than those powered by internal combustion engines, as electric vehicles have a different emissions profile? b) If so, what would be the resultant effects?
1.2.16.	The Applicant	Habitats Regulations Assessment – Clarifications a) It is stated below Table C-1 that "The NSN site included within the screening assessment is the River Wensum SAC.". This appears to be erroneous text as this European site was not considered in the HRA and is not otherwise mentioned in the NSER. b) It is stated in Table A-1: Nene Washes SAC Screening Matrix (DMRB) (page 41) that the SAC is adjacent to the proposed works. This appears to be an error as it is also stated in the same table and throughout the NSER that it is 10km/16.3km away from the Proposed Development, which is reflected on the 'Designated Sites Map' contained in Appendix E of the NSER.

ExQ1	Question to:	Question:
		Could these please be amended as appropriate.
1.2.17.	The Applicant	Habitats Regulations Assessment – Clarifications Other than a reference to NSER Appendix B (Potential effects) in FN (a) and FN (g) of Table C-2 (The Nene Washes SAC), the FNs to the matrices do not provide cross-references to the location in the application documents (including the NSER) of the supporting evidence. Please can the Applicant provide, in an updated HRA report, explicit cross-references in the screening matrices footnotes to the location in the application documents (including the NSER) of the supporting evidence. Many of the FNs to the screening matrices are not relevant to and do not address the potential effects identified in the matrices, particularly in respect of the SPA and Ramsar site. For example, FNs (a) and (b) to the SPA and Ramsar site screening matrices (Tables C.3 and C-3, respectively) appear to bear no relation to the potential effects in the matrices with which they are meant to correspond. Please can the Applicant correct the footnotes in an updated HRA report.
1.2.18.	The Applicant NE EA Anglian Water	Habitats Regulations Assessment – Rutland Water SPA and Ramsar site Paragraph 13.7.13 of Chapter 13 of the ES [AS-017] states that there is an Anglian Water pumping station located on the River Nene south of the Proposed Scheme and that water from the River Nene is transferred to Rutland Water, which is located 21km north-west of the Proposed Development. It is also clear that that there would be outfalls from the drainage systems for the Proposed Development which would feed into the River Nene above this intake (see also question ExQ1.12.20). a) Given this quote does the Applicant, NE, the EA or Anglian Water consider that the Rutland Water should be considered to be hydrologically connected? b) If the Applicant considers this to be the case, could the Applicant please explain why it considers (top of page 2 of Appendix H of the NSER) that this Proposed

ExQ1	Question to:	Question:
		Development does not have a potential hydrological or hydrogeological linkage to a NSN site containing a groundwater dependent terrestrial ecosystem which triggers the assessment of NSN sites in accordance with LA 113? c) If, on reflection, the Applicant considers that there is a hydrological connection, could the Applicant undertake a screening analysis of potential effects, and if necessary further analysis. d) Does NE, the EA or Anglian Water have any comments on the above?
1.2.19.	The Applicant	Habitats Regulations Assessment – Nene Washes SPA and Nene Washes Ramsar (qualifying features) Garganay is not identified as a qualifying feature of the Nene Washes SPA in NSER Appendix C Table C.3 (Planning Inspectorate screening matrix), although it is referenced in FN (b) to that matrix and included in NSER Section 3 Table 3-2 (Interest Features). The qualifying features of the Nene Washes Ramsar site identified in the NSER do not appear to match those listed on the Nene Washes RIS: • Ramsar Criterion 2 is not addressed; • additional features that are not listed in the RIS under Criteria 2 and 6 are identified in NSER Section 3 Table 3-3 (Interest Features), Appendix A Table A-34 (DMRB screening matrix) and Appendix C Table C-3 (Planning Inspectorate screening matrix), ie non-breeding Whooper swan, Eurasian wigeon, Pochard, Eurasian teal, Golden plover and Ruff; • Gadwall and Shoveler are additionally identified in Appendix C Table C-3; and • Garganay are referenced in FN (b) to Table C-3 although they are not listed in the table. Please can the Applicant clarify the position in respect of each European site and consistently identify the correct qualifying species in an updated HRA report.
1.2.20.	The Applicant	Habitats Regulations Assessment – Identification of effects

ExQ1	Question to:	Question:
		Paragraph 2.2.10 of the NSER states that additional European sites should be subject to screening where the existence of ecological connectivity between the Proposed Development and European sites is identified beyond the screening criteria set out in paragraph 2.2.8. Please can the Applicant explain how these criteria have been applied to exclude sites from consideration.
1.2.21.	The Applicant	Habitats Regulations Assessment – Invasive non-native species The spread of invasive non-native species is identified in NSER Table 4-3 as a potential effect on the Nene Washes Ramsar site, however it is not subsequently discussed in the NSER or included in the Planning Inspectorate screening matrix contained in NSER Appendix C Table C-3. Please can the Applicant confirm whether this was included in error or provide an assessment in an updated HRA report, which is reflected in an updated screening matrix.
1.2.22.	The Applicant	Habitats Regulations Assessment – Invasive non-native species The potential effect of invasive non-native species is identified in NSER Table A-1 as a vulnerability for spined loach, the qualifying feature of the Nene Washes SAC. However, this effect is not addressed in the NSER, other than in FN (a) to the screening matrix contained in NSER Appendix C Table C-2. The matrix refers to the prevention of the spread of invasive species through “strict biosecurity measures” set out in NSER Appendix B, however that does not address the issue of invasive species. Please can the Applicant provide a description of the proposed measures in an updated HRA report.
1.2.23.	The Applicant	Habitats Regulations Assessment – Visual disturbance Visual disturbance is identified as a potential effect on the SPA, and although not

ExQ1	Question to:	Question:
		identified as a potential effect on the Ramsar site in Table 4-3 it is discussed in the Ramsar site DMRB screening matrix (Table A-34) contained in NSER Appendix A. However, it is not included in the Inspectorate screening matrices for the SPA and Ramsar site contained in NSER Appendix C. Please can the Applicant provide updated screening matrices and any consequential amendments to the HRA report.
1.2.24.	The Applicant	Habitats Regulations Assessment – Updates NSER Table A-2 (DMRB Nene Washes SPA Screening Matrix) states that the information presented in the matrices will be updated when more information is available, including receipt of the noise and air quality assessments (e.g. in relation to reduction of habitat area, reduction in species density and interference with the key relationships that define the structure of the site). The same statement is made in Table A-34 in relation to reduction in species density for the Ramsar site. Please can the Applicant confirm whether further updates to the HRA report to address such information are intended, and if so when the updated HRA report will be submitted to the Examination.
1.2.25.	The Applicant	Habitats Regulations Assessment – Water abstraction and de-watering FN (h) to the Nene Washes SAC screening matrix (C-2) refers to a potential need for abstraction from an aquifer and to dewatering, for which consents would be required from the EA. It is concluded that as any abstraction and dewatering would have to be agreed with the EA, and take into account the SAC, there are no likely “foreseeable impacts” to the SAC. This implies that measures may be required to mitigate potential effects of abstraction and dewatering on the SAC, which would be contained in consents yet to be the subject of applications and which are outwith the DCO application. It is not apparent that a precautionary approach has been applied and that the worst case has been considered.

ExQ1	Question to:	Question:
		Please can the Applicant provide an assessment of the potential effects of abstraction and dewatering on the European sites in an updated HRA report, which identifies mitigation measures that may be required and any residual effects following their implementation.
1.2.26.	The Applicant	Habitats Regulations Assessment – Potential effects NSER Appendix Table C-1 identifies the potential effects described in the NSER and the headings under which they are presented in the Inspectorate screening matrices. However, the effects considered in the matrices do not reflect those set out in Table C-1, nor are they consistent with the effects identified in the main body of the NSER. For example, the effect heading in the matrices entitled 'Reduction in/decreased air quality' also encompasses lightspill. Please can the Applicant explain the inconsistencies between the effects identified in the various documents and/or update the HRA or matrices as relevant.
1.2.27.	PCC CCC HDC NND NE EA Anglian Water	Habitats Regulations Assessment Can the parties please comment on the NSER and whether they consider it to be satisfactory.
1.3.	Compulsory Acquisition (CA), Temporary Possession (TP) and Other Land or Rights Considerations	
1.3.1.	The Applicant	CA and TP Negotiations Can the Applicant please provide an update of the current situation of negotiations with affected landowners and occupiers over potential acquisition by agreement? Please complete Annex A with this information.
1.3.2.	The Applicant	Crown Land a) Could the Applicant please provide the latest information in respect of the Crown

ExQ1	Question to:	Question:
		Land within the Application site and whether the appropriate Crown authorities have given written consent under S135 of the PA2008. b) If so, could the Applicant please provide those written consents.
1.3.3.	The Applicant Statutory Undertakers	Statutory Undertakers Can the latest position of the current situation of negotiations with Statutory Undertakers be updated and in particular with regard to the protective provisions?
1.3.4.	The Applicant Anglian Water	Operational Land In looking at the information submitted, it would appear that Plot 3/8b and Plots 5/7a, 5/7b, 5/7c and 5/7d on the Land Plans [AS-004] are all operational land of Anglian Water. a) Could the Applicant and Anglian Water please confirm whether this understanding is correct? b) If this is not correct, could the parties explain: (i) why this is not the case; and (ii) whether there are any other land plots that should be considered to be operational land. c) Could Anglian Water confirm whether or not it has objections to the Proposed Development specifically in relation to these plots (that is those identified in the preamble and parts a) and b) of this question)? d) If Anglian Water does have objections, could the parties set out their positions in respect of the matters set out in Section 127(6) of the PA2008? The ExA notes that the preamble to the dDCO [AS-010] does not make any reference to this section.
1.3.5.	The Applicant	Identification of Category 3 persons Paragraph 4.6.4 of the Statement of Reasons [APP-020] indicates that information for new residential developments identified in the Peterborough Local Plan and any information held by PCC or CCC on developments with planning permission were taken into account.

ExQ1	Question to:	Question:
		How can the SoS be satisfied that all persons with an appropriate interest have been identified and given opportunity for representation if this does not include land within the NNC and HDC areas?
1.3.6.	The Applicant	Land Plans [AS-004] a) Could an inset please be provided for the area in front of 6 – 12 (evens) Great North Road to clarify the land parcels (from the northern extent of Plot 1/5a to the southern extent of Plot 1/9a)? (This will also need to be provided on the Crown Land Plans.) b) Could a further inset please be provided for the area in the middle section of Church Walk on the Old North Road to clarify the land parcels (from the western extent of Plot 5/4b to 10m beyond the eastern extent of Plot 5/7d)? c) Sheet 3 Inset B – could this please be moved on the areas on the west of the proposed works on Sheet 2, enlarged and all referencing amended. In its current location it is not easily readable as all the identification markers are small. It also does not show the necessary northern 'cut line'. d) Within Sheet 3 Inset B there is a reference to Plot 3/4l which does not appear in the Book of Reference, and the ExA has not been able to find a Plot 3/4i. Could this be clarified, and confirmation that the necessary consultations have been carried out provided? e) Could an inset please be provided for the area to the east of the current junction of The Drift with the A47 to clarify the land parcels (from the western extent of Plot 6/1d to the eastern extent of Plot 6/5d)?
1.3.7.	The Applicant	Extent of Land subject to CA and TP There are a number of areas of land within the Order limits which are subject to proposals for CA, TP or TP with permanent rights, that are not subject to Works set out in Schedule 1, particularly as the works includes the specific Limit of Deviation (see Article 8 of the dDCO [AS-010]). For example, the area to the north of Work 24 (the A1 southbound link road) forming part of Land Plans [AS-004] Plot 3/2c, and the

ExQ1	Question to:	Question:
		area to the north west of the existing Pumping Station surrounded by Works 8, 16, 26 and 27, Plot 3/4f. Given any interference with private rights should be the minimum necessary to deliver the project, could the Applicant please set out specifically by individual area, full justification as to why these areas should be subject CA, TP or TP with permanent rights as applicable.
1.3.8.	Interested Parties	Human Rights Act a) Do parties consider that the Applicant's approach as set out in Section 6 of the Statement of Reasons [APP-020] is a fair summation? b) If not then, please explain why and if they consider the balance has been inappropriately described.
1.4.	Cultural Heritage	
1.4.1.	The Applicant	Legislative Requirements/General matters Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010 requires the SoS to have regard to various matters in respect of heritage in coming to their decision. Could the Applicant please explain how it considers that the Proposed Development would comply with this obligation?
1.4.2.	The Applicant	Nomenclature In Chapter 6 of the ES [APP-044] in section 6.6 the Heritage Record WAN01 is called "Wansford Road Railway Station". However, in sections 6.8 and 6.9 it is referred to as "Wansford Railway Station". Could the nomenclature be clarified so as to avoid confusion with the Wansford Railway Station on the Nene Valley Railway between Sibson and Stibbington, which is said not to be affected by the Proposed Development?
1.4.3.	IPs, particularly local authorities and HBMCE	Identification of heritage assets a) Do the IPs agree with the list of heritage assets identified in Appendix 6.1 [APP-085]? b) If not,

