

A46 Coventry Junctions (Walsgrave) Scheme Number: TR010066

8.4 Applicant's Response to Relevant Representations

The Infrastructure Planning (Examination Procedure) Rules 2010
Rule 17(1)

Planning Act 2008

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**The Infrastructure Planning
(Examination Procedure) Rules 2010**

A46 Coventry Junctions (Walsgrave)
Development Consent Order 202[x]

**APPLICANT'S RESPONSE
TO RELEVANT REPRESENTATIONS**

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1. Introduction

1.1. Purpose of this document

- 1.1.1. The Development Consent Order (DCO) application for the A46 Coventry Junctions (Walsgrave) Scheme (the “Scheme”) was submitted by National Highways (the “Applicant”) to the Secretary of State for Transport via the Planning Inspectorate on 14 November 2024 and accepted for Examination on 12 December 2024.
- 1.1.2. The Scheme comprises an upgrade to the junction of the A46 Coventry Eastern bypass and the B4082, east of Walsgrave. The Scheme is being progressed by the Applicant to ease congestion and reduce queuing along the A46 corridor, east of Coventry. A detailed description of the Scheme can be found in the Environmental Statement (ES) Chapter 2 (The Scheme) (**APP-024**).
- 1.1.3. The purpose of this document is to set out the Applicant's response to the Relevant Representations from the interested parties. A total of 13 responses were received during the Relevant Representations period and published on 3 March 2025 on the Planning Inspectorate's website.
- 1.1.4. A further response was published on 12 March 2025 from North Warwickshire Borough Council (**AS-002**), and another response was published following Procedural Deadline A on 28 April 2025 from Matt Kingswell (**PD1-021**), however, this has been treated as Relevant Representation by the Applicant and is included in this response document.

2. List of Relevant Representations

Ref No.	Representation By:
<u>RR-001</u>	<u>The Warwickshire Solihull and Coventry Local Access Forum</u>
<u>RR-002</u>	<u>Osborne Clarke LLP on behalf of National Grid Telecoms Limited</u>
<u>RR-003</u>	<u>Osborne Clarke LLP on behalf of National Grid Electricity Distribution (East Midlands) plc</u>
<u>RR-004</u>	<u>Richard Olliver</u>
<u>RR-005</u>	<u>Kenneth Thomas</u>
<u>RR-006</u>	<u>Warwickshire County Council</u>
<u>RR-007</u>	<u>The Coal Authority</u>
<u>RR-008</u>	<u>BNP Paribas Real Estate on behalf of Royal Mail Group Limited</u>
<u>RR-009</u>	<u>Rugby Borough Council</u>
<u>RR-010</u>	<u>Natural England</u>
<u>RR-011</u>	<u>Historic England (HBMCE)</u>
<u>RR-012</u>	<u>Environment Agency</u>
<u>RR-013</u>	<u>Coventry City Council</u>
<u>AS-022</u>	<u>North Warwickshire Borough Council</u>
<u>PD1-021</u>	<u>Matt Kingswell</u>

3. Applicant's response to the Relevant Representations

Ref no.	Representation by	Representation recorded comments	Applicant's Response
RR-001	The Warwickshire Solihull and Coventry Local Access Forum (The Warwickshire Solihull and Coventry Local Access Forum)	The WSC Local Access Forum is particularly concerned by the lack of provision for incorporation of a dedicated access/egress for the University Hospital Coventry during the A46 Walsgrave Junction Improvement. Traffic is gridlocked on the narrow approach roads shared with public transport vehicles and more importantly emergency vehicles. Hospital patients and consultants and other medical staff are often late for work due to traffic issues. Staff parking is dire as they are built on land subject to flooding with staff vehicles often flooded after heavy rain. Our NHS workers and patients deserve better.	<p>As set out in the Case for the Scheme (APP-132), a potential hospital link road to University Hospital Coventry (blue light access) is not part of the Scheme.</p> <p>Coventry City Council are in discussions with a local developer about a hospital link road. This is planned to be delivered by the developer undertaking the residential development within the housing allocation to the west of the Scheme - Coventry Local Plan, 2017 allocation H2:3F Walsgrave Hill Farm, as set out and 'Agreed' in 8.6 Statement of Common Ground with Coventry City Council (TR010066/EXAM/8.6), which is submitted at Deadline 1.</p> <p>Therefore, a potential hospital link road is a separate development to the A46 Coventry Junctions (Walsgrave) Scheme. However, the Scheme has been designed so it does not impede a potential hospital link road if it comes forward in the future. For the western dumbbell roundabout, the Applicant has designed the geometry to accommodate a future hospital link road.</p>
RR-002	Osborne Clarke LLP (Osborne Clarke LLP) on behalf of National Grid Telecoms Limited (National Grid Telecoms Limited)	<p>1. Project Reference: TR010066. Relevant Representation submitted by Osborne Clarke LLP on behalf of National Grid Telecoms Limited ("NG Telecoms").</p> <p>2. Osborne Clarke LLP act for NG Telecoms whose registered office is at Avonbank, Feeder Road, Bristol, BS2 0TB. NG Telecoms is an operator of an electronic communications network to which Schedule 3A of the Communication Act 2003 applies for the area in which the A46 Coventry Junctions (Walsgrave) Development Consent Order 202X (the "Order") is proposed to have effect.</p> <p>3. The application was received by the Planning Inspectorate on 14 November 2024 and accepted on 12 December 2024.</p> <p>4. The application includes land in or upon which NG Telecoms</p>	The Applicant has included protective provisions in the draft DCO (PD1-003) in favour of operators of electronic communications code networks. The Applicant remains in correspondence with National Grid Telecoms' legal advisers to discuss outstanding concerns.

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		<p>may have electronic communications apparatus. NG Telecoms is currently reviewing the draft Order setting out the Authorised Development to establish the extent to which their apparatus and interests are affected.</p> <p>5. While NG Telecoms will continue to seek to have positive engagement with the applicant in relation to the project, NG Telecoms needs to ensure that the wider powers being sought in the Order will not have a detrimental impact on NG Telecoms' electronic communications network. This includes ensuring acceptable terms of any proposed protective provisions are agreed between the parties.</p> <p>6. NG Telecoms is therefore making this representation as a holding objection to the application until a form of protective provisions has been agreed between the parties which is satisfactory to NG Telecoms. No formal agreement on protective provisions has yet been concluded and accordingly we are lodging this representation to protect NG Telecoms' position pending negotiation and agreement of the requisite form of protective provisions. Once NG Telecoms is satisfied that its network is protected, we will notify the Planning Inspectorate promptly and withdraw the objection.</p>	
RR-003	Osborne Clarke LLP (Osborne Clarke LLP) on behalf of National Grid Electricity Distribution (East Midlands) plc (National Grid Electricity Distribution (East Midlands) plc)	<p>1. Project Reference: TR010066. Relevant Representation submitted by Osborne Clarke LLP on behalf of National Grid Electricity Distribution (East Midlands) plc ("NGED").</p> <p>2. Osborne Clarke LLP act for NGED whose registered office is at Avonbank, Feeder Road, Bristol, BS2 0TB. NGED is the licensed distribution network operator under Section 6 Electricity Act 1989 (the "EA 1989") for the area in which the A46 Coventry Junctions (Walsgrave) Development Consent Order 202X (the "Order") is proposed to have effect. Section 9 of the EA 1989 places a duty on NGED as the electricity distributor to develop and maintain an efficient, co-ordinated and economical system of electricity distribution.</p> <p>3. The application was received by the Planning Inspectorate on 14 November 2024 and accepted on 12 December 2024.</p>	The Applicant has included protective provisions in the draft DCO (PD1-003) in favour of electricity undertakers. The Applicant remains in correspondence with the solicitors acting for NGED to discuss outstanding concerns.

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		<p>4. The application includes land in or upon which NGED may have assets and which may include (but are not limited to) high voltage electricity cables. NGED is currently reviewing the draft Order setting out the Authorised Development to establish the extent to which their apparatus and interests are affected.</p> <p>5. While NGED will continue to seek to have positive engagement with the applicant in relation to the project, NGED needs to ensure that the wider powers being sought in the Order will not have a detrimental impact on NGED's electricity network and its duties under the EA 1989. This includes ensuring acceptable terms of any proposed protective provisions.</p> <p>6. NGED is therefore making this representation as a holding objection to the application until an asset protection arrangement has been agreed between the parties. No formal agreement has yet been concluded and accordingly we are lodging this representation to protect NGED's position pending conclusion of an appropriate agreement. Once NGED is satisfied that its network is protected, we will notify the Planning Inspectorate promptly and withdraw the objection.</p>	
RR-004	Richard Olliver	I believe that the proposed plan for the Walsgrave junction will increase traffic flow on nearby Clifford Bridge Road, which already suffers severe traffic congestion during peak times.	<p>A full update of the transport model was undertaken for the DCO submission including transport forecasting assessments, which include the Scheme's impact on Clifford Bridge Road. Details are set out in the Transport Assessment (APP-134).</p> <p>With the Scheme, on Clifford Bridge Road, immediately to the south of the junction with the B4082, in the morning (AM), daytime (Inter) and evening (PM) peak periods for the three forecast years (2028, 2043 and 2061), a decrease in two-way traffic is predicted. However, the analysis shows that there are some increases on Clifford Bridge Road further south and on Brinklow Road in the Inter Peak in the 2028 scenario, only due to the increased journey distance for specific movements to/from the B4082. These movements are further to travel with the proposed arrangement and so take longer when compared to the current arrangement if there is little/no congestion at the existing A46 Walsgrave Junction. This is not seen in the other peaks, or after 2028, as, in these scenarios, the extra time to travel the longer distance is less than the time that would be</p>

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			<p>spent in the queue if the junction retains its current layout. Therefore, the turning movement is quicker overall with the Scheme.</p> <p>As such, overall traffic flows are predicted to decrease on Clifford Bridge Road with the Scheme in place as vehicles stay on the A46.</p>
RR-005	Kenneth Thomas	<p>I am appalled that there is no direct link into the University Hospital Coventry. As a patient attending an appointment I have been late despite allowing what I thought to be a generous time buffer. However, I needn't have worried as the consultant was even later. The staff have to face this congestion caused by the traffic bottleneck every working day increasing the stress of already stressful jobs. They then park in a remote car park, which is subject to flooding. The lack of a dedicated link for all persons wishing to access the hospital will undoubtedly cost lives.</p>	<p>As set out in the Case for the Scheme (APP-132), a potential hospital link road to University Hospital Coventry (blue light access) is not part of the Scheme.</p> <p>Coventry City Council are in discussions with a local developer about a hospital link road. This is planned to be delivered by the developer undertaking the residential development within the housing allocation to the west of the Scheme - Coventry Local Plan, 2017 allocation H2:3F Walsgrave Hill Farm, as set out and 'Agreed' in 8.6 Statement of Common Ground with Coventry City Council (TR010066/EXAM/8.6), which is submitted at Deadline 1.</p> <p>Therefore, a potential hospital link road is a separate development to the A46 Coventry Junctions (Walsgrave) Scheme. However, the Scheme has been designed so it does not impede a potential hospital link road if it comes forward in the future. For the western dumbbell roundabout, the Applicant has designed the geometry to accommodate a future hospital link road.</p>
RR-006	Warwickshire County Council	<p>As one of three Local Authorities impacted by the proposals for the A46 Walsgrave junction, the County Council has a duty to ensure that it contributes to the development and delivery of this scheme, taking account of its impacts on local transport, minerals and waste, the natural environment, archaeology and flood risk. A46 Walsgrave Development Consent Order (DCO) Examination Relevant Representation on behalf of Warwickshire County Council (February 2025)</p> <p>Strategic Context – The A46 trunk road is a strategically significant route on the national road network linking the East of England and East Midlands with the South West. The route has</p>	<p>The Applicant notes this response and the support for the Scheme.</p> <p>The Case for the Scheme (APP- 132) has been updated to acknowledge the Transport Partnership.</p>

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		<p>seen a sustained period of investment over the last 25 years, with major improvements carried out at M40 Junction 15 (Longbridge near Warwick), A45/A46 Tollbar End (Coventry), A46/A4177/A425 Stanks (Warwick), A46/C32 Stoneleigh (between Kenilworth and Coventry, currently under construction) and most recently at A46/A428 Binley Woods. Delivery of the proposed improvements to the A46 Walsgrave junction will mean that all junctions on the A46 between the M6/M69 at Ansty and the M40 near Warwick will be grade-separated, bringing a consistency that will deliver reliable and safer journeys for users.</p> <p>Economic Importance of the A46 – The A46 plays a significant role in supporting the sub-regional economies of Leicestershire, Coventry, Warwickshire, Worcestershire and Gloucestershire. The corridor is home to a number of key employment sectors who rely on the A46, including Aerospace, Advanced Manufacturing and Engineering, Logistics and Distribution and Agriculture/Agri-tech, with businesses such as Jaguar Land Rover and Rolls Royce having a major presence. The regionally significant Gigafactory site near Whitley and the Fraser Group development near Ansty which has recently secured planning permission will also both be supported by this investment in the A46 corridor. The economic prosperity of the Midlands relies heavily on the performance of the Strategic Road Network (SRN). The A46 is particularly important within that network given its interface with a number of other key routes including the M1, M5, M6, M40, M69 and A5. Research by Midlands Connect, the Sub-National Transport Body for the pan-Midlands area has identified the A46 as a nationally significant economic corridor that supports 2.9 million jobs and generates £115 billion output annually – equivalent to 9% of the total English economy. 22% of all goods and services produced in the A46 corridor are exported, demonstrating the importance of access to the Humber and Bristol/South Wales ports at either end of the corridor as well as Birmingham and East Midlands airports.</p> <p>Support from Warwickshire County Council for the A46 Walsgrave Improvements – The County Council strongly supports the proposed A46 Walsgrave improvements which are the subject of this Development Consent Order submitted by National Highways. The improvements to the A46 Coventry Eastern Bypass Junctions (Binley and Walsgrave) were a key ask of the County Council in</p>	

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		<p>its submission of evidence to Government on the second and third Road Investment Strategy (RIS2 and RIS3) periods, in order to ensure both junction improvements were delivered in full.</p> <p>Support from other organisations for the A46 Walsgrave Improvements – Although it is no longer in existence, the former Coventry and Warwickshire Local Enterprise Partnership (CWLEP) identified the A46 corridor as one of its seven transport priorities, with the delivery of the A46 Binley and Walsgrave improvement schemes being key to supporting sustainable economic growth across the sub-region. Warwickshire County Council and Coventry City Council played a key role in supporting the work of CWLEP. In response to the pressures faced along the A46 corridor, a Transport Partnership was formed in 2016 which has representation from 18 local authorities, including Local Highway and Planning Authorities (including Warwickshire County Council), Midlands Connect and the Environment Agency. The Partnership covers the section of the A46 between the M1/M69/A46 at Syston near Leicester and the M5 at Tewkesbury in Gloucestershire and is supported by National Highways as custodians of the A46. The Partnership has identified the improvements at the A46/B4082 Walsgrave junction as a priority investment in the corridor to deliver a consistent standard of grade-separated junctions between the M6/M69 and M40.</p>	
		<p>Engagement by Warwickshire County Council during the development and preparation of the A46 Walsgrave Development Consent Order – Following the delivery of the first phase of the A46 Coventry Eastern Bypass Junctions improvements at A46/A428 Binley Woods, the County Council has fully engaged with the applicant in the preparation of the Development Consent Order for the second phase of improvements at A46/B4082 Walsgrave. Regular meetings have taken place with the applicant and other affected Local Authority parties (Coventry City Council and Rugby Borough Council) to understand progress on the technical development of the scheme and arrange associated meetings as necessary with specific disciplines across the Authority, including Public Rights of Way, Active Travel, Ecology and Cultural Heritage, Archaeology, Flood Risk Management,</p>	<p>This comment is noted.</p> <p>The Applicant will continue to engage and work collaboratively with Warwickshire County Council.</p> <p>All issues are marked as 'Agreed' in the draft Statement of Common Ground (SoCG) between the two parties, which has been submitted at Deadline 1 (8.7 Statement of Common Ground with Warwickshire County Council (TR010066/EXAM/8.7)).</p>

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		<p>Minerals and Waste Management, Highway Maintenance and Transport Planning.</p> <p>The proactive engagement by Warwickshire County Council (and the other affected Local Authorities) with the applicant throughout the scheme development process has resulted in a proposal which fully meets its objectives with limited areas of concern to the Authority as it approaches the DCO Examination stage.</p>	
		<p>Areas of Agreement and Disagreement – The County Council has entered into a Statement of Common Ground (SoCG) with the applicant to demonstrate the key elements of the DCO application where issues of concern have been raised and how the applicant is proposing to address or mitigate those concerns. A summary of the key issues is set out below, with full details being provided in the signed SoCG. Each issue has been assessed in terms of it being either 'Agreed', 'Under Discussion' or 'Not Agreed' as appropriate.</p>	<p>This comment is noted.</p> <p>The Applicant will continue to engage and work collaboratively with Warwickshire County Council.</p> <p>This ongoing engagement has resulted in some of the issues included in Warwickshire County Council's Relevant Representation being resolved, with the status of those issues moved from 'Under Discussion' or 'Not Agreed' to 'Agreed.' All issues are now marked as 'Agreed' in the draft Statement of Common Ground (SoCG) between the two parties, which has been submitted at Deadline 1 (8.7 Statement of Common Ground with Warwickshire County Council (TR010066/EXAM/8.7)).</p>
		<p>Cultural Heritage Archaeological Remains: The County Council, acting on behalf of Rugby Borough Council has raised the issue that the likelihood of archaeological remains and value of remains within assessments should be evidenced based. This matter is 'Under Discussion'.</p>	<p>The Applicant has undertaken archaeological evaluation works in support of the Environmental Statement (ES) with the close involvement of Warwickshire County Council's archaeological advisor (also acting on behalf of Rugby Borough Council).</p> <p>A geophysical survey was undertaken in September 2023 (ES Appendix 6.2 (Geophysical Survey Report) (APP-067)) and a scheme of trial trenching was undertaken in March 2024 (ES Appendix 6.4 (Archaeological Trial Trenching Survey Report) (APP-069)).</p> <p>ES Chapter 6 (Cultural Heritage) (APP-028) presents the assessment used to determine any potential likely significant effects of the Scheme upon cultural heritage, both during construction and operation. The assessment is considered compliant with Design Manual for Roads and Bridges (DMRB) LA 104 (Environmental assessment and monitoring) and</p>

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			<p>DMRB LA 106 (Cultural heritage assessment).</p> <p>ES Chapter 6 (Cultural Heritage) (APP-028) concludes that the Scheme area has a very low archaeological potential. As mitigation, an Unexpected Archaeological Finds Protocol has been produced and forms Appendix B.6 of the First Iteration Environmental Management Plan (EMP) (APP-109).</p>
		<p>Archaeological sensitivity and monitoring as mitigation: The County Council has asked for further information on the archaeological sensitivity of the area covered by the application to determine that the undertaking of archaeological monitoring in areas of 'higher potential' would reduce the impacts to a 'neutral (not significant) effect'. It has also asked whether or not archaeological monitoring would adequately mitigate impacts on archaeological impacts, given that it depends, in part, on the type of archaeological feature disturbed, its significance (which is itself dependent on its age, state of preservation, character etc.), and the scale of the impact. This matter is 'Under Discussion'.</p>	<p>The Applicant confirms that information on archaeological sensitivity has been presented in the ES Chapter 6 (Cultural Heritage) (APP-028).</p> <p>The Applicant has undertaken archaeological evaluation works in support of the ES with the close involvement of Warwickshire County Council's archaeological advisor (also acting on behalf of Rugby Borough Council).</p> <p>A geophysical survey was undertaken in September 2023 (ES Appendix 6.2 (Geophysical Survey Report) (APP-067) and a scheme of trial trenching was undertaken in March 2024 (ES Appendix 6.4 (Archaeological Trial Trenching Survey Report) (APP-069).</p> <p>ES Chapter 6 (Cultural Heritage) (APP-028) presents the assessment used to determine any potential likely significant effects of the Scheme upon cultural heritage, both during construction and operation. The assessment is considered compliant with DMRB LA 104 (Environmental assessment and monitoring) and DMRB LA 106 (Cultural heritage assessment).</p> <p>ES Chapter 6 (Cultural Heritage) (APP-028) concludes that the Scheme area has a very low archaeological potential. As mitigation, an Unexpected Archaeological Finds Protocol has been produced and forms Appendix B.6 of the First Iteration EMP (APP-109).</p>

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		Physical impact upon cultural heritage assets: The County Council has highlighted that there is a potential for as yet unidentified (archaeological) non-designated heritage assets to survive across the site and be disturbed by the proposed scheme. This matter is 'Under Discussion'.	<p>The Applicant has undertaken archaeological evaluation works in support of the ES with the close involvement of Warwickshire County Council's archaeological advisor (also acting on behalf of Rugby Borough Council).</p> <p>A geophysical survey was undertaken in September 2023 (ES Appendix 6.2 (Geophysical Survey Report) (APP-067) and a scheme of trial trenching was undertaken in March 2024 (ES Appendix 6.4 (Archaeological Trial Trenching Report) (APP-069).</p> <p>ES Chapter 6 (Cultural Heritage) (APP-028) presents the assessment used to determine any potential likely significant effects of the Scheme upon cultural heritage, both during construction and operation. The assessment is considered compliant with DMRB LA 104 (Environmental assessment and monitoring) and DMRB LA 106 (Cultural heritage assessment).</p> <p>ES Chapter 6 (Cultural Heritage) (APP-028) concludes that the Scheme area has a very low archaeological potential. As mitigation, an Unexpected Archaeological Finds Protocol has been produced and forms Appendix B.6 of the First Iteration EMP (APP-109).</p>
		<p>Biodiversity Assessment of Ecosites:</p> <p>The County Council has argued that Ecosites can be considered as a folder, a mechanism to collect records which were used to inform Local Wildlife Sites. The WBRC provides the data so that if a project impacts directly on an Ecosite the applicant could request the Ecosite data to see if there was anything which should be considered, and/or look to enhance etc. Some local plan policies reference Ecosites with their hierarchy of sites, so this may be something which requires checking with Rugby Borough Council. The Ecosite Description would draw out anything that the County Council would like to bring to the applicants' attention or would act as a flag to ask for more on the site. This matter is 'Under Discussion'.</p>	<p>The Rugby Borough Local Plan 2011 – 2031 has been reviewed as presented in ES Chapter 8 (Biodiversity) (APP-30). Ecosites are not detailed within the Local Plan, including within Policy NE1 which pertains to the protection of designated biodiversity assets and lists sites of local importance as Local Nature Reserves and Local Wildlife Sites, or included on any policy maps. ES Chapter 8 (Biodiversity) (APP-30) assesses direct impacts on Ecosites, an ecological feature of local importance. The assessment, which is relevant to two Ecosites (Hungerley Hall Farm and Coombe Abbey Pool Ecosite), concludes a slight beneficial (not significant) effect, and neutral (not significant) effect on Hungerley Hall Farm and Coombe Abbey Pool Ecosites respectively during construction. There are no pathways for effects from direct impacts during operation on either Ecosite.</p>

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		Material Assets and Waste Mineral Safeguarding Areas: The County Council has highlighted that it could not agree that Mineral Safeguarding Areas should be scoped out of the Environmental Statement (ES) because the approach undertaken in LA110 is in [the County Council's] opinion inconsistent with the current policies in the National Planning Policy Framework (NPPF) (216 c, d, and e and 218.) and the adopted Warwickshire Minerals Local Plan (Policies MCS 5 and DM10). The subsequent Memorandum between the applicant and the County Council addresses these issues, and that based on the information/evidence on pages 6-10 of the Memorandum the County Council is now satisfied that Mineral Safeguarding Areas can be scoped out of the ES. This matter is 'Agreed'.	This response is noted by the Applicant.
		Peat Sterilisation: The County Council has agreed that potential peat resources sterilisation can be scoped out of the ES assessment. This matter is 'Agreed'.	This response is noted by the Applicant.
		Waste Safeguarding: The adopted Warwickshire Waste Core Strategy includes a policy safeguarding waste management site from non-waste development. Policy CS 8 states that the County Council will object to proposals for non-waste development within or adjacent to such sites where they prevent or unreasonably restrict the use of that site for waste management purposes. It does not appear from records that any waste sites in influencing distance exist, therefore this matter can be scoped out of the ES. This matter is 'Agreed'.	This response is noted by the Applicant.
		Cumulative assessment – landfill capacity: The County Council has highlighted that before waste generation can be scoped out (notwithstanding PINS comments on this matter), a cumulative assessment of the Ansty project on the DCO application will be required to be submitted and agreed. Pages 10 and 11 in the subsequent Memorandum between the applicant and the County Council deal with this issue. Based on the information/evidence in the Memorandum the County Council is satisfied that the impact of the Ansty project has been taken into account by the DCO. This matter is 'Agreed'.	This response is noted by the Applicant.

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		Commercial and industrial wastes: The County Council has agreed with PINS that commercial and industrial wastes likely to be produced as part of the future operation of the development can be scoped out of the ES. This matter is 'Agreed'.	This response is noted by the Applicant.
		Imports of Construction Materials: The County Council has agreed with PINS to some degree about the importation of construction materials (primary and secondary aggregates). However, it was noted that reliance is placed on the National and Regional Guidelines for Aggregates Provision in England 2005 to 2020 as a baseline for various figures. The Guidelines are considered in terms of mineral planning policy to be well out of date and were not used to inform the preparation and adoption of the Warwickshire Minerals Local Plan. The County Council believed that reliance for importing primary aggregates (sand, gravel, and concrete) should be placed on 2017 Warwickshire Local Aggregates Assessment and the West Midlands Aggregates Working Party AM2022 report. The matter is subsequently addressed on pages 11 and 12 of the Memorandum between the applicant and the County Council. As such, the County Council welcomes the decision that the baseline in the re-scoping exercise was to be developed using the information sources it has identified. This matter is 'Agreed'.	This response is noted by the Applicant.
		Cumulative assessment – use of materials: The County Council has identified that the Ansty project would have implications for the future supply of imported materials, and a cumulative assessment should therefore be carried out in the light of the demand for materials for both projects which are likely to take place in the same time frame. This was considered especially important as Coventry City Council did not have any extraction sites. The matter is subsequently addressed on page 13 of the Memorandum between the applicant and the County Council. As such, the County Council is satisfied that matter has been addressed. This matter is 'Agreed'.	This response is noted by the Applicant.
		Proximity to Leicestershire: The County Council has argued that consideration should be given to the proximity of the Leicestershire border when determining the likely amount and source of materials that may be	This response is noted by the Applicant.

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		called upon by the DCO locally. This matter is subsequently dealt with on page 14 of the Memorandum between the applicant and County Council. As such, the County Council welcomed that this issue would now be considered in the re-scoping exercise. This matter is 'Agreed'.	
		Target for the use of recycled and secondary aggregates: The County Council has argued that it was important major developments such as the planned DCO should have a target for the use of recycled and secondary aggregates imposed, with a minimum target of 28% for the life of the construction period. This matter is subsequently dealt with on page 12 of the Memorandum between the applicant and the County Council. The County Council welcomed agreement to use the 28% target and the commitment for it to be inserted into the Register of Environmental Commitments (REAC) which forms part of the Environmental Management Plan (EMP). The matter is 'Agreed'.	This response is noted by the Applicant.
		Accessibility Accessibility and Integration: The County Council has highlighted the potential link to Coombe Country Park which the scheme could facilitate, and that the connection would need to go through third-party land outside red line boundary of the DCO application. It also highlighted that a northern link to Coombe Park may affect the heronry/SSSI site. This matter is 'Agreed'.	This response is noted by the Applicant.
		The Needs Case for the Scheme The Need for the Scheme: The County Council indicated during the second phase of public consultation on the scheme that it remained happy to support Option 11 for the A46 Walsgrave junction going forward to detailed design and delivery. This matter is 'Agreed'.	This response is noted by the Applicant.
		Design Balancing Ponds: The County Council has noted that the three balancing ponds are all within Coventry City Council's boundary and that it would not wish to have future responsibility for any highway drainage features required by the scheme. The position of the ponds on the proposed road layout drawings was also welcomed by the County Council. Any changes that might be made to the drainage of the highway that could impact on the Authority would require specific	This response is noted by the Applicant.

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		discussions with drainage and highway maintenance experts. Both matters are 'Agreed'.	
		<p>Maintenance: The County Council has noted that the smaller of the two dumb-bell roundabouts which form part of the scheme is located within Warwickshire, and that any highway infrastructure associated with this roundabout is expected to be retained by National Highways as the highway authority. The County Council also noted that the previous scheme to improve the junction at A46/A428 Binley Woods included several areas of planting and highway verges including wildflower areas, and that it has recently been approached as local highway authority to take over the maintenance and management of these areas. In the case of A46 Walsgrave, the County Council would not wish to have any future maintenance responsibilities for soft landscaping areas associated with this scheme. Unfortunately, the County Council's resources are limited and this area is not near other areas where soft landscaping maintenance is carried out routinely. This would create an unnecessary maintenance burden for the County Council. The County Council has also sought clarification regarding whether National Highways would look for any of the areas that would effectively become redundant highway as a result of the scheme to be stopped up, or if they would look to pass them to the County Council. It was confirmed that any redundant land in the scheme that was stopped up which falls within Warwickshire would remain in the ownership of National Highways. Both matters are 'Agreed'.</p>	<p>This response is noted by the Applicant.</p> <p>The intention is for the Applicant and Coventry City Council to own and maintain the Scheme. As the Scheme is also located within the Warwickshire County Council area, joint Local Authority meetings will be held with the Applicant to discuss and agree maintenance boundaries and any agreements deemed necessary. Please refer to the</p> <p>The Applicant will continue to engage and work collaboratively with Warwickshire County Council and Coventry County Council</p> <p>Ongoing engagement is recorded in the SoCGs with Warwickshire County Council and Coventry City Council, which have been submitted at Deadline 1 (8.7 Statement of Common Ground with Warwickshire County Council (TR010066/EXAM/8.7) and 8.6 Statement of Common Ground with Coventry City Council (TR010066/EXAM/8.6)).</p>
		The County Council has assumed that all highway infrastructure directly associated with the proposed DCO scheme will remain the responsibility of National Highways once constructed. Assets such as street lighting, roadside barriers, signing, roadside gullies etc. all have ongoing future maintenance requirements. The County Council would not be in a position to take over the maintenance liability of these assets and would welcome a plan setting out future maintenance responsibilities. This matter is 'Agreed'.	<p>This response is noted by the Applicant.</p> <p>The intention is for National Highways and Coventry City Council to own and maintain the Scheme. As the Scheme is located within Warwickshire County Council, joint local authority meetings are being held with National Highways to discuss and agree maintenance boundaries and any agreements deemed necessary.</p> <p>The Applicant will continue to engage and work collaboratively with Warwickshire County Council and Coventry County Council</p>

Ref no.	Representation by	Representation recorded comments	Applicant's Response
			Ongoing engagement is recorded in the SoCGs with Warwickshire County Council and Coventry City Council, which have been submitted at Deadline 1 (8.7 Statement of Common Ground with Warwickshire County Council (TR010066/EXAM/8.7) and 8.6 Statement of Common Ground with Coventry City Council (TR010066/EXAM/8.6)).
		Signage: As with all highway improvement schemes there may be a need for new or improved signage to be placed on the local highway network. The County Council has requested early sight of any proposals for additional signing on its network so that the full impact of the ongoing future maintenance could be assessed and commuted sums made available as appropriate. This matter is 'Agreed'.	This response is noted by the Applicant. No signage is proposed on the Warwickshire County Council highway networks. The signage strategy will be shared with Warwickshire County Council as part of the detailed design stage of the Scheme.
		Winter Maintenance: The County Council has noted that new highway infrastructure will require a winter maintenance regime to be established once the scheme opens to traffic. The County Council has stated that it would not wish to have any responsibility for gritting of any area shown in the new road layout, and that all future winter maintenance responsibilities should remain with National Highways. This matter is 'Agreed'.	This response is noted by the Applicant.
		Proposed way forward regarding the Statement of Common Ground – A series of further meetings are in the process of taking pace between the applicant and the relevant disciplines within the County Council to discuss the outstanding matters in the draft Statement of Common Ground, with the aim of resolving them to the satisfaction of both parties by the time the DCO Examination commences.	This comment is noted. The Applicant will continue to engage and work collaboratively with Warwickshire County Council. This ongoing engagement has resulted in some of the issues included in Warwickshire County Council's Relevant Representation being resolved, with the status of those issues moved from 'Under Discussion' or 'Not Agreed' to 'Agreed.' All issues are now marked as 'Agreed' in the draft Statement of Common Ground (SoCG) between the two parties, which has been submitted at Deadline 1 (8.7 Statement of Common Ground with Warwickshire County Council (TR010066/EXAM/8.7)).