ExQ1	Question to:	Question:
		(i) if the party considers any heritage asset has been omitted could they please set out a table of such assets and why they consider each to be of heritage significance; (ii) if the party considers that any identified assets should not be considered to be a heritage asset or has been incorrectly attributed (for example to an incorrect list), again could they be set out in a table and explain why they hold the view they do?
1.4.4.	The Applicant PCC HBMCE	Identification of heritage assets It is not clear from paragraph 6.6.67 of Chapter 6 of the ES [APP-044] whether the Stamford to Wansford railway line is being considered as a non-designated heritage asset in its own right or as part of the “group”. a) Could the Applicant please clarify and could IPs give their opinions as to how it should be considered? b) If the Applicant or any IP considers that the railway line should be considered to be a non-designated heritage asset in its own right, could they please provide a plan showing the geographic extent.
1.4.5.	The Applicant PCC HBMCE	Assessment of non-designated heritage assets a) Could the Applicant and IPs give their view as to whether in the light of the decision of the High Court in <i>Save Stonehenge World Heritage Site Limited v Secretary of State for Transport</i> [2021] EWHC 2161 (Admin) the effect on each non-designated heritage asset should be considered individually rather than as a group? b) If the Applicant takes the view that each non-designated heritage asset should be considered individually could it please undertake such an assessment for all assets which have been considered as a group.
1.4.6.	The Applicant	Future Baseline Chapter 6 of the ES [APP-044] Section 6.6 identifies the existing baseline conditions. Please can the Applicant explain how the future baseline has been considered in the

ExQ1	Question to:	Question:
		assessments on the basis of the absence of the Proposed Development.
1.4.7.	The Applicant	Long-term/ Permanent effects The ExA notes that the assessment of cultural heritage effects has been considered for construction and operation of the Proposed Development. However, no consideration has been given for differences in effects between the opening year and a future year. Can the Applicant please explain how it has assessed the long-term and/ or permanent effects of the Proposed Development on the setting of heritage assets? In this question a "long-term" effect is one that will cease at a defined point in the future (either by date or event), while a "permanent" effect is one that will not cease during the life of the Proposed Development.
1.4.8.	The Applicant HBMCE	Scheduled monument north of A47 (List entry 1006796) Could the Applicant and HBMCE please provide the full description of the cropmark site of a barrow cemetery and quadrilateral ditched enclosure with pits and a pit alignment?
1.4.9.	HBMCE	Scheduled monument north of A47 (List entry 1006796) Could HBMCE please set out why it considers List entry 1006796 meets the criteria as a scheduled monument, and particularly why the southern part both within and immediately to the north of the application site are significant either as part of the monument itself or its setting (this should be differentiated). The ExA would like to make clear it is not for it to go behind the designation of the scheduled monument, but rather to ascertain what harm (in all senses) may be caused to the scheduled monument and its setting, and thus its significance, by the Proposed Development. HBMCE should be aware that a number of IPs consider that any significance that the

ExQ1	Question to:	Question:
		southern part of the site may have had has been lost due to works that have taken place over time. It is also asserted by IPs that the route of the Proposed Development should be further to the north and thus the application site should include more of the scheduled monument area than currently proposed (on the basis that all significance has previously been lost).
1.4.10.	The Applicant	Effect on Scheduled Monument Could a plan be prepared showing precisely the overlap between the scheduled monument and the proposed works, along with any construction 'buffer zones' that may be required, including details of how the remainder of the heritage asset is to be protected. A scale of no greater than 1:500 should be used.
1.4.11.	PCC HDC	Conservation Areas a) Could PCC and HDC advise whether Conservation Area Appraisals (or similar documents) have been prepared for any of the Conservation Areas said to be affected by the Proposed Development? b) If so, could they be provided?
1.4.12.	The Applicant	Sutton Conservation Area PCC has indicated that the historic access to the village of Sutton is, effectively, to be removed by the closing of The Drift to most traffic. This would therefore mean that the historic interest of the Sutton Conservation Area was be reduced. Does the Applicant consider that there should be any mitigation for this harm? (Please also see ExQ1.11.15.)
1.4.13.	The Applicant	Temporary Construction Impacts a) In paragraphs 6.7.2 to 6.7.4 of Chapter 6 of the ES [APP-044] the Applicant has set out various effects which have been scoped in/ out of assessment. Could the Applicant clarify whether one matter that has been scoped in, "traffic diversions", includes the effects of the siting of haul roads? b) If not, should it be scoped in and assessed?
1.4.14.	The Applicant	Permanent Construction Impacts a) In paragraph 6.7.7 of Chapter 6 of the ES [APP-044] the Applicant has set out

ExQ1	Question to:	Question:
		various effects which could affect the setting of heritage assets. Given the location of the main line through the Scheduled Monument should this be direct effects as well as indirect effects? b) Should the effect of vibration from traffic also be considered both directly and indirectly? c) If either answer is positive, then could assessments be undertaken.
1.4.15.	The Applicant HMBCE PCC	Archaeology a) Paragraph 6.5.9 of Chapter 6 of the ES [APP-044] indicates some areas have not been archaeologically tested. How can the SoS assess the particular significance of any heritage asset that may be affected (NPSNN, paragraph 5.128) if there is no available evidence on this? b) Similarly, paragraph 6.6.73 of Chapter 6 of the ES [APP-044] sets out the various zones of archaeological interest. Neither Zone 8 nor Zone 9 has been surveyed. c) Is it intended to undertake any further survey work? d) If so, when will those results be reported?
1.4.16.	The Applicant	Archaeology Paragraph 6.6.73 of Chapter 6 of the ES [APP-044] refers to a number of zones, which are named differently from those shown in Appendix 6.6 [APP-090]. There is also a reference to Figure 6.4 [APP-058], but this deals with Historic Landscape Character. Could a plan be prepared showing the Zones referred to in paragraph 6.6.73 on an Ordnance Survey base with their numbering as in paragraph 6.6.73.
1.4.17.	PCC HBMCE	Archaeology a) Do the IPs agree with the Applicant's approach to assessing effects by grouping assets into zones of archaeological potential? b) If not, could they provide a view as to how they should be assessed?
1.4.18.	HMBCE PCC	Archaeology Paragraph 6.8.19 of Chapter 6 the ES [APP-044] indicates that PCC "usually requires archaeological WSIs to be written by the appointed archaeological contractor undertaking the work". However, this paragraph continues "government policy may

ExQ1	Question to:	Question:
		require an agreed scope of works in order to undertake appropriate procurement". Do HBMCE and PCC have any views on this approach?
1.4.19.	The Applicant PCC	Mile Marker a) PCC has identified the Mile Marker on the north verge of the A47 to the east of the petrol station. Could the Applicant please clarify how protection of this is to be ensured during any construction operations and thereafter? b) Does PCC consider the mile marker to be a non-designated heritage asset?
1.4.20.	HMBCE PCC IPs The Applicant	Wansford Road Railway Station a) The Applicant has indicated that it considers that the loss of the Wansford Road Railway Station would result in a moderate adverse significance of effect. Do IPs agree with this analysis? b) If not, could the party please explain why they hold that view? c) Could the Applicant please explain how its approach is reconciled with the advice in the PPG Reference ID: 18a-018-20190723 relating to substantial harm and less than substantial harm. d) Could the parties please set out the level of harm that they consider would be caused by the Proposed Development for the Wansford Road Railway Station in all its elements, both individually and cumulatively? e) Could the Applicant please explain what its proposals are for the recording of the asset, and how they would be secured? f) It is suggested by PCC that the Station Building may be dismantled and re-erected in another location. Could the Applicant please give its response to this suggestion and if it is agreeable, explain where it would be located and how this would be secured? g) Could the Applicant please explain further its proposals for the gate piers at the station?
1.4.21.	The Applicant	Wansford Road Railway Station Bridge a) Could the Applicant please explain further the relationship between the existing bridge (a non-designated heritage asset), the proposed structure S02 (as shown

ExQ1	Question to:	Question:
		on the Rights of Way and Access Plans [AS-008] and the Engineering Drawings [APP-008]) and the NMU route? It is not clear from the Engineering Drawings (and in particular drawing HE551494-GTY-SBR-S02-DR-CB-39001) what elements of the existing bridge are to be retained. b) On the assumption that the existing bridge is to be retained could the Applicant please explain how this is to be secured with appropriate protection during the construction period?
1.4.22.	The Applicant	Archaeology In paragraph 6.9.6 of Chapter 6 of the ES [APP-044] the Applicant has indicated that the loss of future opportunities to analyse archaeology at the Cropmark site of a barrow cemetery and a quadrilateral ditched enclosure Scheduled Monument would result in a reduction in the magnitude of impact. Could the Applicant please explain how, in this context, the loss of protection and future potential would reduce an effect rather than increase it?
1.4.23.	The Applicant	Model Farm, Upton a) Paragraph 11.8.21 of Chapter 11 of the ES Noise and Vibration [APP-049] indicates that "there is a risk of compactor vibration exceeding 15mm/s PPV at distances closer than approximately 4m to the [listed] wall at the Model Farm Upton." What heritage assessment has been undertaken as to the potential effects on this designated heritage asset from vibration? b) What measures are to be in place to ensure that the historic interest of the wall is to be preserved?
1.4.24.	PCC HMBCE IPs	Assessment Table 5 in Appendix 6.1 (Cultural heritage information) [APP-085] sets out the Applicant's assessment of impacts prior to mitigation.

ExQ1	Question to:	Question:
		a) Do the IPs agree with the Applicant's assessment of impacts as set out in this Table? b) If not, could the IP please set out their view, giving a reasoned explanation for the view that they hold?
1.4.25.	PCC HMBCE	Recording of heritage assets Do PCC and HMBCE agree that the methods of recording heritage assets when there are interventions/demolition as set out in Section 8.3 of Chapter 8 of the ES [APP-046] are appropriate?
1.5.	Cumulative and cross-cutting effects	
1.5.1.	The Applicant	Assessment with other projects Paragraph 15.3.16 of ES [AS-018] indicates a search for 'Tier 2' projects was completed in the CCC and PCC areas. a) Could the Applicant please explain why it did not undertake a search for 'Tier 2' projects in the North Northamptonshire area or the East Midlands Region? b) Could it please undertake such searches and report any implications?
1.5.2.	PCC CCC HDC NNC	Assessment with other projects a) Do the Councils consider that the Long List screening set out in Appendix 15.1 [APP-0134] is comprehensive and includes all 'other developments'? b) If not, could they please supply details and why they consider that such proposals should be considered in line with the criteria set out in the Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects.
1.5.3.	The Applicant	Assessment with other A47 projects Could the Applicant please expand its statement in paragraph 15.3.17 of Chapter 15 of the ES [AS-018] in relation to other projects on the A47 (as identified in paragraph 2.1.3 of the Statement of Reasons [APP-020]), on the basis that notwithstanding they might be outside the defined ZOI they may have effects within the ZOI as "Together, the proposals will relieve congestion and improve the reliability

ExQ1	Question to:	Question:
		of journey times for drivers”.
1.5.4.	The Applicant	Relationship of Effect on Scheduled Monument, SSSI, veteran tree T20, and Flood Compensation Could the Applicant prepare a plan at a scale of no less than 1:250 showing the Scheduled Monument, SSSI, Flood Zone 3 and proposed works in the area of the junction of Wittering Brook and the River Nene. The plan should cover an area no less than 200m north and south of the centre line of the Proposed Development and no less than 300m east and west of the centre line of Wittering Brook.
1.5.5.	The Applicant	Relationship of Effect on Scheduled Monument and Flood Compensation In paragraph 6.9.9 of Chapter 6 of the ES [APP-044] the Applicant notes that “a much smaller area of land to the south of the A47 needs to be compulsorily acquired”. Could the Applicant please set out both in area and graphically, the alternative scenario of not directly affecting the Scheduled Monument but providing flood compensation works and provide an analysis of why the current proposal is the most appropriate.
1.5.6.	IPs	Relationship of Effect on Scheduled Monument, SSSI, veteran tree T20 and Flood Compensation Do IPs consider that the Applicant has struck the appropriate balance between requiring more land for compulsory acquisition through requiring more land for flood compensation when compared to the direct effects on the scheduled monument, the veteran tree T20, the Sutton Heath and Bog SSSI and any other matter.
1.5.7.	The Applicant	Wittering Brook Crossing & A1 Mill Stream culvert a) Please also see ExQ1.12.10. b) Paragraph 13.9.39 of Chapter 13 of the ES [AS-017] states that a mammal ledge should be provided above the design flood level for the A47 Wansford Sluice Extension and the A1 Mill Stream culvert to maintain connectivity of the habitat and allow mammal, including otter, passage. However, it is explained that it may not be possible to place the ledge above the design flood level if there is a requirement to throttle flood flows. Please can the Applicant state when this

ExQ1	Question to:	Question:
		would be determined, and how potential effects on mammals would be mitigated if the mammal ledge would lie below the design flood level.
1.5.8.	The Applicant	Underpass lighting a) Could the Applicant please advise whether either or both of the Wansford NMU and Sacrewell Farm underpasses are to be lit? b) If so, (i) during what hours is lighting to take place and how is this to be secured; (ii) could the ExA be directed to where the biodiversity and ecological effects and the landscaping and visual effects of this lighting have been explicitly assessed; and (iii) if the effects have not been explicitly assessed, could this please be undertaken. c) If either or both are not to be lit, could the Applicant undertake an assessment as to the public safety implications of each.
1.5.9.	The Applicant	Table of likely significant residual effects Could the Applicant please ensure that at each submission it submits and updates a summary table of the likely significant residual effects.
1.5.10.	The Applicant	Construction Traffic Paragraphs 2.6.22 to 2.6.24 of Chapter 2 of the ES [AS-013] indicates a 50/50 split for the delivery of construction materials from east and west along the A47, and that there would be abnormal loads. a) Can the Applicant please identify the number of movements of abnormal load deliveries that were used to inform the assessments/modelling and confirm whether these have informed the worst case construction traffic assessment. b) Is it reasonable to assume that waste will also be disposed on a similar disposition? c) If so, could the Applicant please explain why waste disposal has only been assessed in relation to the East of England region and not the East Midlands given

ExQ1	Question to:	Question:
		its proximity, and undertake such an assessment? d) If not, can the Applicant please justify why there would be a different distribution for materials and waste?
1.5.11.	The Applicant	Major Accidents and Disasters ES Chapter 4 Section 4.1.10 [APP-042] explains that as the safety risk associated with the pipelines has been considered within the Proposed Development risk register (held by the Principal Contractor) further assessment of the major accident pipelines within the ES has been scoped out. In the absence of the risk register please can the Applicant explain if and how it has been assessed that the risk can be ruled out or remains within acceptable limits.
1.6.	Draft Development Consent Order (dDCO) [AS-010] & Explanatory Memorandum (EM) [APP-017]	
1.6.1.	The Applicant	dDCO Generally Various typographic errors, including double spaces or unnecessary single spaces between words and punctuation, have been noted. Another example is that the "Book of Reference", "River Nene" and some other terms have sometimes been capitalised and in other locations not. Could the dDCO please be comprehensively checked for such errors. All future iterations should be submitted in tracked change from the previous version.
1.6.2.	The Applicant	dDCO Generally At present it appears that there is no reference to the 2017 EIA Regulations; Planning Inspectorate Advice Note 15 Good Practice Point 4 deals with this. The Applicant is asked to make sure that any relevant Articles or Requirements could not be construed as circumventing the provisions of the 2017 EIA Regulations, by incorporating the recommended wording in point 4 where necessary.
1.6.3.	The Applicant	EM Generally a) In the EM the Applicant often refers to the Model provisions. These have been

ExQ1	Question to:	Question:
		withdrawn. Given this, could the Applicant please set out from precedent, preferably from recent transport DCOs, where only model provisions have been cited in the EM. b) Similarly, the EM also refers to other highway DCOs (occasionally not even specifying which Orders), but without explaining why that particular drafting as used in that Order is relevant to this proposal. Could this also be addressed. c) The EM and draft DCO do not contain any reference to whether they contain novel provisions. If they do then need to be clearly identified (and set out in a separate schedule), Please see the Planning Inspectorate's Advice Note 15, for guidance on this point. d) Could the EM be comprehensively reviewed to ensure comprehensive justification for the provisions.
1.6.4.	The Applicant	Article 2 – Definitions and Schedule 2 – Requirement 1 Could the Applicant please review the definitions in both Article 1 and paragraph 1 of Schedule 2 and the dDCO more generally. As a general principle, any term only used in Schedule 2, but in more than one Requirement, should be defined in paragraph 1 of that Schedule, but any term used within any other part of the dDCO (and/ or in Schedule 2) should be defined in Article 1. If a term is only used once or within an individual Article or Requirement, then it should be defined within the relevant Article or Requirement. There are inconsistencies, for example, DMRB is defined in the Schedule 2, but not in Article 1 but is also used outside Schedule 2. There are also a number of acronyms that are not defined, for example "INNS" and "UXO" in Requirement 4. There are also occasions where terms are defined within an Article/ Requirement and then used elsewhere. An example being "business day" which is defined in Requirement 14 but also used elsewhere (for example in Requirement 17).

ExQ1	Question to:	Question:
		Could the dDCO please be comprehensively reviewed to deal with these anomalies.
1.6.5.	PCC	Article 2 – Definitions and Schedule 2 – Requirement 1 The Planning Inspectorate’s Advice Note 15, paragraph 19.1 states that Requirements should generally be drafted to identify the relevant planning authority or authorities by name. The relevant provisions in this dDCO have been drafted in that way (see draft EM 4.27.4, 4.44, 4.140 and description of requirements at EM 5.5 (c), (f), (g), (i) and (j)). Could PCC confirm whether it is content with the current drafting?
1.6.6.	The Applicant IPs	Article 2 – Definition of “commence” and Schedule 2 – Requirement 2 a) Do any amendments need to be made to the dDCO in light of the judgement of the High Court in <i>Tidal Lagoon (Swansea Bay) PLC v Secretary of State for Business Energy and Industrial Strategy & others</i> [2021] EWHC 3170 (Admin) over the use of the terms “commence” and “begin” (or their derivatives)? The ExA notes, unlike that case, the dDCO does seek to use utilise powers under Section 120 of the PA2008. b) Could the Applicant set out in lay-language what the provisions are intended to deliver; this should be provided in the EM.
1.6.7.	The Applicant	Article 2 – Definitions a) The definition of “local highway authority” refers to Norfolk County Council. Could this please be amended. b) If this is, correctly, defined, why is there a need for a definition for the “relevant highway authority”, or is there no need for a definition for the “local highway authority”? Consequential amendments would need to be resolved.
1.6.8.	The Applicant	Article 2 – Definitions and EM a) Sub-paragraphs 4.6 (b) to (d) of the EM do not give precedents for the provisions. Either could these be provided, or if novel, explain why necessary; the Planning Inspectorate’s Advice Note 15 1.1, 1.2, 1.4 etc give guidance on this point.

ExQ1	Question to:	Question:
		b) Sub-paragraph 4.6(d) of the EM makes reference to the limits of deviation in the "Order limits" definition. However, there is no such reference. Could this please be clarified.
1.6.9.	The Applicant	Article 2 – Definition of certified documents Various definitions refer to documents "certified by the Secretary of State" which are set out in Schedule 10. Should each of these definitions therefore explicitly refer to Schedule 10 or as otherwise certified? For example: ""the Book of Reference" means the document of that description certified by the Secretary of State as the Book of Reference for the purposes of the Order and set out in Schedule 10 (documents to be certified);" (see, for example, the A303 Sparkford to Ilchester DCO).
1.6.10.	The Applicant IPs	Article 2 -Definition of "commence" a) The current definition of "commence" excludes operations of archaeological investigations. If this is the case, how is the archaeological investigation and mitigation work to be secured, if it falls outside the point at which the development is commenced and thus the dDCO becomes operative? b) Subject to this resolution, are the IPs content with this drafting?
1.6.11.	The Applicant	Article 2(3) and (4), Article 5 and Article 8 Could the Applicant please reconcile: • the use of the term "approximate" in Articles 2(3) and (4); • the use of the term "adjacent" in Article 5(2); • the limits of deviation in Article 8; and • the need to ensure that no development takes place that goes beyond that assessed in the ES? Please also see questions ExQ1.6.12 and ExQ1.6.22.
1.6.12.	The Applicant	Article 5 – Grant Article 5(2) disapplies any enactment "within or adjacent to" the Order lands. However, "adjacent" is not defined.

ExQ1	Question to:	Question:
		a) Given this may include matters that have not been assessed in the ES should this be defined or limited in some way? b) How can the SoS be sure that any person whose land may be affected is fully aware of the situation? Any response should deal both with the practical and human rights implications.
1.6.13.	The Applicant	Article 8 – Limits of deviation a) Should the provision set out Article 8(3) relating to environmental effects also apply in respect of those elements set out in sub-paragraphs (1) and (2) as well? b) If so, then please re-draft as necessary. c) If not, please explain why this limitation is not required?
1.6.14.	The Applicant	Article 10 – Consent to transfer benefit of Order The ExA notes the arbitration arrangements which have been cited in the event that the SoS declines to allow the transfer from the Norfolk Vanguard Offshore Wind Farm Order 2020. Notwithstanding that this Order has been quashed by order of the High Court, the Secretary of State for Business, Energy and Industrial Strategy (BEIS) included the following drafting in the arbitration article in the Norfolk Vanguard Offshore Windfarm DCO and the draft Hornsea Three Offshore Windfarm DCO (published with a minded to approve decision) to remove any doubt about the application of arbitration to decisions of the Secretary of State and the MMO under the DCO: <i>Any matter for which the consent or approval of the Secretary of State or the Marine Management Organisation is required under any provision of this Order shall not be subject to arbitration.</i> The Secretary of State for BEIS also agreed with the ExA recommendation to remove reference to arbitration in the transfer of the benefit article and the deemed marine licences (DMLs) in the Hornsea and Norfolk Vanguard DCOs. The Hornsea ExA recommendation report at 20.5.9 details the reasons for removal from the transfer of

ExQ1	Question to:	Question:
		benefit article, and at 20.5.17 – 20.5.24 regarding removal from the DMLs. It should also be noted that the Secretary of State removed the following from the arbitration clause in both DCOs: <i>Should the Secretary of State fail to make an appointment under paragraph within 14 days 42 of a referral, the referring party may refer to the Centre for Effective Dispute Resolution for appointment of an arbitrator.</i> a) Could the Applicant please explain why an additional appeal mechanism should be applied in this case when for most matters, other than on a point of law, the Secretary of State's decision on most matters is final? b) In respect of the specific transfer provisions, could the Applicant provide the ExA with precedents where this has taken place, preferably in connection with highway schemes. c) Could the Applicant address any implications that may result in view of the Court of Appeal's decision in <i>R (on the application of London Borough of Hillingdon Council) v Secretary of State for Transport</i> [2020] EWCA Civ 1005?
1.6.15.	The Applicant	Article 13 – Classification of roads, etc. a) Could the Applicant please explain why Article 13(6) refers to the local planning authority, when these matters are more generally dealt with by the local highways authority? b) Should Article 13(7) be subject to a time limit by when the roads shall cease to be trunk roads? Possibly by reference to the date of opening of the main line?
1.6.16.	The Applicant	Article 14 – Power to alter layout etc. of streets Should the provision of restoration set out in Article 14(2) be subject to a time limit by when the works should be completed? Possibly by reference to the date of