Ref no.	Representation by	Representation recorded comments	Applicant's Response
RR-007	The Coal Authority	The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas. We have reviewed the site location plan provided and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make.	This response is noted by the Applicant.
RR-008	BNP Paribas Real Estate (BNP Paribas Real Estate) on behalf of Royal Mail Group Limited (Royal Mail Group Limited)	<p>Royal Mail Group Limited (Royal Mail) supports National Highways' A46 Coventry Junctions (Walsgrave) improvements scheme but is seeking to ensure that its road-based operations are not adversely impacted by construction traffic and any changes to local highway capacity during the scheme's construction phase.</p> <p>Royal Mail has six operational properties within approximately 7.5 km of this scheme including a National Hub and a Parcelforce Depot. These operational facilities rely on frequent use of the presently heavily congested local road network on a daily basis. Accordingly, Royal Mail wishes to draw its operational obligations and requirements to the attention of National Highways. Furthermore, Royal Mail is registering as an Interested Party to reserve its position to make further representations at the Examination, if required.</p> <p>Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service. The Act includes a set of minimum standards for Universal Service Providers, which Ofcom must secure. The conditions imposed by Ofcom reflect those standards.</p> <p>Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets</p>	These comments are noted by the Applicant.

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		<p>and operational interests from any potentially adverse impacts of proposed development. Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is highly sensitive to changes in the capacity of the highway network.</p>	
		<p>Royal Mail is of the view that the construction phase of this road improvement has potential to impact on its operational interests, especially when combined with the cumulative highways impact of other major developments in the area. To protect Royal Mail's position, it is requested that wording is added to the Outline Construction Transport Management Plan (OCTMP) to secure the following mitigations, with particular regard to Royal Mail's local operational properties:</p> <ol style="list-style-type: none"> 1. the OCTMP includes specific requirements that during the construction phase Royal Mail is notified by National Highways or its contractors at least one month in advance on any proposed road closures / diversions / alternative access arrangements, hours of working; 2. where road closures / diversions are proposed, National Highways or its contractors liaise with Royal Mail at least one month in advance to identify and make available alternative highway routes for operational use, where possible; and 3. cumulative highways impact from other major developments in the local area is fully addressed during the Examination. <p>Any questions of Royal Mail should be sent to: REDACTED (REDACTED@royalmail.com), Senior Planning Lawyer, Royal Mail Group Limited REDACTED (REDACTED@realestate.bnpparibas), Director, BNP Paribas Real Estate.</p>	<p>The Outline Traffic Management Plan (APP-136) includes commitments to hold regular traffic management forums with key stakeholders including Royal Mail and to provide a minimum of one weeks' notice for planned road closures.</p> <p>In response to the three points raised:</p> <ol style="list-style-type: none"> 1. The National Highways guidance requires road space bookings for carriageway closures to be issued with a minimum of three weeks' notice. The Outline Traffic Management Plan (APP-136) has been updated to reflect this and is submitted at Deadline 1. The Traffic Management Forums will be used to give as much advanced warning as possible for all planned traffic management, including closures. 2. Section 4.3 of the Outline Traffic Management Plan (APP-136) details the proposed diversions and how they will be communicated. 3. The Outline Traffic Management Plan (APP-136) sets out the consultation process with Local Authorities which will include discussions about diversions and road closures in relation to other adjacent roadworks and traffic management in the area. The Transport Assessment (APP-134) assesses the permanent impact of the Scheme and in relation to specific developments in the area.
RR-009	Rugby Borough Council (Rugby Borough)	This Relevant Representation contains an overview of the project issues which fall within the area of Rugby Borough (RBC). It does not prejudice any future representation. RBC reviewed the draft DCO and supporting documents submitted to the Planning	These comments are noted by the Applicant.

Ref no.	Representation by	Representation recorded comments	Applicant's Response
	Council	<p>Inspectorate. RBC is supportive in principle of the scheme's objectives to increase network capacity, reduce delays and improve journey times. RBC is keen to ensure that the scheme has minimal impact on the supporting road network, environment and community.</p> <p>The order limits of the DCO are partially within the boundary of RBC making RBC a host authority, and pursuant to section 102(1)(c) of the Planning Act 2008, RBC is an interested party (IP) for the purpose of the examination of the DCO. RBC submits this Relevant Representation (RR) pursuant to sections 56 and 102(4) of the Planning Act 2008. This RR is made without prejudice to the views that may be expressed by RBC during the examination process. Warwickshire County Council is the Highway Authority within RBC and we understand they will be providing a separate Relevant Representation.</p> <p>Scope of this Relevant Representation This RR sets out the key issues that RBC consider to be relevant for the examination of the application. If considered necessary, RBC will provide a response with more information relating to the impact of the scheme, within the Local Impact Report (LIR). Similarly, if considered necessary, RBC's will provide a response with a more technical assessment of the application, within the Written Representation (WR).</p>	
		<p>Planning Merits and Issues for Consideration Without prejudice to matters that may be identified later, and pursuant section 4(2)(b) The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 please see below an outline of the principal submissions on behalf of RBC.</p> <p>Rugby Borough Council Local Plan was adopted in June 2019 and with the Policies Map form the statutory development plan for Rugby Borough Council, setting out strategic planning policies and detailed development management policies. It includes policies on land use, sustainable development, transport, environmental protection, and the protection of the Green Belt.</p> <p>The table below provides an outline from parts of the policies</p>	<p>This response is noted by the Applicant.</p> <p>How the Scheme aligns with the relevant Rugby Borough Council Local Plan policies is set out in Table 6-2 of the Case for the Scheme (APP-132) and throughout the relevant chapters of the ES.</p> <p>With regards to Policy D1, the Applicant notes Rugby Borough Council's comment and a response regarding DCO Obligations and walking, cycling and horse riding (WCH) provision is provided on page 27 of this document. The Case for the Scheme (APP-132), has been updated and resubmitted at Deadline 1 to reflect how the Scheme adheres to Policy D1 and to acknowledge the Rugby Borough Council Local Plan review.</p>

Ref no.	Representation by	Representation recorded comments	Applicant's Response						
		<p>relevant to the scheme. Additional evidence or justification may be required to be produced to demonstrate policy compliance during the examination.</p> <table><tr><th>Local Plan Policy</th><th>Summary or relevant aspect of the policy</th></tr><tr><td>GP1: Securing Sustainable Development</td><td>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants to jointly find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</td></tr><tr><td>HS1: Health, Safe and Inclusive Communities</td><td><p>The potential for creating healthy, safe and inclusive communities will be taken into account when considering all development proposals. Support will be given to proposals which:</p><ul style="list-style-type: none">• Provide homes and developments which are designed to meet the needs of older people and those with disabilities;• Design layouts that minimise the potential for crime and anti-social behaviour and improve community safety;• Contribute to the development of a high quality, safe and convenient walking and cycling network;</td></tr></table>	Local Plan Policy	Summary or relevant aspect of the policy	GP1: Securing Sustainable Development	When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants to jointly find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.	HS1: Health, Safe and Inclusive Communities	<p>The potential for creating healthy, safe and inclusive communities will be taken into account when considering all development proposals. Support will be given to proposals which:</p> <ul style="list-style-type: none">• Provide homes and developments which are designed to meet the needs of older people and those with disabilities;• Design layouts that minimise the potential for crime and anti-social behaviour and improve community safety;• Contribute to the development of a high quality, safe and convenient walking and cycling network;	
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			<ul style="list-style-type: none"> • Contribute to a high quality, attractive and safe public realm to encourage social interaction and facilitate movement on foot and by bicycle; • Seek to encourage healthy lifestyles by providing opportunities for formal and informal physical activity, exercise, recreation and play and, where possible, healthy diets; • Improve the quality and quantity of green infrastructure networks and protect and enhance physical access, including public rights of way to open space; • Deliver, or contribute to, new and improved health services and facilities in locations where they can be accessed by sustainable transport modes. 	
		HS2: Health Impact Assessments	<p>Development above the thresholds set out below will need to demonstrate that it would not generate adverse impacts on health and wellbeing:</p> <ul style="list-style-type: none"> • Non-residential development where the area of development exceeds 1ha. 	
		HS5: Traffic Generation and Air Quality	Development proposals should promote a shift to the use of sustainable transport modes.	
		Policy NE2: Strategic Green and	The Council will work with partners towards the creation of a comprehensive Borough wide	

Ref no.	Representation by	Representation recorded comments		Applicant's Response
		Blue Infrastructure	Strategic Green and Blue Infrastructure Network.	
		NE3: Landscape Protection and Enhancement	<p>New development which positively contributes to landscape character will be permitted. Development proposals will be required to demonstrate that they:</p> <ul style="list-style-type: none">• Integrate landscape planning into the design of development at an early stage;• Consider its landscape context, including the local distinctiveness of the different natural and historic landscapes and character, including tranquillity;• Relate well to local topography and built form and enhance key landscape features, ensuring their long term management and maintenance;• Identify likely visual impacts on the local landscape and townscape and its immediate setting and undertakes appropriate landscaping to reduce these impacts;• Aim to either conserve, enhance or restore important landscape features in accordance with the latest local and national guidance;• Address the importance of habitat biodiversity features, including aged and veteran trees, woodland and hedges and their contribution to landscape character, where possible enhancing and expanding	

Ref no.	Representation by	Representation recorded comments		Applicant's Response
			<p>these features through means such as buffering and reconnecting fragmented areas; and</p> <ul style="list-style-type: none"> • Are sensitive to an area's capacity to change, acknowledge cumulative effects and guard against the potential for coalescence between existing settlements. 	
		SDC1: Sustainable Design	All development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated.	
		SDC2: Landscaping	The landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscaping will be required.	
		D1: Transport	Development will be permitted where sustainable modes of transport are prioritised and measures designed to mitigate transport impacts arising from either individual development proposals or cumulative impacts caused by a number of proposals are provided.	
		D4: Planning Obligations	We understand that Planning Obligations are not required as part of the DCO process, and make separate comments relating to a Development Consent Obligation,	

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		see below.	
		Statement of Common Ground with National Highways Rugby Borough Council (RBC) has engaged with the applicant in the preparation of a Statement of Common Ground (SoCG) which has been a productive exercise.	This comment is noted. Ongoing engagement and working collaboratively with Rugby Borough Council has resulted in all issues on the draft SoCG produced with that party being marked as 'Agreed' or 'Under Discussion.' See the draft SoCG submitted at Deadline 1 (8.8 Statement of Common Ground with Rugby Borough Council (TR010066/EXAM/8.8)).
		<p>Most matters raised during the SoCG process have been agreed, however an issue relating to Accessibility & Integration remains under discussion.</p> <p>Specifically, there is a Public Right of Way (PRoW) R75x which crosses over the A46 by the Farber Road Bridge. RBC considers the access between Coventry and Rugby as hindered by the need to cross the A46, and compromised further by the proposed scheme. An opportunity exists to improve and upgrade this route as part of this proposed scheme.</p> <p>In addition, PRoW improvements across the A46 in the area could better connect Rugby with University Hospital Coventry, and Coventry with the Grade I listed Coombe Abbey and Coombe Country Park. These are suitable and reasonable mitigation measures. In lieu of the applicant providing this infrastructure, RBC will seek a Development Consent Obligation agreement to secure funds to enable these upgrades and connections.</p>	<p>At present the R75x bridleway from Farber Road to Walsgrave Hill Farm (via the Farber Road overbridge) provides WCH facilities across the A46. No works are proposed to the overbridge. Operation of the Scheme would not result in any impact on any existing WCH facilities, and the Scheme would not lead to any changes to the existing local WCH network. However, the Scheme will provide improvement by providing the pedestrian crossing east of Clifford Bridge Road roundabout.</p> <p>A WCH assessment was undertaken for the Scheme and the outcome is provided in ES Chapter 12 (Population and Human Health) (APP-034). Details of the design mitigation and enhancement measures are shown on ES Figure 12.3 (Design mitigation and enhancement measures) (APP-058).</p> <p>ES Chapter 12 (Population and Human Health) (APP-034) includes the results of usage surveys of walkers and cyclists on a range of local routes. The assessment concludes there is not considered to be any increase in severance as a result of the Scheme, and no likely significant effect upon existing WCH routes.</p> <p>The Applicant considers that all reasonable opportunities for connecting communities and enabling future active travel provision have been explored, and the objectives of the Scheme have been met.</p>
		<p><u>Applicant's proposed compulsory acquisition powers</u></p> <p>The Land Plans obtained from the Planning Inspectorate do not indicate the compulsory acquisition of any land within the Borough, so no comment is provided on this matter. Should this</p>	<p>This comment is noted by the Applicant.</p> <p>The Order Limits do not include any Rugby Borough Council owned land.</p>

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		change RBC reserves to right to make additional representations.	
		<p><u>Conclusion</u></p> <p>If considered necessary, RBC will provide a further response in a WR and LIR. RBC will continue to engage with the applicant and will endeavour to provide as much relevant information as possible to enable the project to proceed, and mitigate any harm which could be potentially caused by the construction of the project or use of the upgraded roadway.</p> <p>RBC recognises the benefits of this project, and that it represents an opportunity to improve transport within the region. RBC further recognises that given the location of the proposed scheme, its construction should be sensitive to the impact on the environment and the surrounding community. RBC will seek a Development Consent Obligation agreement to secure appropriate mitigation in relation to impacts caused by the project.</p>	This comment is noted by the Applicant.
RR-010	Natural England	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. For any further advice on this consultation please contact the case officer [REDACTED]@naturalengland.org.uk) and copy to consultations@naturalengland.org.uk.</p> <p>Natural England's Relevant Representations PART I: Summary and conclusions of Natural England's advice PART II: Natural England's detailed advice (starting on page 6) PART III: Natural England's detailed comments on the Development Consent Order (DCO) (starting on page 12)</p> <p>Part I: Summary and conclusions of Natural England's advice</p> <p>Summary of Natural England's advice</p> <p>Overall, Natural England are satisfied that the proposals address the majority of potential impacts to the natural environment. The only areas of concern where we consider further assessment and/or information is required to enable to examining authority to make an informed decision are: Nationally Designated Sites and</p>	<p>These comments are noted by the Applicant.</p> <p>The Applicant has provided a detailed response in Appendix A of this document to each of Natural England's identified issues in <i>PART II: Natural England's detailed advice</i>, and <i>PART III: Natural England's detailed comments on the Development Consent Order (DCO)</i>.</p>