ExQ1	Question to:	Question:
		opening of the main line?
1.6.17.	The Applicant	Article 16 - Temporary alteration, diversion prohibition and restriction of use of street Should the provision of restoration set out in Article 16 be subject to a time limit by when the works should be completed?
1.6.18.	The Applicant	Article 19 – Clearways, prohibitions and restrictions In Article 19(2)(iii) reference is made to Schedule 1 (the Electronic Communications Code) of the Digital Economy Act 2017. This Schedule inserted this provision as Schedule 3A of the Communications Act 2003. Should there, therefore, be reference to the substantive legislation rather than the amending Act?
1.6.19.	The Applicant	Article 20 – Traffic Regulation and EM Paragraph 4.79 of the EM refers to Norfolk County Council – could this please be amended to refer to the relevant authority (but see also ExQ1.6.7).
1.6.20.	The Applicant	Article 21 – Discharge of water a) Could Article 21(7)(a) please be made specific to this case, rather than from general provision, for example, there is no internal drainage board in this area. b) Should “Other” in Article 21(7)(b) be non-capitalised? c) Should Article 21(8) be subject to a similar provision as Article 20(12) in relation to notification provisions? If not, please explain why.
1.6.21.	The Applicant PCC	Article 22 – Protective work to buildings a) Is it possible that the provisions of Article 22 would be used in respect of a listed building? b) If so, should they be the subject of specific provision to ensure that their architectural and historic interest is preserved?
1.6.22.	The Applicant	Article 23 – Authority to survey and investigate the land a) Article 23(1) would allow the undertaker to enter any land “which may be affected by the authorised development” for various purposes. Given the wide area affected beyond the Order lands, for example this may include the Zone of Theoretical Visibility, would the Applicant please justify this interference both in

ExQ1	Question to:	Question:
		terms of geography and explain how any person affected (notwithstanding subject to notice period and compensation) should be aware of this power given that this landowner may never have been consulted on the Proposed Development? The response should include reference to human rights implications and should reconcile with the answers to ExQ1.6.11 and ExQ1.6.12. b) Can the Applicant please explain why Articles 23(4) and (6) refer to both the highway authority (that is itself) and the local highway authority?
1.6.23.	The Applicant	Article 27 – Imposition of restrictive covenants The Planning Inspectorate’s Advice Note 15, Good Practice Point 9 indicates that Applicants should provide justification which is specific to each of the areas of land over which the power is being sought, rather than generic reasons and include a clear indication of the sorts of restrictions which would be imposed and wherever possible the power should extend only to the particular type of Restrictive Covenant required. Could the Applicant please provide specific justification in the EM for the Restrictive Covenants it is seeking to impose.
1.6.24.	The Applicant	Article 29 – Private rights over land & EM a) In Article 29(3) – “acquire” should be “acquired”. b) In any event, this may go beyond that set out in the EM because “or used” is wider than “acquired”. Could this please be clarified. c) Could the Applicant please confirm whether it is seeking powers to exclude a particular private right from the blanket extinguishment power? If so, this should be the subject to a power under a separate Article, see paragraph 23.4 of the Planning Inspectorate’s Advice Note 15 and Good Practice Point 8. d) The Applicant is asked to expand the text in the EM to provide a more detailed explanation of the drafting of this Article and why it has been drafted in this way, including why this particular drafting has been selected as suitable to this

ExQ1	Question to:	Question:
		development.
1.6.25.	The Applicant	Article 34 - Temporary use of land for carrying out the authorised development Article 34(1) – if these powers are to be used for the delivery of permanent works (34(1)(d)), how can it be confirmed that those works will be secured permanently, if through 34(3), the Applicant is required to vacate the land? To say that this would be secured through Article 27 is no answer, as that only relates to land in Schedule 5 and there is no overlap with Schedule 7 and the provisions of Article 35 only last for five years post opening.
1.6.26.	The Applicant	Article 39 – Felling or lopping or trees and removal of hedgerows Could the Applicant please explain why Article 39(4) does not follow Article 39(1)?
1.6.27.	The Applicant	Article 40 – Trees subject to Tree Preservation Orders Could the Applicant please explain where in Article 40(2) is the compensation cited in Article 40(4), as it does not seem to relate to any provision there.
1.6.28.	The Applicant PCC NNC HDC	Article 47 – Appeals relating to the Control of Pollution Act 1974 Article 47 of the dDCO addresses Appeals relating to the Control of Pollution Act 1974 (CPA1974) and seeks to introduce an appeals mechanism for: • notices to control noise on construction sites served by the local health/ environmental protection authority (ie PCC) under s60 of the CPA1974; and • consents prior to the commencement of construction works issued by PCC under s61 of the CPA1974. The Applicant has not sought to disapply the initial consenting process under s61 and bring it within the terms of any made DCO. It would therefore only be the decision to refuse a consent or grant a conditional consent that would be governed by any made DCO. As far as s61 is concerned, if the initial consenting mechanism is not being brought within any made DCO, could the Applicant please explain how making an appeal

ExQ1	Question to:	Question:
		against refusals of consent or conditions imposed on consents should become part of the NSIP regime. The EM provides very little justification for Article 47's inclusion in any made DCO. a) Could the Applicant please provide any such precedents? b) Could the Applicant please further justify this provision? c) If time savings are cited as part of an answer, then flow charts with estimated timings should be provided. d) Does any local authority which may make a determination in this regard have any comments to make on this provision?
1.6.29.	The Applicant	Article 49 - Certification of documents Should the provisions of this Article and Requirement 15 in Schedule 2 be combined into order to provide a simple, single point of reference for those wishing to interrogate the documents?
1.6.30.	The Applicant	Schedule 1 – general The heading indicates Article [X] and [X]. Can this please be marked correctly?
1.6.31.	The Applicant	Schedule 1 – general A number of other made DCOs, for example A1 Coalhouse to Birtley and A303 Sparkford to Ilchester have lists of associated works that would also be permitted. These are normally included at the end of the Schedule. Is there a reason for this omission?
1.6.32.	The Applicant	Schedule 1 – Work 17 Is the term “filling statement” correct?
1.6.33.	The Applicant	Schedule 1 – Work 24 This work is shown on both works plans 2 and 3, but is only referred to on plan 3 in the dDCO. Could this be clarified?
1.6.34.	The Applicant	Schedule 1 – Work 32 Could the Applicant please confirm that the ‘flood compensation’ scheme is going to be limited to tree clearance and ground stabilisation and that no additional works, for

ExQ1	Question to:	Question:
		example ground works are proposed?
1.6.35.	The Applicant	Schedule 1 – Work 34 a) Could the Applicant please explain where the design and implementation of the bat hotel is to be secured. The only reference to 'bat-hotel' in the Environmental Management Plan [AS-027] is in the Table 1.5 Register of Environmental Actions and Commitments at MA4 which relates to "potential" opportunities in dealing with material assets and waste. b) Could the Applicant confirm whether it considers the bat hotel "apparatus", as this is the limit of the restrictive covenants for permanent rights set out in Schedule 5, for Plot 4/7b, or whether some other term should be utilised.
1.6.36.	The Applicant	Schedule 1 – Work 40 "Alterations to the existing A47" implies that it will remain a carriageway open to all traffic. Could this please be clarified.
1.6.37.	The Applicant	Schedule 1 – Work 54 Work 54 makes no reference to the removal of the existing carriageway. Could the Applicant confirm that is correct?
1.6.38.	The Applicant	Schedule 1 – Work 59 Work 59 refers to a traffic sign. If this is referenced here, why are the main other traffic signs that inevitably will be necessary not referenced?
1.6.39.	The Applicant	Schedule 2 – General In R3, for example, it is stated: "agreed in writing by the [SoS], following consultation with the relevant planning authority on matters related to its function". It is not clear in the drafting here whether the consultation is to be undertaken by the undertaker prior to the submission to the SoS, or by the SoS following submission by the undertaker. Could this please be clarified? There are a number of occasions where drafting of this type occurs. Alternative drafting making this clear has been used in other made DCOs. Furthermore, there is no explanation within the EM of the origins/ precedent of the

ExQ1	Question to:	Question:
		drafting used there, for example whether another DCO's drafting is relied upon.
1.6.40.	PCC NE EA HMBCE	Schedule 2 – General Could PCC, NE, EA and HMBCE please check Schedule 2 and confirm whether they are content as regarding consultations prior to discharge of Requirements? If they consider that they should be additionally included or excluded from any particular Requirement could they please explain why they believe that to be appropriate?
1.6.41.	The Applicant	Schedule 2 – Requirement 1 a) Please see ExQ1.6.4. b) As all European protected species are nationally protected species are these definitions clear to ensure that they are mutually exclusive?
1.6.42.	The Applicant	Schedule 2 – Requirement 4 Could the Applicant please explain how reference to ISO14001 meets the tests for requirements/ conditions set out in the NPSNN/ Framework/ PPG, rather than just being an internal management approach?
1.6.43.	The Applicant	Schedule 2 – Requirement 5 a) Could the Applicant please explain how the 5-year time limit for replacement of landscaping that fails is compatible with ensuring that the Proposed Development is mitigated for its lifetime? b) Could the Applicant please explain how requirement 5(4) meets the tests for requirements/ conditions set out in the NPSNN/ Framework/ PPG?
1.6.44.	The Applicant	Schedule 2 – Requirement 6 In R6(2) how can the SoS be satisfied that the undertaker will ensure that previously unidentified contamination will be resolved, if the decision on whether or not to remediate that land lies with the undertaker?
1.6.45.	The Applicant	Schedule 2 – Requirement 7 Are shrubs that are removed technically "felled"? Should a more appropriate term be used?
1.6.46.	The Applicant	Schedule 2 – Requirement 8

ExQ1	Question to:	Question:
	EA PCC	Should these matters also be subject to consultation with the EA and LLFA?
1.6.47.	The Applicant	Schedule 2 – Requirement 9 a) Should this requirement have provisions to deal with the deposit of analysis, reporting, publication or archiving required as part of the response to the works following the undertaking of the written scheme of investigation? b) What measures are to occur should any archaeological remains not previously identified be revealed when carrying out the authorised development, particularly as the Scheduled Monument was a burial site? c) Should there be any particular provisions in the event that human remains are found?
1.6.48.	The Applicant	Schedule 2 – Requirement 10 a) Please check the drafting of this requirement in light of the response to ExQ1.6.7. b) Could the Applicant please explain how requirement 10 meets the tests for requirements/ conditions set out in the NPSNN/ Framework/ PPG?
1.6.49.	The Applicant	Schedule 2 – Part 2 a) This Part sets out a procedure for the discharge of requirements by the SoS. However, the EM gives no explanation as to where the wording of this procedure comes from – whether from a model, or precedent provisions. Could these please be provided? b) Further, the Planning Inspectorate’s Advice Note 15, paragraph 19 and Good Practice Point 3 also recommends a mechanism for dealing with any disagreement between the Applicant and the discharging authority is defined and incorporated in a draft DCO Schedule. Could the Applicant please respond to this taking into account ExQ1.6.14.
1.6.50.	The Applicant	Schedule 2 – Requirement 13 Could the Applicant please amend this requirement so that if the SoS does request further information under requirement 14 and the Applicant does not supply that

ExQ1	Question to:	Question:
		information that the relevant submission, or part of that submission if severable, is refused so as to avoid matters being approved in default.
1.6.51.	The Applicant	Schedule 3 a) Throughout - Could the titles please be checked. For example, for the second substantive entry in Part 1 "Proposed free flow link from A1 to A47 new eastbound diverge slip road to be classified as part of the A47 Trunk Road From point E, 350 metres south of the junction between A1 and Windgate Way, in a south-easterly direction to point F (sheet 3), a distance of 2490 metres." is titled as being on "The classification of road plans – sheet 1", but occurs on sheets 1, 2 and 3. b) Part 5 - Could the Applicant please provide a copy of the A47 Trunk Road (Wansford, City of Peterborough to Great Yarmouth, Norfolk) (24 Hour Clearway) Order 2013? c) Part 8 – Point L on the Traffic Regulation Plan [APP-013] appears to be to the east of Wansford eastern roundabout. Could the Applicant please clarify the second substantive entry relating to this roundabout?
1.6.52.	The Applicant	Schedule 4 Could the Applicant please confirm who would be responsible for the maintenance of the new private means of access from point C7 on the rights of way and access plans to Deep Springs?
1.6.53.	The Applicant	Schedule 5 and Schedule 7 Should the title of the third column of Schedule 5 and the fourth column of Schedule 7 refer to "work" rather than "part"?
1.6.54.	The Applicant	Schedule 9 There is no explanation in the EM as to where the wording for these Provisions comes from, whether from model provisions or precedent. Could the Applicant please confirm whether these are standard Provisions derived from a precedent, and if so where from. Additionally, it would be helpful if this was stated in the EM, along with clarification as to whether there has been any amendment to the wording and, if so,

ExQ1	Question to:	Question:
		why.
1.7.	Geology and Soils	
1.7.1.	The Applicant	Agricultural Land Classification a) Paragraph 9.5.6 of Chapter 9 of the ES [APP-047] indicates that two areas have not been surveyed for their Agricultural Land Classification. Does the Applicant intend to survey these areas? b) Do IPs consider that the Applicant's assessment of Grade 3a is reasonable? c) If not, please explain your reasoning.
1.7.2.	The Applicant	Agricultural Land Classification Paragraph 9.7.11 of Chapter 9 of the ES [APP-047] indicates that Grade 1 agricultural land makes up approximately 63% of the agricultural land within Peterborough District, while Grade 2 agricultural land makes up approximately 48% of the agricultural land within the district and approximately 47% of the agricultural land is Grade 3. Given that these total more than 100% could this please be explained.
1.7.3.	Natural England PCC CCC NNC HDC	Agricultural Land Assessment a) Given that the PCC area is relatively small, should the assessment be considered against other geographic area(s)? b) If so, could IPs please set out the area which should be considered, explaining why?
1.7.4.	The Applicant	Agricultural Land Assessment Table 4.3 of Appendix 9.2 (Agricultural Land Classification Report) [APP-117] and Table 9-10 of Chapter 9 of the ES [APP-047] do not seem to be consistent. Furthermore, the figures in Table 9-12 of Chapter 9 of the ES for permanent loss of Grade 2, 3a and 3b Agricultural Land and those in paragraph 9.10.5 also do not seem to be consistent. Could the Applicant please explain these discrepancies and could any implications

ExQ1	Question to:	Question:
		following from this be assessed.
1.7.5.	The Applicant	Agricultural Land Assessment a) Should the effects on Agricultural soils be considered across all soil classifications rather than individually? b) What would the assessment be if this were to be done? c) If the assessment were undertaken against BMV soils and non-BMV soils what would be assessment be? d) In both cases this should be done as per Table 9-12. e) If this were to be done, would it change the overall assessment.
1.7.6.	The Applicant	Agricultural Land Assessment a) Should the effect on BMV land be considered against a geographic area rather than in absolute terms? Otherwise, why was the analysis in paragraph 9.7.11 of Chapter 9 of the ES [APP-047] set out. b) Could an analysis be undertaken against the effect on geographical areas at the District, County (Cambridgeshire and Peterborough area combined) and Regional level, with a sensitivity analysis undertaken with regards Northamptonshire and the East Midlands.
1.7.7.	The Applicant	Soils Handling a) Could the Applicant explain how the SoS is to be satisfied that that best practice for soils handling is secured, if that is to be dealt with only as part of a Soils Management Plan? b) Should specific reference be made within the Environmental Management Plan of the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites? c) Can appropriate commitments be provided within the Register of Environmental Actions and Commitments?
1.7.8.	The Applicant	Ground Investigation Report a) Paragraph 9.4.14 (and other locations) of Chapter 9 of the ES [APP-047] refers to a Ground Investigation Report and it forming part of the accompanying

ExQ1	Question to:	Question:
		documents. However, this has not been submitted. Could it please be submitted?
1.7.9.	The Applicant IPs	Baseline for geology and soils a) Paragraph 9.7.49 of Chapter 9 of the ES [APP-047] indicates the Construction year baseline is based on information in the Peterborough Local Plan. Given the proximity to administrative boundaries, could the Applicant please set out why it did not consider cross-boundary implications? b) Do IPs consider the Applicant's approach to be correct? c) If not, what area should be considered? d) Can the Applicant please provide outline versions of the Soils Management Plan, a Soils Handling Strategy and a Materials Management Plan so that the proposed mitigation and their potential efficacy on ensuring best practice measures for soil handling can be fully understood.
1.8.	Landscape and Visual	
1.8.1.	PCC NNC HDC	Valued Landscape a) Do any of the Councils consider that any part of either the Order Lands or land within the Zone of Theoretical Visibility represents a Valued Landscape for the purposes of paragraph 174 of the NPPF? b) If so, could the Council please set out on a plan the area(s) concerned and explain why it holds that the land in question represents a valued landscape?
1.8.2.	The Applicant	Consultation on Scoping Given the proximity of the Proposed Development to Huntingdonshire District/ Cambridge County and North Northamptonshire, why was consultation only undertaken with PCC and not HDC, CCC or NNC (or its predecessor)?
1.8.3.	NNC HDC CCC	Viewpoints a) Are there any other viewpoints that HDC or NNC consider should be assessed? b) If so, could these please be identified on a map to an Ordnance Survey base?
1.8.4.	IPs	Assessment a) Do any IPs consider that the lack of visits to private property to be a limitation of significance within the assessment?

ExQ1	Question to:	Question:
		b) If so, could they please identify the precise location, along with details of features that could not be otherwise seen from publicly accessible viewpoints?
1.8.5.	The Applicant	Felling of trees To fully assess the Proposed Development the need for the felling of trees should have been identified. However, in Appendix A to the Consents and Agreements Position Statement [APP-018] there is insufficient detail of the design in relation to the felling of trees to ascertain whether a Felling Licence under the Forestry Act will be required. Could the Applicant please undertake an analysis so that the decision can be properly informed in respect of landscape and visual effects?
1.8.6.	The Applicant	Trees a) PCC has asked for clarity as to the following trees and whether they are to be removed or retained: T18, T97, T98, T104, T113, T115, T116, T117. Could the Applicant please provide this information? b) PCC has asked for various amendments at a number of locations to compensate for the loss of trees. Could the Applicant please give its response.
1.8.7.	IPs HDC NNC	Effect on Rockingham Forest and the Northern Wolds a) Do IPs, in particular HDC and NNC, agree that the Proposed Development would not have a significant adverse effect on either the Rockingham Forest or the Northern Wolds landscape character areas? b) If not, please explain why you consider this to be the case, providing information to support your view and specifying particular locations as appropriate.
1.8.8.	IPs	Visual Receptors a) Do IPs consider that the list of visual receptors set out allows for a full consideration of the likely significant effects of the Proposed Development. b) If not, please explain why you consider this to be the case, providing information to support your view and specifying particular locations, preferably shown on a

ExQ1	Question to:	Question:
		map to an Ordnance Survey base, as appropriate.
1.8.9.	IPs	Landscape character a) Do IPs consider that the Applicant's assessment of the value of the two identified landscape character areas set out in paragraph 7.7.11 of Chapter 7 of the ES [APP-045] is correct? b) If not, please explain why you take that view.
1.8.10.	The Applicant	Lighting columns a) How high are/ would be the existing and proposed lighting columns at the existing and proposed roundabouts? b) Should the maximum height limit be secured in the dDCO, and if so how? c) Do the Limits of Deviation include the lighting columns?
1.8.11.	The Applicant	Lighting at roundabouts Paragraph 2.5.37 of the ES [AS-013] indicates that the approaches to the proposed A47 Sutton Heath roundabout would require lighting to provide approximately five seconds of driving time at the expected speed. a) Could the Applicant please advise against what standard this has been derived? b) Could the Applicant please advise as to what distances (on all four arms) this would be, given speed limits, nature of the highways in question and stopping distances particularly as queue lengths at the roundabouts do not seem to have been assessed (see ExQ1.11.6)? c) Could the Applicant please advise whether lighting to this full extent has been assessed in the ES?
1.8.12.	The Applicant	Viewpoint assessment a) Can VP1 please be redone from a viewpoint approximately 50m to the east (this is so as to ensure that the effect of the new roundabout can be fully appreciated, including lighting columns, rather than from behind vegetation). b) Can VP2 please be redone but including a few HDV vehicles on the proposed roads, particularly the proposed slip road between the A1SB and the A47?

ExQ1	Question to:	Question:
1.8.13.	The Applicant	Visual receptors Could Sheets 1 to 4 of the Visual Receptors (Figure 7.5 [APP-059]) be submitted as only the sheet overview has been provided?
1.8.14.	The Applicant	Overhead electricity line between A47 and River Nene Photomontages from Viewpoints 3A [APP-063] and 3B [APP- 064] indicate that the existing overhead line is to be removed. However, this does not appear to be the case in the photomontages from Viewpoint E1 [APP-068]. a) Could the Applicant please clarify whether this overhead line is to be removed? b) If so, could the Applicant indicate the extent and confirm how this is to be secured? c) If not, could the Applicant explain how harm to the landscape would be minimised (paragraph 5.157 of the NPSNN)?
1.8.15.	The Applicant	Use of highways by WCH a) Given the lack of PRoWs on the southern side of the River Nene to the north of Stibbington and the areas to the north of the existing A47 east of Sutton Heath Road, as noted in paragraph 7.7.36 of Chapter 7 of the ES [APP-045], what analysis has been undertaken of WCHs using roads in these areas? b) If none, could the Applicant please undertake an analysis of the visual effects on such users bearing their higher sensitivity to change when compared with other road receptors, given such users are otherwise unable to utilise the PRoW network. c) If analysis has been undertaken, can this please be provided.
1.8.16.	PCC HDC NNC	Vegetation Growth rates Do PCC, HDC and NNC agree with the assumptions for growth of vegetation set out in Table 7-6 in Chapter 7 of the ES [APP-045]?
1.9.	Noise and Vibration	
1.9.1.	The Applicant	Clarification Table 11-2 in Chapter 11 of the ES [APP-049] the second row refers to

ExQ1	Question to:	Question:
		"Approximately 0.032 k/m ² of the River Nene ...". As this is not a SI unit could the Applicant please clarify this measurement.
1.9.2.	PCC HDC NNC IPs	Base consideration a) Do IPs consider that the LOAEL and SOAEL figures set out in paragraph 11.4.15 are appropriate? b) If not, please explain why and how you take that view and set out what they should be.
1.9.3.	The Applicant	Operational Study Area Paragraph 11.6.6 of Chapter 11 of the ES [APP-049] defines the operational study area "as the area within 600m of new road links or road links physically changed or bypassed by the project". Physical works are proposed at the junction of Sutton Heath Road, Langley Bush Road and Church Walk and along Church Walk near Upton. However, Figures 11.2 to 11.8 [APP-074] do not show any noise predictions for this area. a) Could it be explained why this area was omitted from the figures? b) Could noise predications please be provided?
1.9.4.	The Applicant	Clarification Table 11-10 in relation to Address data refers to PRow data being obtained from Norfolk County Council. It is assumed that this is in error. Could the correct data source(s) be identified and any implications for the assessments dealt with?
1.9.5.	The Applicant PCC	Road surfacing Paragraph 2.5.38 of Chapter 2 of the ES [AS-013] gives two potential road surfaces, Thin Surface Course System and Hot Rolled Asphalt. a) Could the Applicant please set out the differences in noise levels expected with these two surfaces? b) Could PCC confirm whether or not it generally uses Hot Rolled Asphalt for roads which it maintains, and if not, what surfacing is used (along with details of the

ExQ1	Question to:	Question:
		noise profile expected).
1.9.6.	The Applicant	Land to west of Upton Paragraph 11.7.9 of Chapter 11 of the ES [APP-049] sets out the number of noise sensitive receptors identified. As set out in ExQ1.9.3 this has not included the area to the west of Upton. Could the analysis in paragraphs 11.7.9 to 11.7.13 please be reassessed to take account of the effects in this area, together with the relevant parts of Sections 11.8, 11.9, 11.10, 11.11 and 11.12.
1.9.7.	The Applicant	Land to west of Upton a) It would appear that the Upton works are only scheduled for weekends as this is the only times when the effects have been assessed (see Figures 11.23 [APP-076] and 11.30 [APP-077]). Is this correct? b) If this is correct, what is the reasoning for this? c) If not, why have no day and/ or evening assessments been made?
1.9.8.	The Applicant	Noise from construction traffic a) Paragraph 11.8.28 of Chapter 11 of the ES [APP-049] makes its assumptions based on construction-related traffic using only the A1 and A47. What measures are in place to secure this (it does not appear to be covered within the Outline Traffic Management Plan [APP-146])? b) What implications are there from this not being secured?
1.9.9.	The Applicant	Noise changes – outdoor receptors a) Paragraph 11.8.37 of Chapter 11 of the ES [APP-049] indicates that outdoor non-residential receptors such as PROWs, church cemeteries and SSSIs have been excluded from the summary of long-term noise changes without the Proposed Development. Could the Applicant please explain why this was done? b) What are the implications of including them?
1.9.10.	The Applicant	Use of Plant and Machinery ES Chapter 11 Section 11.9 [APP-049] paragraph 11.9.5 explains that where there is a risk of significant effect and where the Principal Contractor's preferred plant departed considerably from the plant identified for the noise and vibration

ExQ1	Question to:	Question:
		assessment the Principal Contractor would need to assess noise and vibration, consult with the Local Authority, and agree appropriate methods of mitigation and monitoring that account for the location of works, hours of work and expected duration. Given that the Applicant allows for mitigation methods to be agreed later with the Local Authority, can the Applicant explain how a worst-case assessment for noise and vibration has been determined?
1.9.11.	The Applicant	Decarbonising transport Do the Government's policy statements 'Decarbonising transport: a better, greener Britain' and 'Net Zero Strategy: Build Back Greener' have any implications for the noise and vibration assessment on the basis that this would result in an increase in electric vehicles rather than those powered by internal combustion engines, as electric vehicles have a different noise and vibration profile? If so, what would be the resultant effects?
1.10.	Socio-economic effects	
1.10.1.	The Applicant	Material assets and waste a) Paragraph 10.6.5 of Chapter 10 of the ES [APP-048] sets the secondary study area for the source of material assets to be the East of England region. Given the proximity of the site to the East Midlands region, should the study area have been extended to include this region? b) What implications would there be for also considering that area? c) Can a sensitivity analysis please be provided?
1.10.2.	The Applicant	Recycling of waste a) Paragraph 10.7.11 of the ES [APP-048] sets out the target recycling rate for the East of England. Could the equivalent target for recycling within the East Midlands region please be provided? b) Can the Proposed Development please be assessed against this for the East Midlands region?