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		<p>Soils & Best and Most Versatile Agricultural Land.</p> <p>The key concerns we have regarding Nationally Designated Sites are:</p> <ul style="list-style-type: none"> • Proposed mitigation measures for habitat loss impacts on Combe Pool SSSI. • Proposed noise mitigation measures on Combe Pool SSSI. • Assessment of lighting impacts and mitigation measures proposed for Combe Pool SSSI. • Assessment of air quality on Combe Pool SSSI and Herald Way Marsh SSSI. • Proposed mitigation measures for water quality and quantity on Combe Pool SSSI and Herald Way Marsh SSSI. <p>The key concerns we have regarding Soils and Best and Most Versatile (BMV) Agricultural Land are:</p> <ul style="list-style-type: none"> • A lack of information provided on monitoring and reporting, and details of where soils are to be re-instated and returned to agriculture. We are satisfied that the proposals will not have a likely significant effect on Internationally designated sites. <p>Natural England's advice in these relevant representations is based on information submitted by National Highways in support of its application for a Development Consent Order ('DCO') in relation to A46 Coventry Junctions (Walsgrave) ('the project').</p> <p>Part I of these representations summarises what Natural England considers the main issues(1) to be in relation to the DCO application and indicate the principal submissions that it wishes to make at this point. Natural England will develop these points further as appropriate during the examination process. Natural England may have further or additional points to make, particularly if further information about the project becomes available.</p> <p>Our comments are set out against the following sub-headings which represent our key areas of remit:</p> <ul style="list-style-type: none"> • Internationally designated sites • Nationally designated sites • Protected species (1 PINS NSIP Advice Note 11 Annex C sets out Natural England's role in infrastructure planning). • Biodiversity net gain 	

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		<ul style="list-style-type: none"> • Soils and best and most versatile agricultural land • Ancient woodland and ancient/veteran trees Our comments are flagged as red, amber or green • Red are those where there are fundamental concerns which it may not be possible to overcome in their current form. • Amber are those where further information is required to determine the effects of the project and allow the Examining Authority to properly undertake its task and or advise that further information is required on mitigation/compensation proposals in order to provide a sufficient degree of confidence as to their efficacy. • Green are those which have been successfully resolved (subject always to the appropriate requirements being adequately secured). <p>Natural England have not identified any red concerns based on the documents reviewed to date.</p> <p>Natural England has been working closely with National Highways to provide advice and guidance since 14 September 2023. This has included discussions around: wintering bird survey methodology, protected species licencing (and provision of a Letter of No Impediment with caveats in response to the applicant's draft badger mitigation licence), potential impacts on Combe Pool SSSI, environmental mitigation and other issues.</p> <p>We understand that the National Highways is currently drafting a Statement of Common Ground which they will share with us shortly.</p> <p>Part I of these representations provides an overview of the issues and a summary of Natural England's advice. Section 2 identifies the natural features relevant to this application. Section 3 summarises Natural England's overall view of the application and the main issues which it considers need to be addressed by the Secretary of State.</p> <p>Part II of these representations sets out all the significant issues which remain outstanding, and which Natural England advises should be addressed by National Highways and the Examining</p>	

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		<p>Authority as part of the examination process in order to ensure that the project can properly be consented. These are primarily issues on which further information would be required in order to allow the Examining Authority properly to undertake its task or where further work is required to determine the effects of the project and to flesh out mitigation proposals to provide a sufficient degree of confidence as to their efficacy.</p> <p>Natural England will continue discussions with National Highways to seek to resolve these concerns and agree outstanding matters in a Statement of Common Ground. Failing satisfactory agreement, Natural England advises that the matters set out in Section 4 will require consideration by the Examining Authority as part of the examination process.</p> <p>The Examining Authority may wish to ensure that the matters set out in these relevant representations are addressed as part of the Examining Authority's first set of questions to ensure the provision of information early in the examination process.</p>	
		<p>2. The natural features potentially affected by this application</p> <p>Internationally designated sites</p> <p>Natural England's position regarding impacts on internationally designated sites is summarised below. Further detail on our reasoning for this is given against each impact pathway in Part II.</p> <p>Natural England is satisfied that the scheme is unlikely to result in adverse effects on the integrity of the following internationally designated sites as there are no impact pathways: Ensor's Pool Special Area of Conservation (SAC), River Mease SAC. (NE1)</p>	This comment is noted by the Applicant.
		<p>Nationally designated sites</p> <p>Natural England's position regarding nationally designated sites is summarised below. Further detail on our reasoning for this is given against each impact pathway in Part II.</p> <p>On the basis of the information submitted, Natural England is not yet satisfied for 'amber' issues identified in the text below that it can be ascertained that there following national designated sites</p>	The Applicant has provided a detailed response in Appendix A of this document to each of Natural England's identified issues.

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		<p>will not be impacted:</p> <ul style="list-style-type: none"> • Combe Pool SSSI • Herald Way Marsh SSSI <p>Further information is required to assess the following impacts on designated sites:</p> <ul style="list-style-type: none"> • Habitat loss (NE2) • Noise impacts (NE4) • Lighting impacts (NE4) • Air pollution impacts (NOx, NH3, N dep) (NE6) • Water quality and water quantity impacts (NE7) <p>Natural England is satisfied that 'green' issues are unlikely to result in adverse effects on nationally designated sites, subject always to the appropriate mitigation/compensation as outlined in the application documents being secured adequately.</p>	
		<p>Protected species Natural England's position regarding European protected species is summarised below. Further detail on our reasoning for this is given in Part II.</p> <p>Natural England has received submission of a draft protected species licence application for review. We have issued a Letter of No Impediment for badgers.</p>	This comment is noted by the Applicant.
		<p>Biodiversity net gain The Environment Act 2021 includes NSIPs in the requirement for biodiversity net gain (BNG) which will come into force in November 2025. Until that time, BNG is not mandatory, however, some projects are delivering BNG on a voluntary basis. As BNG is not yet a mandatory requirement on the project Natural England has not assigned a RAG category and our comments in Part II at this stage should be considered as advisory only.</p>	This comment is noted by the Applicant.
		<p>Nationally designated landscapes The site is not located within, or within the setting of, any nationally designated landscapes. As a result, Natural England has no specific comments to make on the landscape implications of this development. The examining authority should have regard for the landscape character of the area and we welcome the</p>	This comment is noted by the Applicant.

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		reference to Natural England's National Character Areas within the Environmental Statement (ES). Natural England has no further comments.	
		<p>Soils and best and most versatile agricultural land Natural England's position regarding soils and the best and most versatile agricultural land is summarised below. Further detail on our reasoning for this is given in Part II.</p> <p>There will be a permanent loss of 11.1 ha of best and most versatile land (BMV) and a temporary loss of 0.4ha. Overall, Natural England welcome the approach to Agricultural Land Classification survey and soil management, however, some further information is required.</p>	<p>The Applicant has provided a detailed response in Appendix A of this document to each of Natural England's identified issues.</p> <p>This comment is noted by the Applicant. Monitoring and reporting requirements are contained within the First Iteration EMP (APP-109), and First Iteration EMP Appendix A - Register of Environmental Actions and Commitments (REAC) (APP-110), see commitment GS3. A Soil Handling Management Plan will be produced and monitoring and reporting as required noted within the document. This will be produced as part of the Second Iteration Environmental Management Plan (EMP) and secured by Requirement 4 of the draft DCO (PD1-003).</p>
		<p>Ancient woodland and ancient/veteran trees Our advice on ancient woodland and ancient/ veteran trees is limited to the Natural England and Forestry Commission's 'Standing Advice'. Further detail on our reasoning for this is given in Part II.</p>	<p>The Applicant has provided a detailed response in Appendix A of this document to each of Natural England's identified issues.</p>
		<p>3. Natural England's overall conclusions</p> <p>The main issues raised by this application are in relation to impacts on Combe Pool SSSI and Herald Way Marsh SSSI, Nationally designated sites, and soils & BMV agricultural land. Further detail is given in Part II.</p> <p>Our key comments in relation to nationally designated sites include:</p> <ul style="list-style-type: none"> • Clarification of mitigations measures in regard to habitat loss. • Further information required on mitigation options for noise impacts. • Further information and assessment on potential lighting impacts and mitigation. • Further assessment of ecological impacts from air quality. • Further information on mitigation measures to prevent impacts on the water quality and quantity of the SSSIs. 	<p>The Applicant has provided a detailed response in Appendix A of this document to each of Natural England's identified issues.</p>

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		<p>The key comments regarding Soils and Best and Most Versatile (BMV) Agricultural Land are:</p> <ul style="list-style-type: none"> • A lack of information provided on monitoring and reporting, and details of where soils are to be re-instated and returned to agriculture. <p>Natural England are seeking clarification and further information on potential impacts and the mitigation measures proposed. If sufficient information/clarification is provided we believe this is likely to overcome our concerns. We shall continue to work with National Highways to resolve these issues.</p>	
		<p>4. Part II: Natural England's detailed advice</p> <p>Part II of these representations expands upon the detail of all the significant issues ('red' and 'amber' issues) which, in our view remain outstanding and includes our advice on pathways to their resolution where possible. Part II also shows 'green' issues where a resolution has been reached and subject always to the appropriate requirements being adequately secured.</p> <p>Natural England will continue engaging with the applicant to seek to resolve outstanding concerns throughout the examination. Natural England advises that the matters indicated as 'amber' will require consideration by the Examining Authority during the examination.</p> <p>Natural England's Relevant Representations, Part II, Table</p> <p>TABLE – See Appendix A with Applicant's response</p>	<p>The Applicant has provided a detailed response in Appendix A of this document to each of Natural England's identified issues.</p>
RR-011	Historic England (HBMCE)	<p>The Historic Buildings and Monuments Commission for England (HBMCE) is better known as Historic England, and we are the Government's adviser on all aspects of the historic environment in England, including historic buildings and areas, archaeology and historic landscapes.</p> <p>We have a duty to promote conservation, public understanding and enjoyment of the historic environment. We are an executive Non-Departmental public body and we answer to Parliament through the Secretary of State for Culture, Media and Sport (DCMS). Proposal The A46</p>	<p>These comments are noted by the Applicant.</p> <p>The Applicant will continue to engage and work collaboratively with Historic England on a draft SoCG, however the current draft shows all issues are now marked as 'Agreed'. See the SoCG which has been submitted at Deadline 1 (8.9 Statement of Common Ground with Historic England (TR010066/EXAM/8.9)).</p>

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		<p>Walsgrave junction connects the A46 to the B4082 at Walsgrave and this junction is currently a 3-arm priority roundabout.</p> <p>The proposed A46 Coventry Junctions (Walsgrave) scheme comprises of a grade separated junction located to the north of the existing Walsgrave roundabout with the B4082 extending to the new junction.</p> <p>Representation We are engaged in positive pre-application discussion with the applicant and have provided comments on the Preliminary Environmental Impact Report at S42 stage. We have been in conversation with the applicant regarding the Order Limit and any potential encroachment into the park's western boundary.</p>	
		<p>We are exploring concerns constructive engagement on this. The removal of the bund, the tree belt west of the park boundary, the raising of tree crowns, the road shifting nearer to the park boundary, are likely to have impacts from light and noise, particularly on the historic rides/paths. The level of risk of windthrow after exposing the existing parkland trees is unknown. The proposal for the woodland planting within the north-western agricultural field would affect the perception of agricultural land beyond and the lightness filtering through the woodland belt would be lost overtime. We look forwards to further constructive engagement with the applicant.</p>	<p>The Applicant is in broad agreement with this statement. The assessment of impacts presented in the ES Chapter 6 (Cultural Heritage) (APP-028) are based on the design presented on the General Arrangement (AS-002) and ES Figure 2.4 (Environmental Masterplan) (APP-043) and includes discussion of these factors. The Applicant has engaged with Historic England to provide information concerning these issues prior to submission and will continue discussions around provision of further information or potential changes to reduce/mitigate as needed. Results of discussions will be recorded in the SoCG (8.9 Statement of Common Ground with Historic England (TR010066/EXAM/8.7)) as these progress.</p>
RR-012	Environment Agency	<p>1.0 The Environment Agency's Role</p> <p>1.1 The Environment Agency is an executive non-departmental public body, established under the Environment Act 1995.</p> <p>1.2 We were established to bring together responsibilities for protecting and improving the environment and to contribute to sustainable development. We take an integrated approach in which we consider all elements of the environment when we plan and carry out our work. This allows us to advise on the best environmental options and solutions, taking into account the different impacts on water, land, air, resources and energy.</p>	<p>These comments are noted by the Applicant.</p>

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		<p>1.3 We help prevent hundreds of millions of pounds worth of damage from flooding. Our work helps to support a greener economy by protecting and improving the natural environment for beneficial uses, working with businesses to reduce waste and save money, and helping to ensure that the UK economy is ready to cope with climate change. We will facilitate, as appropriate, the development of low carbon sources of energy ensuring people and the environment are properly protected.</p> <p>1.4 We have three main roles:</p> <ul style="list-style-type: none"> • We are an environmental regulator – we take a risk-based approach and target our effort to maintain and improve environmental standards and to minimise unnecessary burdens on businesses. We issue a range of permits and consents. • We are an environmental operator – we are a national organisation that operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability. • We are an environmental adviser – we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles in policy and decision-making. <p>1.5 The Environment Agency takes action to conserve and secure the proper use of water resources, preserve and improve the quality of rivers, estuaries and coastal waters and groundwaters through pollution control powers and regulating discharge permits.</p> <p>1.6 We have regulatory powers in respect of waste management and remediation of contaminated land designated as special sites. We also encourage the remediation of land contamination through the planning process.</p> <p>1.7 The Environment Agency is the principal flood risk</p>	

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		management operating authority. It has the power (but not the legal obligation) to manage flood risk from designated main rivers and the sea. The Environment Agency is also responsible for increasing public awareness of flood risk, flood forecasting and warning and has a general supervisory duty for flood risk management. We also have a strategic overview role for all flood and coastal erosion risk management.	
		<p>2.0 Scope of these Representations</p> <p>2.1 These Relevant Representations contain an overview of the project issues, which fall within our remit. They are given without prejudice to any future detailed representations that we may make throughout the examination process. We may also have further representations to make if supplementary information becomes available in relation to the project.</p> <p>2.2 We have reviewed the Development Consent Order (DCO) application, Environmental Impact Assessment (EIA) and supporting documents submitted as part of the above-mentioned application, following notification of its acceptance for Examination on 12 December 2024. Our main key outstanding issues of concern are listed in tables below under each subject with general comments underneath the tables that need to be addressed before the DCO is granted.</p>	These comments are noted by the Applicant.
		<p>3.0 Draft Development Consent Order</p> <p>3.1. Part 4, Supplemental Powers,</p> <p>Article 22 – Powers in relation to watercourses</p> <p>There are no protective provisions agreed or in place therefore we would object to Article 22, until wording has been agreed by the Environment Agency into Schedule 9 (protective provisions). However, we are liaising with the applicant, and they have been provided with the updated Environment Agency Standard Protective Provisions January 2025.</p>	<p>These comments are noted by the Applicant. The Applicant will continue to engage and work collaboratively with the Environment Agency with the aim of resolving outstanding matters to the satisfaction of both parties by the time the DCO Examination concludes.</p> <p>An SoCG has been submitted at Deadline 1 (8.10 Statement of Common Ground with Environment Agency (TR010066/EXAM/8.7)).</p>

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		<p>4.0. Part 6: Miscellaneous and General</p> <p>4.1. Article 52 – Disapplication and Modification of legislative provisions</p> <p>The only disapplication relevant to us is the disapplication of byelaws made under or having effect as though made under paragraphs 5, 6 and 6A of the Water Resources Act 1991.</p> <p>These will be local byelaws made under the following paragraphs:</p> <p>Para 5 – byelaws for flood defence and drainage purposes</p> <p>Para 6 – byelaws for purposes of fisheries functions</p> <p>Para 6A – fisheries byelaws for marine or aquatic environmental purposes</p> <p>We frequently agree to disapply the above byelaw provisions and the requirement for a flood risk activity permit (FRAP) in exchange for protective provisions. However, there is no disapplication of the requirement of a FRAP, nor are there any protective provisions for the protection of the Environment Agency (which would be in Schedule 9). There is also no reference to FRAP in the Consents & Agreements Position Statement. However, we understand National Highways do intend to disapply the requirement for a FRAP.</p> <p>Please clarify whether it is the intention that the requirement for a FRAP is disapplied</p> <p>We will not agree to the disapplication of either:</p> <ul style="list-style-type: none"> the effect of byelaws made under paragraphs 5, 6 and 6A of the Water Resources Act 1991; the requirement for a FRAP under the Environmental Permitting (England and Wales) Regulations 2016 <p>unless we agree protective provisions for the protection of the Environment Agency.</p>	<p>Following a meeting with the Environment Agency regarding a FRAP, it was determined that obtaining a FRAP following the DCO consent is the most appropriate approach. Therefore, the Applicant has notified the Environment Agency that they do not have an intention of disapplying the requirement for a FRAP. The Consents and Agreements Position Statement (APP-007) and the SoCG reflect the Applicant's position (see 8.10 Statement of Common Ground with Environment Agency (TR010066/EXAM/8.10) submitted at Deadline 1).</p> <p>The Applicant is considering the EA's request in relation to Protective Provisions.</p>

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		<p>5.0. Schedule 2 – Requirements</p> <p>5.1. Second iteration Environmental Management Plan</p> <p>We concur with 4 (1) and as stated in the A46 Coventry Junction (Walsgrave) First Iteration Environmental Management Plan Appendix A Register of Environmental Actions and Commitments <i>“The Second Iteration EMP will be approved by the Secretary of State (SoS) following consultation with the relevant planning authorities, the Environment Agency.....”</i></p>	<p>This comment is noted by the Applicant.</p>
		<p>5.2. Landscaping – Requirement 6</p> <p>We would recommend that you include the following:</p> <p>Management of Invasive non-native species (INNS) under the Landscaping section as a requirement. Lack of appropriate INNS control and biosecurity risks the spread of INNS within the scheme boundary, which is an offence under The Wildlife and Countryside Act 1981 (as amended) and The Invasive Alien Species (Amendment (EU Exit)) Regulations 2019. We would recommend that invasive non-native species management and removal is included within the section requiring the management of any INNS that are detected during the works.</p>	<p>These comments are noted by the Applicant.</p> <p>The Applicant has included the Invasive Non-native Species (INNS) as a specific measure (BD9) in the REAC (APP-110) which is Appendix A the First Iteration EMP (APP-109). The First Iteration EMP (APP-109) will be developed into a Second Iteration EMP to be implemented during the construction of the Scheme. The Second Iteration EMP will include an INNS Management Plan. Adherence with the Second Iteration EMP is secured by Requirement 4 of the draft DCO (PD1-003).</p>
		<p>5.3. Biodiversity Net Gain</p> <p>We would recommend an inclusion of a Biodiversity Net Gain (BNG) requirement.</p> <p>BNG aims to make sure developments have a measurably positive impact on biodiversity. By not including BNG as a requirement, BNG may potentially not be delivered. Despite BNG not yet being a legal requirement on NSIPs, it is still considered best practice.</p> <p>This could outline that a biodiversity net gain strategy must be produced and approved by the relevant planning authority and relevant nature conservation bodies prior to the development commencing, which must be adhered to throughout the scheme.</p>	<p>As detailed within ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076), as a Nationally Significant Infrastructure Project (NSIP) submitting a DCO application in late 2024, the Scheme is not subject to mandatory BNG under the Environment Act 2021, which is due to come into force for NSIPs in November 2025. The Scheme is a transition scheme sitting within the Road Investment Strategy 2 (RIS2) period (2020 – 2025) and as such National Highways has set a +10% BNG targets for both area-based habitats and linear-hedgerow habitats. There is no target set by National Highways regarding linear watercourse habitats. However, the baseline and projected post-construction biodiversity units for linear watercourses have been calculated and presented to provide a complete and transparent picture of the change in biodiversity due to the Scheme. ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076) concludes no loss of linear watercourse</p>

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			<p>baseline units as a result of the Scheme.</p> <p>ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076) details post-construction BNG calculations based on the ES Figure 2.4 (Environmental Masterplan) (APP-043) which have identified a +11.87% and +15.38% net gain for area-based and linear hedgerow habitats respectively.</p>
		<p>5.4. Contaminated Land and Groundwater – Requirement 7</p> <p>We concur with the inclusion of this 'unsuspected contamination' requirement. Considering the limited site sensitivity in terms of risk to Controlled Waters and the apparent absence of soil pollution, this one would suffice, with the works covered by other general mitigation plans and permits too. However, we would strongly advise to amend the wording of 7(3) to:</p> <p><i>'...Remedial measures must be carried out in accordance with the scheme approved under sub-paragraph (2) and following completion of the remedial measures a validation report confirming the completion and effectiveness of those measures must be submitted to the Environment Agency....'</i></p>	<p>The Applicant considers that the Environment Agency can already respond to propose this when consulted under Requirement 7(2) in the draft DCO (PD1-003), and so this provision is unnecessary.</p>
		<p>6.0. Schedule 9</p> <p>6.1. Protective Provisions</p> <p>The Environment Agency would require the following for any works that require to be carried out in Article 22.</p> <p>For disapplication for FRAP, the following documents will need to be provided for review under the DCO:</p> <ul style="list-style-type: none"> • Basic method statement for all major works • Detailed Drawings of new structures • List of all activities to be disapplied, both permanent and temporary <p><u>Method Statement</u></p>	<p>The Applicant has notified the Environment Agency that they do not have an intention of disapplying the requirement for a FRAP and will apply for one separately, if necessary, at the appropriate time. The Consents and Agreements Position Statement (APP-007) and the draft SoCG (8.10 Statement of Common Ground with Environment Agency (TR010066/EXAM/8.10)) have been updated to reflect the Applicant's position and submitted at Deadline 1.</p> <p>The relevant documents will be submitted to the Environment Agency for their review at an appropriate time post DCO consent as part of a FRAP application.</p>

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		<p>This document will need to set out how the activity will be carried out, usually step by step, this will need to include:</p> <ul style="list-style-type: none"> • Basic method for each major activity. • An assessment of the impacts each stage of works may have on flood risk. E.g. would there be storage of materials in the floodplain which may reduce capacity. • Mitigation measures to manage impacts from the methods used or to manage unexpected events (e.g. accidents or errors that could result in damage to the structural integrity of riverbanks or a method that could potentially increase flood risk or environmental damage). 	
		<p>7.0. Key Issues – Biodiversity</p> <p>Environmental Statement: Chapter 8 - Biodiversity</p> <p>8.10.3 Issue - Mitigation for otter has not been provided during the operation of the scheme, and risk of vehicle collision has not been considered.</p> <p>Impact - During times of high flow, otter passage under bridges or culverts can be hampered. Therefore, otters are forced to cross busy roads putting them at risk of vehicle collision, which can lead to injury or mortality.</p> <p>Solution - installed along the length of the Smite Brook culverts (beneath the A46 and B4082 roads) to facilitate crossing by otter during floods. Alternatively, mammal underpasses (similar to the 'badger culvert' under the B4082, as detailed in Table 8-25) could be installed to allow otters to cross under the road during times of high water-flow, maintaining connectivity between the River Sowe and Coombe Pool SSSI. In addition, include 'mortality' for otter under the operation stage within Table 8- 25.</p>	<p>The purpose of ES Chapter 8 (Biodiversity) (APP-030) is to assess the impacts of the Scheme on ecological features. Mortality during operation would not be considered an impact of the Scheme, but rather an 'increase in mortality during operation' as the A46 carriageway is already present crossing Smite Brook. The Scheme includes no works which would alter the Smite Brook culverts including following mitigation for increases in surface water outlined, as detailed in ES Chapter 13 (Road Drainage and the Water Environment) (APP-035), ES Appendix 13.1 (Flood Risk Assessment) (AS-012) and ES Appendix 13.6 (Drainage Strategy Report) (APP-106) (i.e. the culvert is not anticipated to become any less suitable for otter passage or to result in otters attempting to cross the A46 carriageway any more frequently than they may already). As such an increase in otter mortality is not considered an impact of the Scheme.</p> <p>As there is no identified impact upon otter with regards to increased mortality due to individuals crossing the A46 due to the Scheme, there is no requirement to mitigate through provision of ledges within the culvert and/or mammal underpasses.</p>
		<p>8.8.104 Issue - Light spill is not included as a potential indirect impact.</p> <p>Impact - Light pollution/spill onto watercourses has the potential</p>	<p>Paragraph 8.8.105 within ES Chapter 8 (Biodiversity) (APP-030) discusses the baseline with regards to fish and only mentions an example of indirect impacts in explanation for scoping fish in. However, paragraph 8.8.105 ES Chapter 8</p>

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		<p>to exhibit changes in fish behaviour as a result of unnatural lighting, which can negatively impact migratory fish.</p> <p>Solution - Update section 8.8.104 to include lighting as an indirect impact. If works are altered and piling is required, noise and vibration should also be included as an indirect impact.</p> <p>In addition, include 'Disturbance Impacts' for fish under the Construction stage within Table 8-25.</p>	<p>(Biodiversity) (APP-030) will be amended to add in impacts from light pollution as an example of indirect impacts, and will be resubmitted at Deadline 3. Further amendments will be made to the ES Chapter 8 (Biodiversity) (APP-030) to include the light pollution impacts on fish. Measures which would mitigate light disturbance impacts on fish already detailed within the Chapter, as mitigation for other ecological features, include those within paragraph 8.10.7 of ES Chapter 8 (Biodiversity) (APP-030) and are included in the First Iteration EMP (APP-109) and the EMP Appendix A REAC (APP-110). As such residual effects on fish due to the Scheme are assessed as neutral (not significant) in both the construction and operational phase.</p>
		<p>6.3 Environmental Statement Appendices: Appendix 8.1 Biodiversity Net Gain Report</p> <p>4.5.1 Issue - Following construction, the watercourse units are predicted to be the same prior to construction (0.71 units), so there is 'no net loss'.</p> <p>Impact - No enhancements to watercourses within the scheme under BNG have been proposed, the aim of BNG to make sure developments have a measurably positive impact on biodiversity.</p> <p>Solution - The scheme should consider in-channel or riparian enhancements. The negative indicators recorded during the MoRPH survey (e.g. Sections 3.4.6 & 3.4.9) could be used as a guide (e.g. remove physical modifications/artificial banks and manage INNS on Smite Brook).</p>	<p>As detailed within ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076) as an NSIP submitting a DCO application in late 2024, the Scheme is not subject to mandatory BNG under the Environment Act 2021, which is due to come into force for NSIPs in November 2025. The Scheme is a transition scheme sitting within the RIS2 period (2020 – 2025) and as such the Applicant has set a +10% BNG target for both area-based habitats and linear-hedgerow habitats. There is no target set by the Applicant regarding linear watercourse habitats.</p> <p>The Scheme will have no direct impacts on any features qualifying as watercourses under the Statutory Metric guidance (i.e. excluding ephemeral ditches). Impacts to watercourses (as considered under the Statutory Metric) and their riparian zones are limited to some temporary habitat loss and post-construction change in habitat in a small area of the Smite Brook riparian zone. The baseline and projected post-construction biodiversity units for linear watercourses have been calculated and presented within ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076), including accounting for the change in Smite Brook riparian zone, to provide a complete and transparent picture of the change in biodiversity due to the Scheme. The calculations evidence 'no net loss' to watercourses and as such are in support of no impacts.</p> <p>The Scheme includes enhancement to the wider water environment within the Order Limits, which lacks permanently</p>

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			wet standing water habitat prior to the Scheme, through creation of two permanently wet drainage ponds which would be planted with aquatic species, as shown on ES Figure 2.4 (Environmental Masterplan) (APP-043).
		<p>6.5 First Iteration Environmental Management Plan: Appendix A Register of Environmental Actions and Commitments</p> <p>RD2 Issue – Proposes the installation of a temporary culvert.</p> <p>Impact - Culverts have the potential to fragment habitats and reduces connectivity, making dispersal and commuting for some species difficult. Culverts also put an added pressure on otters during periods of high water-levels, as culverts offer little room for conveyance and put otters at risk of being killed when crossing roads.</p> <p>Solution - The scheme should consider alternative means to culverting, to maintain habitat connectivity and allow species to commute freely.</p>	<p>The culvert is temporary to provide access to the construction satellite compound. The ditch which would be subject to temporary culverting is an ephemeral ditch, which only takes runoff from the highway and minor areas of overland flow from agricultural land. It is considered to only sporadically hold small amounts of water (e.g. after periods of heavy rainfall). As such it is not considered suitable for aquatic ecology including fish, water vole, otter and aquatic invertebrates.</p> <p>The culvert will be located at the headwaters of the ditch, immediately to the north of this is the A46, therefore there is no habitat upstream to maintain connectivity with.</p>
		<p>RD10 Issue - Biodiversity has not been considered with regards to the pond/detention basin.</p> <p>Impact - The scheme could construct the pond / detention basin to provide a biodiversity feature in addition to the minimisation of flood risk</p> <p>Solution - We encourage the incorporation of enhancements to improve the pond/ detention basin for biodiversity, if possible. Examples include varying the base of the waterbodies, providing shallow margins and planting emerging vegetation.</p>	<p>The Applicant has incorporated enhancements, and these are detailed within Section 8.10 of ES Chapter 8 (Biodiversity) (APP-030) habitat creation would include two permanently wet drainage ponds which would be planted with aquatic species, as shown on ES Figure 2.4 (Environmental Masterplan) (APP-043). The northern pond will not be permanently wet, and therefore planting for aquatic species will not be provided.</p> <p>The ponds will consider biodiversity enhancements during the progression of detailed design</p>

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		<p>RD11 Issue - It is proposed to use scour-protection to protect the banks and bed of the watercourse.</p> <p>Impact - Watercourses within the scheme already possess physical modifications such as artificial banks (Appendix 8.1, Section 3.4.6), and hard scour-protection will further add to artificial modifications within the watercourses. Artificial modifications reduce the availability of habitat for wildlife.</p> <p>Solution - We encourage the use of green- engineering methods as opposed too artificial methods, such as the use of coir rolls or willow spilling.</p>	<p>Scour protection may be required on new outfalls discharging road runoff from the Scheme. The outfalls from the Scheme are on small ordinary watercourses. Paragraph 6.2.9 of the ES Appendix 13.5 (Hydromorphological Report) (APP-105) states that scour protection will only be incorporated where necessary following the findings of a scour assessment. The scour assessment and subsequent design will be undertaken as part of the detailed design phase and seek to use green engineering methods where feasible.</p> <p>The Applicant notes the Environment Agency's comments and will engage with the Environment Agency / lead local flood authority (LLFA) as appropriate during the detailed design stage.</p> <p>The wording in the REAC (APP-110) (which is Appendix A of the First Iteration EMP (APP-109)) has been updated to better reflect what is noted in the Hydromorphology Report and will be submitted at Deadline 3.</p>
		<p>8.0 Key Issues - Pollution Prevention</p> <p>Appendix A Register of Environmental Actions and Commitments</p> <p>G6 Issue - The scheme proposes site restoration.</p> <p>Impact - As some of the watercourses are being partially infilled, redirected and temporarily culverted, is there scope to improve the post-construction landscape of the water courses compared to what it is now.</p> <p>Solution - Provide detailed plans of how mitigation measures will enhance the watercourses. Provide BNG where possible.</p>	<p>As detailed within ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076) as a Nationally Significant Infrastructure Project (NSIP) submitting a DCO application in late 2024 the Scheme is not subject to mandatory BNG under the Environment Act 2021, which is due to come into force for NSIPs in November 2025. The Scheme is a transition scheme sitting within the Road Investment Strategy 2 (RIS2) period (2020 – 2025) and as such the Applicant has set a +10% BNG targets for both area-based habitats and linear-hedgerow habitats. There is no target set by the Applicant regarding linear watercourse habitats.</p> <p>The Scheme will have no direct impacts on any features qualifying as watercourses under the Statutory Metric guidance (i.e. excluding ephemeral ditches). Impacts to watercourses (as considered under the Statutory Metric) and their riparian zones are limited to some temporary habitat loss and post-construction change in habitat in a small area of the Smite Brook riparian zone. The baseline and projected post-construction biodiversity units for linear watercourses have been calculated and presented herein, including accounting for</p>