ExQ1	Question to:	Question:
1.10.3.	The Applicant	Secondary aggregates Paragraphs 10.7.16 to 10.7.20 of the ES [APP-048] set out an analysis of alternative (secondary and recycled aggregates) against the East of England target set out in paragraph 10.7.11. Could the equivalent analysis be undertaken against the target for East Midlands region?
1.10.4.	PCC NNC CCC HDC IPs	Construction and Demolition Waste a) Do IPs consider that the wastage rate of 5% as set out by the Applicant in paragraph 10.10.4 of Chapter 10 of the ES [APP-048] is reasonable? b) If not, what should it be? Such a rate should be justified.
1.10.5.	The Applicant	Construction and Demolition Waste a) In Table 10-5 in Chapter 10 of the ES [APP-048] set out the potential management route(s) for recycling are all to be off-site. Could the Applicant please explain why on-site recycling (as in the reuse of materials obtained from preparation works including demolition) has not be utilised as a priority management route? b) What implications would there be is if this were to be applied? c) How should such a method be secured?
1.10.6.	The Applicant	Clarification a) Paragraph 12.4.10 of Chapter 12 of the ES [AS-016] states that the 12 locations for WCH surveys are shown on Figure 12.1. Could it please be confirmed that these are shown on Figure 12.3? (the incorrect reference is used elsewhere, for example in the title rows of Tables 12-5 and 12-6). b) Additionally, in this paragraph some are marked as "All movements", some as types of movement and/ or direction and some are not marked. Could this please be clarified as to what these terms mean?
1.10.7.	The Applicant IPs	WCH Surveys a) Could the Applicant please explain why no WCH surveys were undertaken to the north of the existing A47?

ExQ1	Question to:	Question:
		b) Do IPs have any information that they feel is relevant to the consideration of the effects of the Proposed Development of these highway users in this area?
1.10.8.	The Applicant	Upton and Lower Lodge Farm Paragraphs 4.7.24 and 4.7.25 of the Case for the Scheme [AS-022] set out increased distances of travel for residents of Upton and Lower Lodge Farm. While the start point is clear, could the Applicant please clarify the end point of the journeys assessed?
1.10.9.	The Applicant	Upton and Lower Lodge Farm Paragraphs 4.7.24 and 4.7.25 of the Case for the Scheme [AS-022] assessed the effects on the residents in Upton as "slight adverse" at Lower Lodge Farm from the Proposed Development as "moderate adverse". Table 12-2 of Chapter 12 of the ES [AS-016] indicates that for WCH an increase of greater than 500m are considered "major". Could the applicant further justify its statements in paragraphs 4.7.24 and 4.7.25 as to the degree of effect of the Proposed Development for those walking, cycling or horse riding to/ from these properties.
1.10.10.	The Applicant	Effect on farm holdings a) Paragraph 12.4.22 of Chapter 12 of the ES [AS-016] notes that three owners/ occupiers of three agricultural landholdings had not been contacted at the time of writing. Has any contact now been achieved, and if so, what were the results? b) If not, what measures are to be put in place to make contact?
1.10.11.	The Applicant	Human Health Paragraph 12.4.33 of Chapter 12 of the ES [AS-016] sets out the wards where data has been interrogated. Given the proximity of North Northamptonshire, what consideration was given to assessing data from relevant ward(s) in close proximity? Paragraph 12.6.2 refers to Prebendel Ward as being in Cambridgeshire, when it is in North Northamptonshire.

ExQ1	Question to:	Question:
1.10.12.	The Applicant	Baseline conditions Could a similar analysis as undertaken in paragraph 12.7.6 of Chapter 12 of the ES [AS-016] please be undertaken in relation to North Northamptonshire, or at least a sensitivity analysis undertaken?
1.10.13.	The Applicant	Baseline conditions Chapter 6 of the ES [APP-044] (Cultural Heritage) refers to the Church of St John the Baptist in Upton. This has not been referred to in Chapter 12. Equally, the Church of St John the Baptist referred to as being in Sutton, it is in Stibbington (see paragraph 6.6.42 of Chapter 6 of the ES). Could these errors be investigated and any implications reported in relation to socio-economic effects?
1.10.14.	The Applicant	Agricultural land holdings Could the Applicant please undertake a sensitivity analysis in similar terms to paragraphs 12.7.15 to 12.7.17 in relation to the East Midlands region, given the proximity.
1.10.15.	Landowners/occupiers of Farms set out in Table 12-4 of ES [AS-016]	Effect on farm holdings a) Could the landowners/ occupiers of the Farm References 1 to 7 as set out in Table 12-4 of Chapter 12 of the ES [AS-016], please confirm the land use of their holdings? b) If the use is not as set out in that Table could the party please set out the nature of the land-use, both currently and over the last five years.
1.10.16.	The Applicant	Human Health Could the Applicant confirm whether the data used for health/ life expectancy set out in Table 12-7 of the ES [AS-016] pre-dates the Covid-19 pandemic and, if so, whether there are any implications that should be taken as a result of the pandemic.
1.10.17.	The Applicant PCC	Old Station House Could the Applicant and PCC provide dates (first occupation and last occupation) when the Old Station House was occupied as a dwelling?
1.10.18.	The Applicant	Clarification Could the Applicant please confirm the distances set out in paragraph 12.10.9. Is it

ExQ1	Question to:	Question:				
		correct that they are 30 millimetres and 340 millimetres?				
1.10.19.	The Applicant	Heath House Table 12-2 in Chapter 12 of the ES [AS-016] indicates that an additional distance for a WCH users of greater than 500 metres should be considered to be 'major'. However, in paragraph 12.10.10 the additional distance, albeit by vehicle, would be 770 metres. Any occupier from this property walking to another facility would have to travel a further distance. Could this be quantified and assessed.				
1.10.20.	The Applicant PCC	6, 8, 10 and 12 Great North Road, Thornhaugh a) Could the Applicant please supply, measured on the basis of Ordnance Survey records, the extent of each residential garden of these properties currently and after the Proposed Development both graphically and in square metres. b) Does PCC have any adopted standards for the size of gardens which may be applicable to the consideration of this matter?				
1.10.21.	The Applicant	Decarbonising Transport a) Do the Government's policy statements 'Decarbonising transport: a better, greener Britain' and 'Net Zero Strategy: Build Back Greener' have any implications for the population and human health assessment? b) If so, what would be the resultant effects?				
1.10.22.	The Applicant	Separation of Communities Several RRs indicate the historic links between Upton, Sutton, Castor and Ailsworth, which they consider would be severed, or at least severely compromised, by the Proposed Development. a) Could the Applicant please set out the distances in the DM and DS scenarios between the following locations: <table><tr><td><u>Start</u></td><td><u>Finish</u></td></tr><tr><td>Model Farm, Upton</td><td>The junction of Nene Way and The Drift in</td></tr></table>	<u>Start</u>	<u>Finish</u>	Model Farm, Upton	The junction of Nene Way and The Drift in
<u>Start</u>	<u>Finish</u>					
Model Farm, Upton	The junction of Nene Way and The Drift in					

ExQ1	Question to:	Question:	
			Sutton
		Model Farm, Upton	The junction of Peterborough Road and Main Street in Ailsworth
		Model Farm, Upton	Castor C of E Primary School, Castor
		Heath House, Sutton Heath Road	The junction of Nene Way and The Drift in Sutton
		Heath House, Sutton Heath Road	The junction of Peterborough Road and Main Street in Ailsworth
		Heath House, Sutton Heath Road	Castor C of E Primary School, Castor
		Lower Lodge Farm, Upton Road	The junction of Nene Way and The Drift in Sutton
		Lower Lodge Farm, Upton Road	The junction of Peterborough Road and Main Street in Ailsworth
		Lower Lodge Farm, Upton Road	Castor C of E Primary School, Castor
The distances should be reported along highways open to all traffic and PRowS (if different). It would aid interpretation if the routes could be shown on a plan to an Ordnance Survey base.			
b) Does the Applicant wish to make any further written comment about the effects on the separation of communities?			
1.10.23.	IPs	Human Health effects a) Chapter 12 of the ES [AS-016] paragraph 1.24.37 indicates that DMRB LA 112 does not define the significance of human health effects. Are IPs satisfied with the	

ExQ1	Question to:	Question:
		assessment methodology for human health effects as set out in the ES? b) If not, could you please set out what methodology should be used, justifying your answer.
1.11.	Traffic and Transport	
1.11.1.	PCC CCC NNC	Traffic Model a) Do the Councils agree that the use of the South East Regional Transport Model (SERTM) for traffic modelling is appropriate in all the circumstances of the proposal? b) If not, what other model or geographic area should be utilised?
1.11.2.	The Applicant IPs, particularly PCC and Parish Councils	WCH surveys a) Paragraph 5.125 of the TA indicates the location for WCH surveys. Was there a particular reason why no surveys were undertaken at the junction of: (i) Sutton Heath Road with the A47; (ii) The Drift with the A47; and (iii) the junction of Wansford 4 with the A47; in relation to crossing of the A47 by WCHs. b) Do IPs have any information as to the extent of use of these junctions by WCHs. c) Paragraph 5.1.28 indicates that the survey period included a Bank Holiday. Does any party consider this effects way the consideration of the results and, if they do, could they explain why they take the view?
1.11.3.	The Applicant	Peak hour flows a) Could Tables 7-3 to 7-8 of the TA please be redone with the routes (i) descriptions simplified, and (ii) shown on a map (figure)? For example, 'Nene Way Roundabout' 'A47 western approach' 'EB', when that simply means Nene Way roundabout east bound. b) Could these figures also be provided for the Wansford west roundabout on all directions of travel in all the scenarios cited in Tables 7-3 to 7-8.