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			<p>the change in Smite Brook riparian zone, to provide a complete and transparent picture of the change in biodiversity due to the Scheme. The calculations evidence 'no net loss' to watercourses and as such are in support of no impacts.</p> <p>ES Chapter 13 (Road Drainage and the Water Environment) (APP-035) presents the assessment of impacts to watercourses. With mitigation proposed, there are no significant residual effects. It is not possible to provide enhancements without causing direct environmental impacts to watercourses, which as a result of the Scheme, are currently not directly impacted.</p>
		<p>RD1 Issue – Vehicle washing</p> <p>Impact - Discharge of wastewater is unknown –e.g. will vehicle washings be in designated areas and bunded, will this wastewater be disposed of off-site or attenuated and discharged?</p> <p>Solution - We would like to see what measures will be incorporated to protect the Combe Pool SSSI water quality from accidental spillages put in place.</p>	<p>The First Iteration EMP (APP-109), includes a commitment to utilise working from hardstanding, track matting or to utilise road sweepers to ameliorate the quantity of mud reaching highway surfaces (paragraph 1.3.11). This is a commitment so will be measured, monitored and reported upon.</p> <p>The First Iteration EMP (APP-109) also states that a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site) will be implemented for vehicles leaving the construction site, so reducing water use to clean any further mud from wheels or underbody of plant.</p> <p>No washing out of delivery vehicles will take place on site without suitable provision for the washing out water to be captured in a suitable location that is a tank or depression, suitably sized, lined with a geotextile to prevent infiltration to ground or that is a proprietary system.</p> <p>Section 5.4 of the Outline Traffic Management Plan (APP-136) details the provisions for maintenance of road cleanliness on the scheme including wheel washing. Wheel wash water contains silt and will not be allowed to flow into any drain or water course. If wash water cannot be settled and the cleaned water reused on site within appropriate consented activities, it will be settled and disposed of to a sewer with the appropriate consents for discharge.</p> <p>The works closest to Coombe Pool will not require wheel wash</p>

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			<p>facilities, as the works are taking place off track-matting or hard surfacing, so preventing mud accumulating in tyres or tracks and road sweepers will be utilised.</p> <p>The first line of management of pollution will be prevention, however a Pollution Incident Control Plan will be produced for the Second Iteration EMP, in line with the detailed design and this has been added to Requirement 4 in the draft DCO (PD1-003) submitted at Deadline 1. This will be consulted on with the relevant statutory consultees as per the Requirement.</p>
		<p>8.1. Dewatering</p> <p>It would need to be non-consumptive (all water discharged without intervening use – so they could not be used for dust suppression). The table of consents anticipates that the water may need treatment via settlement tanks or lagoons so the timing and quantity of discharges may be relevant.</p> <p>For dust suppression or other consumptive uses, the licence they may be granted will be unusable in the Summer. They will need to store water in the winter then to buffer this or trade from someone with a summer licence potentially. Alternatively, they may approach the water company for mains supply.</p> <p>This can be navigated via the permitting route pre commencement, but the complexity of abstraction licence determinations is best considered early.</p>	<p>The Applicant notes the Environment Agency's advice and will seek early engagement with the Environment Agency to obtain relevant abstraction licences. The requirement for an abstraction licence is included in the Consents and Agreements Position Statement (APP-007).</p>
		<p>9.0. Flood Risk & Hydraulic Modelling</p> <p>Appendix A Register of Environmental Actions and Commitments</p> <p>Issue – Flood Risk</p> <p>Impact - Construction materials and compounds must be sequentially located to avoid areas of flood risk. Impact is loss of flood flows and loss of floodplain storage.</p> <p>Solution - All construction compounds and works areas should</p>	<p>Paragraphs 2.6.10 - 2.6.20 of ES Chapter 2 (The Scheme) (APP-024) outline the establishment of the satellite compound and bridge laydown area to the west of the A46, north of the new junction, as shown on ES Figure 2.5 (Temporary Works) (APP-044). The satellite compound and temporary constructions works and are located outside of the flood plain, which is shown on ES Figure 13.1 (Surface Water Features, Licensed Abstractions, Consented Discharges and Fluvial Flood Risk) (APP-059).</p> <p>The only interaction with the floodplain is with the Smite Brook culvert (at the A46 embankment), the works here do not</p>

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		<p>be outside of the functional floodplain.</p> <p>Issue – Hydraulic flood model</p> <p>Impact - Not increasing flood risk to third parties</p> <p>Solution - At the detailed design stage, the hydraulic flood model will be tested to demonstrate compliance with the Flood Risk Assessment.</p>	<p>involve loss of / changes to floodplain, therefore there is no requirement for further modelling. For further information please see section 13.9.6 of ES Chapter 13 (Road Drainage and the Water Environment) (APP-034)</p> <p>A FRAP may be required for the new pedestrian crossing Work No 2I, if works are required outside of the highway boundary, due to it being situated on a raised embankment. Should this be the case then the Environment Agency will be able to request additional hydraulic modelling as part of the FRAP process.</p>
		<p>9.1 All temporary works activities will need reviewing through the permitting process</p>	<p>These comments are noted by the Applicant.</p> <p>The Consents and Agreements Position Statement (APP-007) provides details of additional consents / licences / agreement and legislation that will be required for both permanent and temporary works. Should it become apparent throughout the course of the works that additional permits are required, the Applicant will work with the relevant regulator to ensure these are obtained.</p>
		<p>9.2. Chapter 13 – Road Drainage and Water Environment</p> <p>It is noted in Section 13.6.3 that a temporary culvert is proposed over an unnamed ordinary watercourse. It would be useful if this temporary culvert could be shown on the temporary works plan (Figure 2.5 Temporary Works). This is an area shown as Flood Zone 1. The ephemeral watercourse on which this culvert would be located is not shown on the Detailed River Network. Any associated flood risk impacts of this temporary culvert crossing on flood risk would be negligible.</p> <p>9.3. Section 13.10.15 describes how flooding has the potential to impact construction workers, equipment, and the scheme. This section also notes that contractors should sign up to the Environment Agency's Flood Warning service. This is welcomed. With regards to construction compounds and materials these should be placed outside of the functional floodplain.</p>	<p>The temporary culvert is within the satellite compound (Work 4A) which is shown on the Works Plan (APP-013).</p> <p>The Applicant is in discussion with Coventry County Council and Warwickshire County Council, the two Lead Local Flood Authorities (LLFA), regarding obtaining appropriate consent for the works. This is detailed in 8.6 Statement of Common Ground with Coventry City Council (TR010066/EXAM/8.6) and 8.7 Statement of Common Ground with Warwickshire County Council (TR010066/EXAM/8.7) submitted at Deadline 1.</p> <p>Paragraphs 2.6.10 - 2.6.20 of ES Chapter 2 (The Scheme) (APP-024) outlines the construction compounds, which includes the re-use of the existing Brinklow Compound and the establishment of the satellite compound and bridge laydown area to the west of the A46, north of the new junction, as shown on ES Figure 2.5 (Temporary Works) (APP-044). These are not within the floodplain as shown in ES Figure 13.1 (Surface Water Features, Licensed Abstractions, Consented</p>

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			Discharges and Fluvial Flood Risk) (APP-059).
		<p>9.4 Table 1312 - Potential residual effects on ground water and surface water receptors during construction of the scheme.</p> <p>This table identifies that construction activity has the potential to act as a barrier to flow redirecting flood risk to others. The proposed mitigation includes a temporary drainage strategy and adhering to the CIRIA guidelines on the control of water pollution. No mitigation appears to be proposed for the effects that construction activities might have on fluvial flood flows and loss of floodplain storage. Construction compounds and materials should be placed outside of the floodplain. Where this is not possible the impact on flood risk on construction activities should be quantified using the detailed hydraulic model developed for the scheme.</p>	<p>The Applicant confirms that no works are currently proposed in the floodplain of main rivers as detailed in paragraph 13.9.6 of ES Chapter 13 (Road Drainage and the Water Environment) (APP-035). However, as the Order Limits extend into the floodplain of a main river (the River Sowe), then a FRAP will be sought by the Applicant for any works that are required within the floodplain, in which the flood risk will be demonstrated to the Environment Agency for approval.</p> <p>The Satellite Compound and temporary constructions works are shown on ES Figure 2.5 (Temporary Works) (APP-044) and are located outside of the flood plain, which is shown in ES Figure 13.1((Surface Water Features, Licensed Abstractions, Consented Discharges and Fluvial Flood Risk) (APP-059).</p>
		<p>10.0 Groundwater & Contaminated Land</p> <p>10.1. Environmental Statement – Chapter 9 – Geology and Soils</p> <p>We are pleased to learn that the site investigation undertaken to date found only minor evidence of contamination from historical activities (some minimal ammoniacal nitrogen, sulphate and metal impacts). Also, no significant volumes of made ground have been identified outside of the landfill in the south (where no significant works are proposed anyway). As such, no remedial activities are recommended, only protection during the construction and operation of the scheme.</p>	<p>These comments are noted by the Applicant.</p> <p>The commitment GS1 of the First Iteration EMP REAC (APP-110) outlines how the Applicant will ensure identified risks associated with contamination are appropriately managed and minimised. Commitment GS1 will be implemented through the production of the Soil Handling Management Plan (SHMP), (including a Soil Resource Plan and a Soil Handling Strategy), which will be produced as part of the Second Iteration EMP to be implemented during construction of the Scheme. Adherence with the Second Iteration EMP is secured by Requirement 4 of the draft DCO (PD1-003). First Iteration EMP (APP-109) Appendix B.3 Outline Site Waste Management Plan, will be further developed as part of the Second Iteration EMP.</p>

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		<p>10.2. Chapter 13 – Road Drainage and the Water Environment (and Appendix 13.4 Groundwater Assessment)</p> <p>We concur with the conclusion that ‘...<i>Groundwater quality and routine runoff assessments were completed to assess the risks of impacts upon groundwater quality from unlined road drainage. The detailed assessment identified that road runoff poses a potential risk to groundwater receptors in terms of water quality and infiltration to saturated aquifer units due to the limited thickness of the unsaturated zone. The use of filter drains, and unlined drainage ditches will therefore require further reassessment at the detailed design stage and discussion with the Environment Agency to confirm the risk due to the presence of shallow groundwater across the Scheme...</i></p>	<p>The Applicant notes the Environment Agency's comments and will continue to engage with Environment Agency during the detailed design stage</p>
		<p>10.3. EMP Appendix A Register of Environmental Actions and Commitments</p> <p>We can only welcome the comprehensive actions proposed under GS1 – GS5 and RD1 – RD13 aimed at ensuring that all identified risks to soils and Controlled Waters associated with contamination, piling and dewatering are appropriately managed and minimised, with specific measures to be further detailed in the appropriate Environmental Management Plan, Site Waste Management Plan, Materials Management Plan, Piling Risk Assessment, Abstraction Licence, Discharge Permit and groundwater monitoring proposals.</p>	<p>This comment is noted by the Applicant.</p>
		<p>10.4. 6.7. Pre-commencement Plan</p> <p>The general mitigation measures outlined for soils and for water quality seem all appropriate to protect any impacts during the enabling works, notably controlling soil stripping and stockpiling, as well as preventing site (sediment) run-off and water pollution.</p>	<p>This comment is noted by the Applicant.</p>

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		<p>10.5. 3.3 - Consents and Agreements Position Statement</p> <p>On page 8 of 13 it mentions about the use of a U1 waste exemption as part of the planned works. A consultancy concluded in 2023 that the U1 exemption needed to be changed to minimise the risk to the environment and human health from abuse. This will be done by restricting waste types, quantities and activities in relation to specific construction activities, rather than specifying an overall limit for the exemption. The proposed revisions mean that the U1 exemption will be more restrictive than it is currently in relation to the use of waste. However, there are alternative options available that avoid the need for an environmental permit. Waste derived materials can be used without a permit if they have been fully recovered and meet end of waste. For example, by using material that is compliant with a quality protocol (Quality Protocols will be known as Resource Frameworks in future).</p>	<p>This comment is noted by the Applicant.</p> <p>As stated in the Consents and Agreements Position Statement (APP-007) the Environment Agency will be informed of the intention by the Applicant to seek a U1 environmental permit waste exemption (for the reuse of limited non-hazardous made ground excavation arisings assessed as being chemically and geotechnically suitable) prior to the start of construction activities in the location where these exemptions are required. This will follow the latest available (most updated) <i>U1 waste exemption: using waste in construction guidance</i> or applicable quality protocols suggested.</p>
		<p>11.0. Further Representations</p> <p>11.1. In summary, we can confirm that we have no objections to the principle of the proposed development, as submitted. The issues outlined above are all capable of resolution and we look forward to receiving additional information to resolve our outstanding concerns. We will also continue to engage with the Applicant and review the Statement of Common Ground (SoCG).</p> <p>11.2. We reserve the right to add or amend these representations, including requests for DCO requirements and protective provisions should further information be forthcoming during the examination on issues within our remit.</p>	<p>These comments are noted by the Applicant.</p>
RR-013	Coventry City Council	<p>Response from Coventry City Council as Planning Authority</p> <p>Coventry City Council (CCC) is one of the host local authorities for the A46 Junction Works Development Consent Order (DCO) application, with Rugby Borough Council (RBC) and Warwickshire County Council (WCC), who are the Highway Authority and responsible for other matters such as Ecology and Archaeology for Rugby Borough Council. The 'order limits' of the DCO are split between both CCC and RBC. This relevant representation is made without prejudice to the future views that may be expressed by CCC in its capacity as an interested party in the subsequent</p>	<p>These comments are noted by the Applicant.</p>

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		<p>examination process.</p> <p>The comments are made following an initial review of the DCO material.</p> <p>CCC recognises the benefits of the scheme which are part of a wider scheme to improve the flow of the A46, with works having already been completed at two further junctions of the A46 further south of the A46 along the Eastern boundary of CCC.</p> <p>Coventry Local Plan 2017 contains a housing allocation known as Walsgrave Hill Farm which is adjacent to the proposed junction improvements. The Coventry Local Plan allocates an indicative 900 homes for development on this site. With regard to the site allocation Policy H2 Housing Allocations H2:3 Walsgrave Hill Farm, the Local plan states: "Retention and enhanced setting of listed buildings at Hungerley Hall Farm. Site to incorporate blue light access linking the A46 to the University Hospital. Facilitate and work with Highways England on highways proposals linked to a new Grade Separated junction at Clifford Bridge. Provision of essential drainage and flood risk infrastructure" It is therefore established through the adopted Local Plan that the principle of a grade separated junction will be acceptable in this location in order to facilitate the allocation. This scheme would also represent an opportunity to improve accessibility in the area and access to the University Hospital Coventry and Warwickshire which remains one of the key issues for the Council's Members, residents and the hospital itself, and is key to the City Councils support.</p> <p>The Local Plan is currently being reviewed and is at regulation 19 stage. The emerging housing allocation policy still retains Walsgrave Hill Farm as an allocation to which these highway works would help unlock this allocation. CCC will provide a detailed case on the impact of the applications within its Local Impact Report (LIR). The LIR will set out the views of CCC following an opportunity to review the application in detail.</p> <p>This representation sets out the key issues that CCC consider to be important and relevant for the examination phase of the application. The DCO has been formed off the back of pre application discussions with CCC so a lot of the information</p>	