ExQ1	Question to:	Question:																														
1.11.4.	The Applicant	Journey time comparisons a) Could the Applicant confirm that in Table 7-9 of the TA the decimal set out for each minute is 6 minutes in time? b) Could this please be re-presented in minutes and seconds.																														
1.11.5.	The Applicant	Journey time comparisons Could the Applicant please redo the journey comparisons set out in Table 7-9 for each and all of the following time periods: <table border="1"> <thead> <tr> <th>No</th><th>Abbreviation</th><th>Description</th></tr> </thead> <tbody> <tr> <td>1</td><td>AM1</td><td>AM Peak period 1 (07:00 to 08:00)</td></tr> <tr> <td>2</td><td>AM2</td><td>AM Peak period 2 (08:00 to 09:00)</td></tr> <tr> <td>3</td><td>AM3</td><td>AM Peak period 3 (09:00 to 10:00)</td></tr> <tr> <td>4</td><td>IP</td><td>Inter-peak period (10:00 to 16:00) average hour</td></tr> <tr> <td>5</td><td>PM1</td><td>PM1 Peak period 1 (16:00 to 17:00)</td></tr> <tr> <td>6</td><td>PM2</td><td>PM2 Peak period 2 (17:00 to 18:00)</td></tr> <tr> <td>7</td><td>PM3</td><td>PM3 Peak period 3 (18:00 to 19:00)</td></tr> <tr> <td>8</td><td>EV</td><td>Evening period (19:00 to 22:00) average hour</td></tr> <tr> <td>9</td><td>ON</td><td>Overnight period (22:00 to 07:00) average hour</td></tr> </tbody> </table> These should be set out by route shown in Figure 7-1 and should be shown in minutes and seconds.	No	Abbreviation	Description	1	AM1	AM Peak period 1 (07:00 to 08:00)	2	AM2	AM Peak period 2 (08:00 to 09:00)	3	AM3	AM Peak period 3 (09:00 to 10:00)	4	IP	Inter-peak period (10:00 to 16:00) average hour	5	PM1	PM1 Peak period 1 (16:00 to 17:00)	6	PM2	PM2 Peak period 2 (17:00 to 18:00)	7	PM3	PM3 Peak period 3 (18:00 to 19:00)	8	EV	Evening period (19:00 to 22:00) average hour	9	ON	Overnight period (22:00 to 07:00) average hour
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1.11.6.	The Applicant	Roundabouts operation In relation to this question, the DM scenarios in the eastern part of the application site relate to the existing Nene Way roundabout and the DS scenarios (both) to the																														

ExQ1	Question to:	Question:
		proposed Sutton Heath roundabout. In relation to the western part of the application site they relate to the Wansford east and Wansford west roundabouts. a) Could the Applicant please undertake an assessment of the capacity of all three roundabouts within the Order Lands in the DM, DS opening year and DS design year scenarios. These should include the Degree of Saturation (DoS) figures and Ratio of Flow to Capacity (RFC). If any of these show DoS or RFC figures in excess of 0.85 can the Applicant explain how the proposal will meet the Scheme Objectives (paragraph 2.2.1 of the TA) and what mitigations would be put in place to reduce either to below 0.85, along with details of how those mitigations are to be secured. b) Could the Applicant please undertake queue length/ time analysis for all three roundabouts within the Order Lands in the DM, DS opening year and DS design year scenarios, for all time periods, ie those set out in the table within ExQ1.11.5, for all arms. c) Where any roundabout is signalised or proposed to be signalised, an appropriate LinSIG analysis should be completed and submitted.
1.11.7.	The Applicant	Road Safety Audits a) Could the Applicant please advise to what stage Road Safety Audits have been taken of the various parts of the Proposed Development? b) If they have been undertaken, could they please be reported, along with the responses to date? c) If they have not been undertaken when are they to be undertaken?
1.11.8.	The Applicant	Wansford west roundabout – traffic Table 7-9 of the TA indicates that the proposal would only result in a minimal time saving in the PM peak. It is said this is mainly due to delays at the exit from the Wansford East roundabout in the DS scenario which is caused by traffic blocking back across the bridge from the Wansford West roundabout.

ExQ1	Question to:	Question:
		Paragraph 4.7.14 of Case for the Scheme [AS-022] states: "There is a pre-existing issue at the A1/A47 roundabouts (mainly the western roundabout)." This is acknowledged in paragraph 7.9.6 of the TA and paragraph 4.7.14 of Case for the Scheme [AS-022] continues: "... this will be raised with the Highways England Operations team for consideration as a future improvement project during the identification and prioritisation process for future roads periods." How will the Proposed Development meet the Scheme Objectives (paragraph 2.2.1 of the TA), particularly that of providing a more free-flowing network, if improvements to the Wansford west roundabout are not secured as part of the Proposed Development, noting that it lies in the application site?
1.11.9.		Proposed WCH facilities Table 7-14 reference 5 of the TA indicates that the proposed new permissive bridleway would be substandard in width. a) Why, and to what extent (width and length), would it be substandard in width? b) What consideration has been given to ensuring that it is of standard width? c) If it has been considered, why has that been rejected? d) If it has not been considered, could the Applicant please give consideration to delivering this at a minimum of standard width.
1.11.10.	The Applicant	WCH routes Given the Wansford Nene Way Permissive 1, Wansford Annual Maintenance 113, Wansford Nene 4 and Wansford Hereward Way Permissive 3 are all permissive routes, and thus could be withdrawn, what measures are in place to ensure that appropriate WCH routes are available in perpetuity to ensure that the Proposed Development does not worsen accessibility or increase severance? (See paragraph 5.216 of the NPSNN.)
1.11.11.	The Applicant	Accident data Tables 7-16 and 7-17 and paragraph 7.12.9 of the TA all refer to an "analysis

ExQ1	Question to:	Question:
		period". Could this please be precisely defined, preferably in years/ months.
1.11.12.	The Applicant	Signage strategy Paragraph 8.3.1 of the TA indicates that a signage strategy has been completed. Can this please be provided.
1.11.13.	The Applicant	Outline Transport Management Plan Could the Applicant please check this document, there appears to be some references of matters that may not be relevant – for example, the Norfolk Agricultural Show.
1.11.14.	The Applicant	Sutton Heath Road Could the Applicant please clarify what signage would be installed at the junction of Sutton Heath Road with the proposed new road from the proposed Sutton Heath roundabout to the south of the junction with Langley Bush Road.
1.11.15.	The Applicant	The Drift a) Could the Applicant please clarify the proposals for the section of The Drift between the proposed turning head and the existing A47? Sheet 6 of the Rights of Way and Access Plan [AS-008] indicates that it is to be "Highway to be Stopped Up"? It is possible that there may be an annotation for "New Shared Cycle Track", but unlike others (for example to the west of the northern extent) this is not annotated on top of the to be stopped up highway. If necessary, can the plan be re-annotated. b) If this is to be a Shared Cycle Track, then could the nature of any physical obstruction at either end be clarified (the indicator does not appear in the key to the Environmental Masterplan [AS-021]). c) If it is to be a Shared Cycle Track, then could the Applicant please re-consider the northern junction, and the junction with the east/ west cycle track on the line of the A47 to the west, so as to avoid if possible: (i) Any interruption of an obvious 'desire line'; and (ii) Any need to travel on a carriageway used by motorised vehicles. d) If it is to be a Shared Cycle Track, could clarity be provided as to who will be

ExQ1	Question to:	Question:
		ultimately responsible for its maintenance and for maintenance of the associated verges? e) Could the Applicant respond to the suggestion that The Drift should not be altered but rather be retained as an existing link from the proposed Sutton Heath Roundabout to the village of Sutton? In this regard, the response should provide technical and objective reasons if the suggestion is to be rejected, rather than asserting professional judgement.
1.11.16.	The Applicant	Sacrewell underpass a) Could the Applicant please confirm whether this route is to be available at all times? b) Could the Applicant please confirm who would be responsible for the long-term maintenance of both the bridlepath and its verge, and how this is to be secured? c) Given the Wansford Nene Way Permissive 1 and Wansford Hereward Way Permissive 3 are permissive routes, and thus could be withdrawn, what measures are in place to ensure that appropriate WCH routes are available in perpetuity?
1.11.17.	The Applicant	6, 8, 10 and 12 Great North Road, Thornhaugh a) Could the Applicant clarify whether the proposed private means of access (Work No 2) is to be physically separated from the carriageway of A1? b) If so, could the Applicant please explain the nature of the physical separation between the western extent of this private means of access and the eastern extent of the A1? c) If not, could the Applicant please undertake a safety audit of this? d) Could the Applicant also explain: (i) is it proposed that this private means of access would also provide access to the property on Windgate Way? (ii) what turning arrangements are to be made for each and all properties (a drawing would assist in demonstration)? (iii) who would be the ultimate owner of this private means of access? (iv) how is this private means of access to be secured so that all owners/

ExQ1	Question to:	Question:
		occupiers have rights to utilise this private means of access in perpetuity? (v) can the Applicant please explain why this is proposed to be a private means of access rather than a public highway given it is providing access to more than a single property and those properties have currently effectively direct access to the public highway?
1.11.18.	The Applicant	Main Road, Upton Could the Applicant please set out precisely the details of the proposed works to Main Road in Upton between its junction with Sutton Heath Road and that with Church Walk. This should set out, as a minimum: (i) the resultant minimum width of the carriageway; (ii) the resultant width and length of passing places; (iii) the resultant frequency of separation for the passing places, both in terms of distance and intervisibility (ideally the precise locations should be identified); (iv) how the crossing of the watercourse is to be achieved; and (v) vehicle turning diagrams at the junctions at both ends of Main Road. The above should be justified against recognised standards and show cognisance that the highways may well be utilised by the largest vehicles permitted by the Road Vehicles (Authorisation of Special Types) (General) Order 2003. The analysis should not rely on alternative routes for vehicles unless they can be demonstrated and shown to be suitable with compliance with appropriate Traffic Regulation measures (either as existing or as proposed).
1.11.19.	The Applicant	Wansford west roundabout – cyclists Figure 12.2 [APP-078] indicates that the western A47/A1 roundabout is to be reconfigured, particularly, to deal with cyclists. However, the Case for the Scheme in paragraph 4.7.14 [AS-022] indicates there is a pre-existing issue at the A1/A47

ExQ1	Question to:	Question:
		roundabouts which is to "be raised with the Highways England Operations team for consideration as a future improvement project". These two items appear to be inconsistent. a) Could this please be resolved? b) What evidence is there that the introduction of cycling facilities will not make congestion/ delays for other traffic worse? c) Should separate facilities be provided for WCH?
1.11.20.	The Applicant	Cycle routes Figure 12.2 [APP-078] indicates "New signage will be provided to direct cyclists from the A47/A1 western roundabout via Old North Road and Peterborough Road through Wansford, to the recently upgraded all users permissive route (Wansford Nene Way Permissive 1)". a) Given some locations for this would be outside the Order Lands how would this to be secured? b) Given this proposal is for a permissive route that could be withdrawn what measures are in place to ensure that appropriate WCH routes are available in perpetuity to ensure that the Proposed Development does not worse accessibility or increase severance?
1.11.21.	The Applicant	Cycle route under A1 The Applicant has indicated that upgrading has been undertaken to provide a cycle route under the A1 bridges. However, it would appear that to use the Wansford Nene Way Permissive 1 at its junction with Peterborough Road it is necessary to utilise a steep ramp, thus making it less desirable. The implication from a number of RRs that this route is not suitable, therefore unlikely to be used by cyclists and therefore represents an existing barrier to non-motorised users (see paragraph 5.205 of the NPSNN).

ExQ1	Question to:	Question:
		a) Could the Applicant please address these concerns, particularly what reasonable endeavours have been utilised to lessen severance caused by the existing route? b) Given the Wansford Nene Way Permissive 1 is a permissive route, and thus could be withdrawn, what measures are in place to ensure that appropriate WCH routes are available in perpetuity?
1.11.22.	The Applicant	Significant effects Paragraph 12.12.5 of Chapter 12 of the ES [AS-016] refers to a moderate adverse effect during construction and operation for those using Wansford Hereward Way Permissive 3 and Permissive 2 due to their diversion; and for cyclists due to the removal of cycle facilities at the A47/A1 roundabouts and the removal of the A47/Upton Road/ Peterborough Road roundabout (cycle movements between Ailsworth and Upton). Table 12-15 identifies the former as slight adverse in Table 12-15 and the latter a very large beneficial effect and neither is identified as operational residual effects. Could the Applicant please clarify the effect it considers to be appropriate and explain what, if any, effects during operation would result.
1.12.	Water Environment and Flood risk	
1.12.1.	The Applicant	Road Drainage and the Water Environment Chapter Chapter 13 of the ES [AS-017] the second page of Road Drainage and the Water Environment is incorrectly titled 'Chapter 13 – Road Assessment of Alternatives'. Could this please be amended.
1.12.2.	The Applicant	Clarification References are made in the ES to the 'A47 Wansford Sluice Extension culvert' and the 'Wittering Brook culvert'. Please can the Applicant confirm that they refer to the same works and if so, in the interests of clarity, going forward please can the Applicant refer to it consistently (but see also ExQ 1.12.10 should an alternative be

ExQ1	Question to:	Question:
		utilised).
1.12.3.	The Applicant	Clarification Paragraph 4.1.5 of the Drainage Strategy Report [APP-129] indicates that Appendix B to this document provides a record of an email exchange between PCC and the Applicant. However, this Appendix is effectively blank. Could this please be provided.
1.12.4.	PCC EA	Assessment criteria a) Paragraph 13.4.9 of Chapter 13 of the ES [AS-017] indicates that the two way flow is below the HEWRAT assessment criteria. Are there any other similar criteria relating to roads with lesser flows against which potential pollution effects of the Proposed Development should have been assessed? b) If so, what are they and why are they applicable/ non-applicable?
1.12.5.	PCC EA	Assessment assumptions a) Do the IPs, and particularly the EA and PCC, agree with the Applicant's assessment, set out in paragraphs 13.5.5 and 13.5.6 of Chapter 13 of the ES [AS-017] that there is sufficient information to allow for a proper assessment in relation to the hydraulic properties and groundwater level ranges? b) If not, could you explain why you hold that view, and what additional information is necessary?
1.12.6.	The Applicant	Hydraulic modelling Does the publication by the EA on 20 July 2021 (and since updated) of revised climate change allowances in Flood Risk Assessments, including for peak fluvial flow rates and future peak rainfall intensity, have any implications for the consideration of the Proposed Development?
1.12.7.	The Applicant PCC	Hydraulic modelling Paragraph 13.7.63 of Chapter 13 of the ES [AS-017] indicates that Hydraulic modelling of the A1 Mill Stream culvert was undertaken using HY-8 v7.6 (Federal Highway Administration, 2020). It is stated in the Flood Risk Assessment [APP-128] that this was agreed with PCC.