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		included in the EIA addresses and reflects comments provided to National Highways by the relevant disciplines within the Council. These comments are made within the time available and therefore a full assessment has not been able to be made, but our comments represent our initial assessment of the scheme.	
		<p>Design and Layout</p> <p>It is noted that the design of the western roundabout, as per discussions with the CCC, is sufficiently large to facilitate the construction of an additional arm that could provide access to both the proposed Walsgrave Hill development, an allocated site within the Coventry Local Plan, and an access to the University Hospital Coventry and Warwickshire. In the City Council's view, it is essential that this access is allowed for in the scheme design to facilitate the allocated development as well as improving the accessibility of the hospital.</p> <p>The principle of constructing a new section of road linking the existing spur from Clifford's Bridge Road is accepted, but there are several areas that remain under discussion, and we would expect to make additional comments as they come forward during this DCO process.</p> <p>Confirmation of the Design speeds on the B4082 spur being 40mph is noted and is supported by the Council.</p> <p>Where possible, the design should minimise the need for agricultural traffic to use the new section of road, especially where that traffic is staying within the farm boundary. Therefore, ideally the existing accommodation bridge across the A46 would remain accessible to farm traffic without the need to either cross the new section of road at grade or to pass through the new junction itself.</p> <p>By maintaining the segregation of farm traffic from general traffic, much of which will be entering the local road network from the high-speed SRN, then the City Council feels that road safety benefits will be maximised. This will also minimise the risk of mud being carried onto both the local and the strategic road networks by farm traffic. Further details of the access points for Hungerley Hall Farm will need to be provided and agreed.</p>	<p>Western Roundabout: The Scheme has been designed to allow a future link road to be added to the western roundabout of the new grade separated junction. The design of the western roundabout, and the Scheme as a whole (including any proposed mitigation works required to off-set any impacts of the improvement), would not obstruct any developer from providing access off the western roundabout to the University Hospital Coventry and any future development of the proposed housing allocation (H2:3). The Applicant has worked closely with Coventry City Council the land promotor of the Walsgrave Hill Farm, Coventry City Council Local Plan allocation (H2:3) throughout the DCO pre-application process, including sharing information on the proposed general arrangement and layout of the Scheme, and will continue to do so throughout the course of the DCO process.</p> <p>B4082 Link Road: The Applicant notes the comments about the B4082 link from Clifford Bridge Road and the design speed.</p> <p>Access to Hungerley Hall Farm: Following statutory consultation during the pre-application stage, the Applicant has been able to confirm that the Hungerley Hall Farm accommodation overbridge can be retained for the operational requirements of the farm. The Scheme accommodates this within the design, with the B4082 vertical alignment amended in order to retain access to the accommodation overbridge.</p> <p>This allows the bridge to continue to be used for agricultural traffic accessing the east of the A46, without the need to use the new dumbbell junction or the strategic road network.</p> <p>The junction arrangement is assessed in the Transport</p>

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			<p>Assessment (APP-134), in particular Chapter 6, which addresses Road Safety, and is considered the best approach in that respect.</p> <p>To reduce the length of the B4082 that farm vehicles would need to travel along, a new direct access would be provided to Hungerley Hall Farm near the accommodation overbridge, as shown on Sheet 2 of the General Arrangement (AS-002). The Applicant has held discussions with Coventry City Council about this junction arrangement.</p> <p>An alternative option would involve a crossroads junction, but this was deemed an unsafe solution. Another alternative would be a new bridge over the A46 and B4082 to segregate farm traffic completely. This was deemed to be disproportionate due to the expected traffic flows, and the potential for future development of the farmland to the west of the A46.</p> <p>As set out in the draft DCO (PD1-003), Traffic Regulations would restrict right hand turns across the carriageway of the B4082 from the farm access track, and the track would be limited to access only. Further information is provided in the Traffic Regulation Plans (APP-020).</p> <p>The Applicant has responded to these comments in Annex M of the Consultation Report (Tables evidencing regard had to statutory consultation responses (in accordance with Section 49 of the 2008 Act)) (APP-128).</p>
		<p>Heritage</p> <p>With regards to the Grade II Listed Farm building at Hungerley Hall Farm it is considered that there will be total loss of the south portions of the historic wall, resulting in a substantial level of harm to the curtilage listed wall. A significant reduction in the size of the existing garden space, resulting in a moderate level of less than substantial harm to the setting of the farmhouse and outbuildings, and a minor level of less than substantial level of harm to the historic barn to the right-hand side of the site. There are however a high number of mitigation measures in place, that will protect, and over time, reduce the moderate level of less than substantial</p>	<p>These comments are noted by the Applicant.</p>

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		<p>harm to a low level. The temporary effects of construction will be mitigated with noise reducing hoarding placed between the farm and the site compound. Overall, it is considered the level of harm to the setting of the farm complex to be moderate, but with mitigation measures this level is reduced to minor less than substantial harm. There is also a level of public benefit associated to this project, that will serve to offset the remaining level of harm. This being the case Conservation raises no objection to the proposed works.</p>	
		<p>Archaeology</p> <p>A thorough series of work has been conducted to assess the archaeological potential of site and has uncovered limited archaeological remains. It is considered of low potential that further archaeological remains will be uncovered however it is important that the identified mitigations and monitoring as set out in TR010066/APP/6.5 are adhered to. This includes the topics of archaeological and heritage assets to be covered in the site induction and for onsite training to include archaeological toolbox talks as well as further consultation with CCC and Rugby Borough Council in the event of unexpected discoveries.</p>	<p>As noted by Coventry City Council, the Applicant has included archaeological mitigation and monitoring measures in the First Iteration EMP Appendix A REAC (APP-110). The First Iteration EMP (APP-109) includes Appendix B.6 Unexpected archaeological finds protocol and Appendix B.7 Historical Building recording Written Scheme of Investigation, which will be further developed as part of the Second Iteration EMP to be implemented during construction of the Scheme. Adherence with the Second Iteration EMP is secured by Requirement 4 of the draft DCO (PD1-003).</p>
		<p>Ecology and Biodiversity Impacts</p> <p>The preliminary ecological appraisal will need updating as it cannot be seen this has been done since 2022. This has been acknowledged in paragraph 8.6.5 and 8.6.6 of the EIA. It is noted that species surveys have been undertaken but it is not evident that an updated habitat survey showing the condition and what habitats are currently on site could be found.</p> <p>The removal of the existing surface roundabout at Walsgrave could provide opportunities for enhancement of the local landscape, including providing enhanced habitat for flora and fauna. Other opportunities to provide enhanced habitat, especially at the proposed balancing ponds and associated parcels of land, should again be maximized.</p>	<p>A suite of pre-construction surveys will be undertaken in 2025 as detailed within First Iteration EMP REAC (commitment BD2) (APP-110). This will include an updated UKHab and species scoping survey. ES Chapter 8 (Biodiversity) (APP-030) will be updated to confirm this, and resubmitted at Deadline 3.</p> <p>The current landscape proposals, including woodland planting are shown by ES Figure 2.4 (Environmental Masterplan) (APP-043). This includes the landscaping proposed at Walsgrave roundabout, which incorporates the planting of species rich grassland.</p> <p>The sustainable urban drainage (SuDs) ponds have been designed to include benefits for biodiversity.</p>

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		<p>Walking, Cycling and Horse Riders</p> <p>There remains a strong desire for improving walking and cycling routes connecting the main urban area of Coventry with the Binley Woods and Coombe Abbey Park areas. The City Council has recently invested around £8 million in a fully segregated cycle route connecting Coventry city centre with the University Hospital Coventry and Warwickshire via the A428 Binley Road and B4082 Clifford's Bridge Road.</p> <p>The Hungerley Hall Farm accommodation bridge referred to above would potentially provide one option for a walk / cycle route to Coombe Abbey Park, albeit there is no current Public Right of Way using the bridge. Discussions with Coventry and Warwickshire County Council will be required once the structural surveys of the bridge have been completed. If for any reason the bridge proposal should not be feasible National Highways would need to look at alternative solutions for the design.</p> <p>Provision of a crossing, either underpass or bridge, in the vicinity of the existing roundabout would also provide a direct route to the Park and could perhaps be incorporated within the Flood Alleviation Scheme being carried out at Coombe Pool. The A46 in this area is a barrier between residents in Coventry and the country park for sustainable and active travel Movements. The City Council believes this to be a critical area and more details will need to be produced and agreed during the DCO process.</p> <p>The addition of suitable walking and cycling facilities to the scheme will need to be designed to LTN1/20 standards, within the new section of road, and along the existing spur to connect to the planned Binley Cycle Route at Clifford's Bridge Road, to the access bridge or final walking and cycling route that moves forward. It is appreciated that a strip of land has been reserved to provide such a provision, but it is felt that this needs to be provided if National Highways are to produce a design to meet current National Standards.</p>	<p>A WCH assessment was undertaken for the Scheme and the outcome is provided in ES Chapter 12 (Population and Human Health) (APP-034). Details of the design mitigation and enhancement measures are shown on ES Figure 12.3 (Design mitigation and enhancement measures) (APP-058).</p> <p>Following statutory consultation during the pre-application stage, the Applicant has been able to confirm that the Hungerley Hall Farm accommodation overbridge can be retained. The retention of Hungerley Hall Farm accommodation bridge will also allow a potential future connection into Coombe Abbey Park if this is progressed by others.</p> <p>The design includes additional earth works which provides verge widening along the new section of the B4082 link road, partly to accommodate the future provision by others of a segregated walking and cycling route and a section of shared use path, with substantially reduced cost and disruption.</p> <p>Such a route would connect with committed and proposed future active travel schemes within Coventry and Warwickshire Local Authority areas. The width of the widened verge along the new B4082 would be sufficient to accommodate the LTN 1/20 standard for a 3m cycleway and separate 2m footway. An LTN 1/20 compliant segregated cycleway and footway can also be provided along the existing B4082 with the exception of a short length on approach to the Clifford Bridge Road roundabout where a section of shared use cycle track may be required due to existing constraints. The shared use section would still be LTN 1/20 compliant.</p> <p>The Applicant considers that all reasonable opportunities for connecting communities and enabling future active travel provision have been explored, and the objectives of the Scheme have been met.</p>

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		<p>Public Transport</p> <p>Regarding public transport, the new junction might potentially be used by buses, especially if a link is provided from the new junction into the hospital, and development proposed in the Councils current Local Plan comes forward.</p> <p>The new section of link road from Clifford Bridge Road should be designed to accommodate bus services given that the potential development at Walsgrave Hill might create demand for a bus service that would access the site via the new link road and junction.</p> <p>The City Council also has a scheme in development for a Very Light Rail (VLR) line linking the city centre to the hospital. This would potentially link to Ansty Park in future, creating a need to cross the A46. This could potentially utilise the new junction, although the farm accommodation bridge to the north of the new junction provides a more likely option for VLR. As design progresses, there will be greater clarity on the VLR scheme, and this will be fed into the design process by City Council representatives.</p>	<p>The Scheme design would not prevent buses or coaches from using the proposed junction. Public transport services that are located within the study area are considered in the Transport Assessment (APP-134).</p> <p>The design of the Scheme is not considered to impede the future development of a Very Light Rail Scheme. The Applicant would engage with Coventry City Council on the planning and implementation of the Very Light Rail (scheme) proposals, especially where there may be impacts upon the SRN.</p> <p>The Applicant has responded to these comments in Annex M of the Consultation Report (Tables evidencing regard had to statutory consultation responses (in accordance with Section 49 of the 2008 Act)) (APP-128).</p>
		<p>Transport Modelling and Traffic Impacts</p> <p>The methodology and results detailed in the consultation to date are reasonable and in line with what we would expect. The Council would need to see the associated validation and model assumptions reports to support the modelling to allow for the traffic to be fully assessed.</p>	<p>Following the statutory consultation during the pre-application stage, the Applicant engaged with Coventry City Council to discuss the validation and model assumption reports. This is set out in Chapter 3 of the Consultation Report (APP-115).</p> <p>Full details of model validation and assumptions are provided in the Transport Assessment (APP-134).</p>
		<p>Drainage and Flooding Impacts</p> <p>With respect to drainage and flooding impacts, further detailed comments will be provided within the LIR will be a need for further, detailed, discussion as the design progresses, but in principle the location of proposed balancing ponds are reasonable subject to design detail and ensuring that maintenance access is accommodated as safely as possible.</p> <p>The City Council has been developing proposals for a Coombe</p>	<p>The Applicant notes Coventry City Council's willingness to engage in further detailed discussion around the balancing ponds at an appropriate time as the design progresses, likely after the granting of consent of the DCO.</p> <p>The Applicant met with Coventry City Council on 22 April 2025 to discuss the potential impacts on flood risk associated with the Scheme and the changes to the A46 embankment. The meeting included a site visit to view the Smite Brook Culvert under the A46.</p>

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		<p>Pool Flood Mitigation Scheme due to the risk to the A46 and immediate city area and therefore measures need to be included in the scheme, funded from combination of Defra and National Highways' designated funds.</p> <p>The scheme was considered as part of the recent Binley works and was not awarded designated funds. Therefore, it is essential that the scheme design should integrate this proposal into the measures being looked at. Discussions with the City Council regarding this matter remain ongoing. CCC will continue to work with National Highways as the Construction Management Plans for the scheme are developed.</p>	<p>The Flood Risk Assessment (ES Appendix 13.1 (AS-012)), which has been accepted by the Environment Agency demonstrates that the Scheme will not result in an increase in flood risk to the immediate city area.</p> <p>The Applicant remains in discussions with Coventry City Council LLFA and an update will be provided in a future version of the 8.6 Statement of Common Ground with Coventry City Council (TR010066/EXAM/8.6).</p> <p>At Issue Specific Hearing 1 (ISH1), the Applicant confirmed that a catastrophic failure of Coombe Pool resulting in a breach that would cause flooding impacts to the A46 was a remote risk, the impacts of which would be the same with and without the Scheme. It was noted that the earthen embankment adjacent to Coombe Pool is unlikely to have been constructed as a flood retaining structure. Nevertheless, the Reservoirs Act 1975 requires that Coventry City Council routinely inspect and maintain Coombe Pool, to mitigate the risk of a catastrophic failure. A catastrophic failure of Coombe Pool is considered to be a residual risk in planning policy, as set out in paragraph 041 of the Flood Risk and Coastal Change Planning Practice Guidance (PPG).</p> <p>Coventry City Council confirmed it is satisfied with the flood resilience to Coventry City and the A46.</p> <p>Coventry City Council confirmed it is satisfied with the flood mitigation measure in place.</p> <p>The Applicant remains in discussions with Coventry City Council to assess whether additional flood measures are necessary, and if so, can be implemented outside of the DCO as part of the operation of the Strategic Road Network.</p>
		<p>The proposal to reuse the compound currently being used for the Binley works is welcomed and will help minimise further disruption in terms of catering for site staff and the storage of materials.</p>	<p>This comment is noted by the Applicant.</p>

Ref no.	Representation by	Representation recorded comments	Applicant's Response
		<p>Conclusion</p> <p>As a host authority and interested party for the project, CCC will be taking a full and active role in the examination of the DCO application. CCC will undertake a thorough review and assessment of the application documents and provide a full response in a WR and LIR which will be submitted accordingly. CCC will continue to engage with the applicant to try and minimise the harm caused by the project and address the issues raised where possible.</p>	This comment is noted by the Applicant.
AS-022	North Warwickshire Borough Council	<p>I refer to your letter of 14 January in respect of the above development proposal.</p> <p>This was referred to the Council's Planning and Development Board on 3 February when it resolved that the Council does not wish to submit any representations in respect of these proposals.</p>	This comment is noted by the Applicant.
PD1-021	Matt Kingswell	<p>I am particularly concerned with respect to noise and pollution. There has been a noticeable difference with works carried out at the junction before (Brandon Road/Binley Woods) which has increased the average speed of traffic flow. I would ask that a slower permanent speed limit be considered for the benefit of residents and the environment.</p>	<p>The A46 Binley Junction Scheme involved the replacement of the at-grade signalised roundabout with a flyover for the A46. As this improvement reduced/removed the congestion at (A46) Binley, the traffic passing through this junction is now flowing more freely and has increased in speed within the national speed limit (70mph).</p> <p>This change from congested roads to free flowing can have a</p>

Ref no.	Representation by	Representation recorded comments	Applicant's Response
			<p>number of effects on the local noise levels. Mainly these are: 1) the improved flow can change the amount of traffic on the road, however put simply, an overall increase of >20% is needed before the noise levels from the road would increase by 1dB which is considered to be minimum change that's perceptible and,</p> <p>2)the character of the sound may have altered slightly due to the different sounds produced by congested/idling vehicles against those moving at speed. This change could give a perception that things are louder when actually the sound has changed, making it more noticeable.</p> <p>The design of the Scheme avoids encroaching into Coombe Abbey Park and the Site of Special Scientific Interest (SSSI) by providing a tighter radius bend and reducing the speed limit to 50mph. This reduced speed limit will commence just north of the Brinklow Road overbridge.</p> <p>The impact of the Scheme in relation to pollution and noise is reported in ES Chapter 5 (Air Quality) (APP-027) and ES Chapter 11 (Noise and Vibration) (APP-033).</p>

Appendix A – Applicant's response to Natural England's Relevant Representations – Part II and Part III

4. Part II: Natural England's detailed advice

"Part II of these representations expands upon the detail of all the significant issues ('red' and 'amber' issues) which, in our view remain outstanding and includes our advice on pathways to their resolution where possible. Part II also shows 'green' issues where a resolution has been reached and subject always to the appropriate requirements being adequately secured.