ExQ1	Question to:	Question:
		Can the Applicant and PCC explain why they believe that this model is appropriate for hydraulic modelling of this crossing and what implications it has for the hydraulic modelling of Wittering Brook.
1.12.8.	EA The Applicant	Water effects of Climate Change Paragraphs 13.7.86ff of Chapter 13 of the ES [AS-017] sets out the that the effects of the Proposed Development have been based on the location of the site in the East of England. a) Given the proximity to the East Midlands, could the EA explain if there are any implications that should be drawn from the data applicable to that area, particularly as some of the catchments are from that region? b) Could the Applicant please undertake a sensitivity assessment based on similar data relating to the East Midlands region?
1.12.9.	The Applicant	Fluvial flood risk Paragraph 7.1.2 of the FRA [APP-128] indicates that drainage surveys and information relating to connectivity of the drainage ditches west of Upton Road was being collected. a) Has this been done? b) If so, what are the results? c) What are the implications for the Proposed Development? d) If not, when are they to be done and when reported?
1.12.10.	The Applicant	Wittering Brook Crossing a) Given that the whole of the A47 culvert is proposed to be replaced, can the Applicant explain if there is a particular reason why only culvert options were assessed rather than others, for example, a clear span bridge? b) Could the Applicant please undertake an assessment based on a clear span bridge. This assessment should not be restricted to hydrological implications but should also include other aspects such as biodiversity and cultural heritage.

ExQ1	Question to:	Question:
		c) Paragraphs 13.8.28 and 13.9.34 of Chapter 13 of the ES [AS-017] state that the new (replacement) culvert to be constructed at Wittering Brook (the Wansford Sluice Extension) would be approximately 60m long and 2.5m high, although the dimensions are given as 54m long and 2.45m high in paragraph 2.5.43 of Chapter 2 of the ES [AS-013]. Please can the Applicant explain the discrepancy. d) Please see also ExQ1.5.7.
1.12.11.	The Applicant	Structural integrity of Proposed Development Could the Applicant explain what constructional techniques will be employed to ensure that the structural integrity of the southern extent of the proposed embankment for the A47 is not affected by flood waters in a flood event or by scouring over time. The ExA notes that several RRs have referred to stability issues in relation to the current road.
1.12.12.	The Applicant	A1 Culvert design ES Chapter 13 [AS-017] paragraph 13.8.7 refers to the extension or replacement of the A1 Mill Stream culvert, ES Chapter 2 [AS-013] paragraph 2.5.4 and other application documents, such as the EMP [AS-027] and the dDCO [AS-010], only refer to its extension. a) Please can the Applicant clarify which is correct? b) In the event that both options are under consideration but neither have been assessed, please provide updated assessments and update other relevant documents, including the EMP and the dDCO. Paragraph 7.2.15 of the FRA [APP-128] and paragraph 13.9.38 of Chapter 13 of the ES [AS-017] indicate that design work had not been undertaken on the A1 Mill Stream culvert extension at the time of submission. c) Has this now been completed? d) If not, when will this be done and how can the SoS and ExA be satisfied that the

ExQ1	Question to:	Question:
		Proposed Development would be suitable? e) If so, what are the results and what implications are there of this? f) Paragraph 13.9.39 states that any changes to the culvert would not result in an increase in flood risk to or from the Proposed Development (and stated that this shall be assessed by hydraulic modelling once a preliminary design is completed). Please can the Applicant identify the location in the application documents of any evidence or provide justification for this assertion.
1.12.13.	The Applicant	Potential additional crossings under A1 Paragraph 4.1.8 of the Drainage Strategy Report [APP-128] indicates that it is not yet known whether additional culverts would be required passing beneath the proposed A47 between the new Sutton Heath roundabout and where the alignment ties into the existing A47 to the east, and that it will be determined at Stage 5 (detailed design) when further drainage surveys results are available. Please can the Applicant explain how the potential effects of any additional crossings (whether culverts or bridges) have informed the Applicant's worst case assessment.
1.12.14.	The Applicant	Construction discharges It is explained in paragraph 13.9.6 of Chapter 13 of the ES [AS-017] that a temporary construction surface water drainage strategy, that would include measures to mitigate various potential impacts, would be included in the Second iteration of the EMP. An outline version of this strategy has not been submitted with the application documents. Please can the Applicant provide a copy to the Examination or identify the outline principles that would be followed.
1.12.15.	The Applicant EA	Discharges to River Nene Paragraph 4.1.4 of the Drainage Strategy Report [APP-129] indicates that there may be discharges from the existing layout to the River Nene which would be retained. When is it anticipated that this decision will be resolved, and does it have any implications for the drainage strategy?
1.12.16.	PCC	Drainage Maintenance

ExQ1	Question to:	Question:
	William Scott Abbott Trust	Paragraph 4.6.1 of the Drainage Strategy Report [APP-129] indicates that PCC and the owners of Sacrewell Farm would be maintaining the drainage for the majority of the side roads. Could PCC and the William Scott Abbott Trust confirm that they are content with this arrangement.
1.12.17.	The Applicant	Drainage Catchments Paragraph 4.7.4 of the Drainage Strategy Report [APP-129] indicates that the drainage catchments are shown on drawing HE551494-GTY-HDG000-DR-CD-30008 in Appendix D. However, this drawing is not provided in that Appendix. Could it please be provided?
1.12.18.	The Applicant	Drainage Ponds Paragraph 13.7.10 and elsewhere of Chapter 13 of the ES [AS-017] explains that two new ponds will be created to mitigate the effects on ecological receptors of the loss of two existing ponds, and reference is made to two ponds in the EMP [AS-027]. However, both ES Chapter 2 [AS-013] and Appendix 13.2 (Drainage Strategy Report, paragraph 1.1.3) [APP-129] refer to a single new pond. Please can the Applicant explain the inconsistency and set out any implications it has for relevant assessments in the ES and how the relevant provisions are to be secured? (The ExA notes that the dDCO only makes reference to the proposed five balancing ponds, not to these ponds.)
1.12.19.	The Applicant	HEWRAT Assessment Table 4.2 of the Drainage Strategy Report [APP-129] does not include a "Q" catchment. This is referred to in paragraph 4.7.7. Could information as to where the "Q" catchment discharges and other relevant information (as otherwise set out in Table 4.2) please be provided?
1.12.20.	EA Anglian Water	River Nene Water Quality Does the Environment Agency or Anglian Water have any comments to make about the proximity of the outfalls to the River Nene and the extraction points therefrom in relation to the quality of water being extracted in both the construction and

ExQ1	Question to:	Question:
		operational periods? (See also ExQ Error! Reference source not found..)
1.12.21.	The Applicant Anglian Water	Water main from River Nene extraction a) Could the Applicant please set out on a plan the course of the water main through the Order Lands from the pumping station to Rutland Water. b) Could the Applicant and Anglian Water please confirm their agreement or otherwise in relation to the effects of the Proposed Development on this element of infrastructure and measures to protect it.
1.12.22.	EA PCC The Applicant	Climate Change Allowances It has been noted that the Applicant has utilised different allowances for climate change within the design. For example, in paragraph 13.9.32 of Chapter 13 of the ES [AS-017], different climate change allowances are used where existing drainage is being adapted and where carriageway widening or realignment occurs, and further different allowances in paragraph 13.9.34 for the sizing of the Wittering Brook watercourse culvert, and in paragraph 13.9.36 for the size of compensatory floodplain volume. a) Do the EA and PCC as LLFA consider that this approach is appropriate? b) If not, what approach should be followed, providing information to support the allowance(s) of climate change advocated? c) Does the Applicant have any comments to make as to why different allowances have been utilised? d) Does the publication by the EA on 20 July 2021 (and since updated) of revised climate change allowances in Flood Risk Assessments for peak fluvial flow rates and future peak rainfall intensity have any implications for this matter?
1.12.23.	The Applicant	Groundwater In paragraph 13.9.45 of Chapter 13 of the ES [AS-017] the Applicant has indicated that where filter drains are not suitable that they will be lined "with an impermeable barrier".

ExQ1	Question to:	Question:
		a) Does this make them not filter drains but rather carrier drains and thus should be considered as such and appropriate solutions to deal with discharges put in place should this be the eventual solution? b) Has this been assessed? If so, can this be provided; if not, can this please be undertaken?
1.12.24.	The Applicant	Groundwater It is stated in paragraph 13.9.47 of Chapter 13 of the ES [AS-017] that permanent road drainage requirements and the “subsequent zone of influence” must be confirmed by supplementary ground investigations, and that water features surveys shall be undertaken to confirm springs within the zone of influence. It is not indicated when these will be undertaken. Please can the Applicant indicate when these will be carried out and whether the results and any updated assessments as necessary will be provided to the Examination.
1.12.25.	The Applicant	Post-consent approvals PCC in their RR [RR-036] set out a number of matters on which they consider information is required prior to the commencement of any phase of the Proposed Development. These include a condition survey of Mill Stream and Wittering Brook, the temporary drainage strategy, details of any further ground investigation, and a full and up to date surface water drainage strategy for the operational phase. Please can the Applicant indicate if and where these are secured in the dDCO.
1.12.26.	The Applicant	Monitoring Paragraph 13.11.1 of Chapter 13 of the ES [AS-017] indicate that monitoring of surface water and groundwater is part of the essential mitigation to ensure construction works in, or near to, the watercourses do not have a significant effect. Please can the Applicant explain what action would be taken in the event that water level and quality monitoring of surface water and groundwater indicated that

ExQ1	Question to:	Question:
		remedial action is required?
1.12.27.	The Applicant	Decarbonising Transport a) Do the Government's policy statements 'Decarbonising transport: a better, greener Britain' and 'Net Zero Strategy: Build Back Greener' have any implications for the water environment assessment? b) If so, what would be the resultant effects?
1.12.28.	The Applicant EA PCC	Draft Anglian River Basin Management Plan a) Does the Draft Anglian River Basin Management Plan published by the Environment Agency have any implications for the consideration of this Proposed Development? b) If so, how should this be considered?
1.12.29.	The Applicant EA PCC	Draft Flood Risk Management Plan for Anglian River Basin a) Does the Draft Flood Risk Management Plan for Anglian River Basin published by the Environment Agency have any implications for the consideration of this Proposed Development? b) If so, how should this be considered?

ANNEX A**A47 Wansford to Sutton Dualling****List of all objections to the grant of compulsory acquisition or temporary possession powers (EXQ1: QUESTION [1.3.1])**

Unique reference number and status key. ⁱ	Name/ Organisation	EL reference number ⁱⁱ	Interest ⁱⁱⁱ	Type of Rights relating to specified plot(s) ^{iv}		Update on agreement, negotiation and objections, including indicative timescales ^v
				Plot(s)	Type of right	
					Permanent	
					Temporary	
					Temporary with permanent rights	
					Permanent	
					Temporary	
					Temporary with permanent rights	
					Permanent	
					Temporary	
					Temporary with permanent rights	

ⁱ Assign a unique number, in sequence, to all agreements, negotiations and objections listed in this table. Indicate the status using the Status Key. You may add more categories to the Status Key if more detailed information is available.

Status Key	
	Agreement signed
	All matters agreed, signing pending
	No objection and negotiations continuing
	No objection, negotiation not commenced
	Objection but ongoing negotiation
	Objection, agreement unlikely before close of Examination

ⁱⁱ List the Examination Library (EL) reference numbers for all representations made by the party to the Examination, including Relevant Representation, Written Representation, other written submissions, oral submissions at Hearings, and appearance at Accompanied Site Inspection(s).

ⁱⁱⁱ Reference number assigned to each Relevant Representation (RR) in the Examination library.

^{iv} Identify the parts of the Book of Reference relating to the entry, and if the IP or AP is Category 1, 2, or 3

^v Indicates whether the Applicant is seeking compulsory acquisition or temporary possession of land/rights, or temporary possession with permanent rights.