Natural England will continue engaging with the applicant to seek to resolve outstanding concerns throughout the examination. Natural England advises that the matters indicated as 'amber' will require consideration by the Examining Authority during the examination."

The Applicant's response to each of the detailed comments is shown in the last column of the table.

Natural England's Relevant Representations, Part II, Table 1

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/compensation measures	Risk Red/Amber/	Applicant's Response
NE1	International designated sites • Ensor's Pool SAC • River Mease SAC	Consideration of potential impacts (C), (O)	Appendix 8.12 Habitats Regulation Assessment Report has ruled out likely significant impacts on Ensor's Pool SAC and River Mease SAC due to distance (10.1km and 29.5km) and no hydrologically or hydrogeologically linkage and that neither site is notified for bats. Natural England agrees with this conclusion and is satisfied that the project is unlikely to have a significant impact on Ensor's Pool SAC and the River Mease SAC.	No further information required	Green	This comment is noted by the Applicant.
NE2	National designated sites	Combe Pool SSSI -Habitat loss (C)	There will be some habitat loss within Combe Pool SSSI to enable replacement fencing along the SSSI	Further information required.	Amber	The Applicant has produced the First Iteration EMP (APP-109) which is referenced in ES Chapter 8 (Biodiversity) (APP-030). The First

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/compensation measures	Risk Red/Amber/	Applicant's Response
	(biodiversity & geodiversity)		and highway boundary fence line (pruning and felling of understorey shrubs) and potential loss from construction of the environmental bund. Natural England is mostly satisfied with the measures proposed to mitigate and the proposal for creation of 0.34ha of woodland to the north of the affected area. However, we remain unclear of the mitigation measures in regard to prevention of impacts from the environmental flood bund works on the SSSI, especially in regard to surface water pollution. Furthermore, we have not seen or found any reference to a construction environmental management plan. Further clarification and information should be provided. We also would like to see further details on the woodland creation proposals.			<p>Iteration EMP (APP-109) and First Iteration EMP Appendix A - REAC (APP-110) detail construction mitigation measures for water pollution, dust, lighting, and noise and vibration. Paragraph 13.10.12 of ES Chapter 13 (Road Drainage and the Water Environment) (APP-35) details construction mitigation measures for water. Work number 1K, Sheet 2 of the Works Plans (APP-013), is north of the existing channels, therefore measures detailed in Guidance for Pollution Prevention 5 (GPP5) are suitable to manage the pollution risk here.</p> <p>The Applicant has produced the First Iteration EMP (APP-109) which will be updated to the Second Iteration EMP during the detailed design stage, which is secured by Requirement 4 of the draft DCO (PD1-003). The Second Iteration Environmental Management Plan is the construction management plan. This will also include a Water Monitoring and Management Plan which will provide further details of the preventative measures to minimise the risk of water pollution.</p> <p>The current landscape proposals, including woodland planting, are shown by ES Figure 2.4 (Environmental Masterplan) (APP-043). The First Iteration EMP (APP-109) Annex B.4 Outline Landscape and Ecology Management Plan (OLEMP) provides the key information relating to the Scheme requirements for the management of the landscape and ecological elements during the project lifecycle. The OLEMP will be updated to a Landscape and Ecology Management Plan (LEMP) and included as part of</p>

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/ compensation measures	Risk Red/ Amber/	Applicant's Response
						the Second Iteration EMP and is secured by Requirement 4 of the draft DCO (PD1-003).
NE3	National designated sites (biodiversity & geodiversity)	Combe Pool SSSI -Invasive Species (C)	We are satisfied with the proposals for rhododendron and Himalayan balsam.	Secure the following in the DCO: Invasive Non-native Species Management Plan.	Green	These comments are noted by the Applicant. The Applicant has included the Invasive Non-native Species (INNS) as a specific measure (BD9) in the First Iteration EMP – Annex A REAC (APP-110). The First Iteration EMP (APP-109) will be developed into a Second Iteration EMP to be implemented during the construction of the Scheme. The Second Iteration EMP will include an INNS management plan. Adherence with the Second Iteration EMP is secured by Requirement 4 of the draft DCO (PD1-003).
NE4	National designated sites (biodiversity & geodiversity)	Noise, light, vibration impacts on Combe Pool SSSI (C), (O)	This scheme will have impacts on the SSSI from noise both during construction and operation. Background noise levels are high. Further information needs to be provided on different mitigation options and how these different options will affect noise levels within the SSSI both during the construction stage and the operational stage. Lighting was identified as a potential impact on the SSSI in the ES Chapter 8- Biodiversity. We note Commitment G3 in the REAC, Appendix A of the First Iteration Environmental Management Plan but this makes no reference to the SSSI. Vegetation clearance between the road and the SSSI is likely to increase potential impacts on the SSSI, it is unclear if this has been considered. Further	Further information required.	Amber	Short-term operational noise changes which would impact the SSSI as a result of the Scheme have been assessed as not significant, as they are largely below the noticeable threshold of 3dB. 3dB has been used as a threshold at which noise changes would be noticeable (from existing levels), with reference to the Institute of Environmental Management and Assessments' (IEMAs) Guidelines for Environmental Noise Impact Assessment as detailed in ES Appendix 8.16 (Assessment of Noise Impacts on Ecological Features) (APP-091). ES Appendix 8.16 (Assessment of Noise Impacts of Ecological Features) (APP-091) details the noise modelling for the operational phase of the Scheme has identified short term change noise levels (i.e. a change between 'do minimum opening year' (DMOY) and 'do something opening year' (DSOY)), including both reductions in noise impacting some areas of Coombe Pool

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/ compensation measures	Risk Red/ Amber/	Applicant's Response
			clarification should be provided on measures to prevent lighting impacts on the SSSI.			<p>SSSI and increases in noise impacting other areas, impacting the Coombe Pool SSSI between +3.5dB and -1.0dB. However, the area of the Coombe Pool SSSI impacted by increases in noise >3dB is less than 0.01ha in size, and as such this increase beyond the recognised identifiable change threshold (i.e. 3dB) is considered to result in an insignificant impact. As a significant impact during operation is not reported, mitigation is not required, in accordance with the Applicant's ongoing engagement with Natural England via the Discretionary Advisory Service (DAS).</p> <p>Commitment G3 of the First Iteration EMP – Annex A REAC (APP-110) is relevant to all working areas in the DCO boundary, which includes the SSSI.</p> <p>As outlined within ES Chapter 8 (Biodiversity) (APP-030) Section 8, at detailed design further options for mitigating the construction noise impacts on Coombe Pool SSSI are being explored.</p> <p>It is acknowledged that vegetation clearance between the A46 and the SSSI would likely increase disturbance due to lighting. However, as detailed within paragraph 8.11.12 of the ES Chapter 8 (Biodiversity) (APP-030) a belt of woodland approximately 50m wide would be retained between the Order Limits and Coombe Pool SSSI and as such there would be no residual effects from lighting on qualifying features associated with the pool. The mitigation detailed within First Iteration EMP – Annex A</p>

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/ compensation measures	Risk Red/ Amber/	Applicant's Response
						<p>REAC (APP-110) (Commitment G3) of the First Iteration EMP (APP-109) would mitigate construction lighting impacts on woodland birds within the SSSI.</p> <p>An updated ES Appendix 8.16 (Assessment of Noise Impacts of Ecological Features) (APP-091) will be resubmitted at Deadline 3 and will provide an updated assessment for construction and operation noise impacts.</p> <p>The Applicant will continue to work collaboratively with Natural England on this specific impact.</p>
NE5	National designated sites (biodiversity & geodiversity)	Potential air quality impacts (dust) on Combe Pool SSSI (C), (O)	We are satisfied that dust is unlikely to have a significant impact subject to best practice mitigation measures being employed.	Secure the following in the DCO: Construction Air Quality and Dust Management Plan.	Green	<p>This comment is noted by the Applicant.</p> <p>The First Iteration Environmental Management Plan (EMP) (APP-109) includes Annex B.1 Outline Air Quality and Dust Management Plan and a detailed Air Quality and Dust Management Plan will be produced as part of the Second Iteration EMP, secured by Requirement 4 of the draft DCO (PD1-003).</p>
NE6	National designated sites (biodiversity & geodiversity)	Potential air quality impacts (NO _x , NH ₃ , N dep) on Combe Pool SSSI and Herald Way Marsh SSSI (O)	Based on the information in the ES Chapter 5- Air Quality and the Appendix 8.15 Assessment of Air Quality Impacts on Ecological Features we can not agree with the conclusion of the Appendix 8.15 Assessment of Air Quality Impacts on Ecological Features. We have some concerns with the information and arguments set out within Appendix 8.15. The report should be amended to be in line with Natural England's	Further information required.	Amber	<p>The Applicant acknowledges that Natural England's guidance document (<i>Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations</i>) includes guidance of relevance to assessing emissions generally. However, as it is written specifically for assessment for European sites the threshold for impact assessment is higher than is appropriate for SSSIs, Local Nature Reserve (LNRs) and Local Wildlife Sites (LWS's). The assessment detailed within ES Appendix 8.15 (Assessment of</p>

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/ compensation measures	Risk Red/ Amber/	Applicant's Response
			approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (NEA001). Though this guidance is aimed at Habitats Sites it applies equally to SSSIs. In addition the incorrect APIS (Air Pollution Information System) baseline Nitrogen deposition figure(s) have been used within the ES Chapter 5 and Appendix 8.15, this should be amended to the appropriate baseline for the appropriate habitat.			<p>Air Quality Impacts on Ecological Features) (APP-090) includes the necessary steps for assessing the ecological features identified and applies the same thresholds as those detailed within the guidance document.</p> <p>As stated within Table 5-18 of ES Chapter 5 (Air Quality) (APP-027), the background nitrogen (N)-deposition levels are the background N deposition rate (2017-2019) for forest or short vegetation dependent upon which is most appropriate for that particular ecological feature and the location of the transects. It should be noted that the background rates are based on the three-year average (2017-2019) for the relevant grid squares within the study area. This 3-year range was chosen as the middle year is 2018 (which is the air quality assessment's base year).</p> <p>ES Appendix 8.15 (Assessment of Air Quality Impacts on Ecological Features) (APP-090) will be revised. The revised Appendix will address comments from Natural England, where considered appropriate and will be resubmitted at Deadline 3. It is anticipated that this update would not change the assessment outcome with regards to significance of effects from air quality impacts on any ecological features.</p>
NE7		Potential impacts in water quality and water quantity on Combe Pool SSSI and Herald Way Marsh	Pathways have been identified between the site and the SSSIs. We are unclear about the specific measures that will be used to prevent impacts on the water quality and quantity of the SSSIs.	Further information required.	Amber	Mitigation measures pertaining to prevention of impacts relating to water quality and quantity are detailed within First Iteration EMP - Appendix A REAC (APP-110), Commitments RD1 - RD13. These detail that, as part of the Second Iteration EMP, a Water Monitoring and Management Plan will be produced and will be secured by

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/ compensation measures	Risk Red/ Amber/	Applicant's Response
		SSSI (C), (O)				Requirement 4 of the draft DCO (PD1-003).
NE8	Protected species	Protected species licenses (C)	Based on the information provided in ES Chapter 8: Biodiversity, there is a requirement for a protected species licence to be obtained from Natural England for badgers (ES 8.10.23). Natural England has provided a Letter of no Impediment for badgers and a copy of this can be found in Appendix 8.14. A badger license will be required if the DCO is granted.	No further information required.	Green	This comment is noted by the Applicant. The requirement for a badger licence is included in the Consents and Agreements Position Statement (APP-007).
NE10	Biodiversity net gain	Biodiversity net gain (O)	Biodiversity Net Gain (BNG) is not mandatory for NSIPs until November 2025, therefore, the following comments are advisory. Appendix 8.1 Biodiversity Net Gain Report. Natural England welcomes the inclusion of the Biodiversity Net Gain report. We note the increases outlined for area based and linear hedgerow habitats of +11.87% and +15.38% and the decreases of broadleaved woodland and linear hedgerow associated with bank or ditch of - 21.30 and - 3.31 units (5.1.2).	We would suggest a commitment via requirement to deliver a minimum of 10% BNG and that the gains outlined are secured along with a Habitat Management and Monitoring Plan via a requirement in the DCO.	N/A	<p>As detailed within ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076) as an NSI) submitting a DCO application in late 2024, the Scheme is not subject to mandatory BNG under the Environment Act 2021, which is due to come into force for NSIPs in November 2025. The Scheme is a transition scheme sitting within the RIS2 period (2020 – 2025) and as such National Highways has set a +10% BNG target for both area-based habitats and linear-hedgerow habitats.</p> <p>ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076) details post-construction BNG calculations based on the ES Figure 2.4 (Environmental Masterplan) (APP-043) which have identified a +11.87% and +15.38% net gain for area-based and linear hedgerow habitats respectively.</p> <p>The Applicant is of the opinion a requirement to secure a minimum BNG of 10% would not be appropriate as there is no basis for this in legislation to do so, due to the fact BNG is not yet</p>

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/ compensation measures	Risk Red/ Amber/	Applicant's Response
						a statutory requirement for National Significant Infrastructure Projects.
NE11	National designated landscapes	Location of site in relation to nationally designated landscapes (C), (O)	The site is not located within, or within the setting of, any nationally designated landscapes. As a result, Natural England has no specific comments to make on the landscape implications of this development. The examining authority should have regard for the landscape character of the area; we welcome the reference to Natural England's National Character Areas within ES Chapter 7: Landscape and Visual Effects.	No further information required.	Green	This comment is noted by the Applicant.
NE12	Soils and best and most versatile agricultural land	Permanent loss of BMV land <20ha (C), (O)	It is stated in Table 9-13 of ES Chapter 9: Geology and Soils that permanent loss of best and most versatile (BMV) agricultural land totals up to 11.1 ha (7.8 ha of Grade 1 and 3.3ha of Grade 3a agricultural land). The total permanent loss of BMV is below 20ha and falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements. If there is a change to the amount of BMV agricultural land to be lost, it is requested that Natural England be re-consulted.	No further information required.	Green	This comment is noted by the Applicant.
NE13	Soils and best and most versatile agricultural	Temporary loss and reinstatement of BMV land <20ha (C), (O)	It is stated in Table 9-13 of ES Chapter 9: Geology and Soils that temporary loss of best and most versatile (BMV) agricultural land totals up to 0.4ha (0.2ha of Grade 1	Further information required.	Amber	Monitoring and reporting requirements are contained within the First Iteration EMP (APP-109), and First Iteration EMP Appendix A REAC (APP-110) see commitment (GS3). A soil handling management plan will be produced and

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/ compensation measures	Risk Red/ Amber/	Applicant's Response
	land		and 0.2 ha of Grade 3a agricultural land). The temporary loss of BMV land will be restored to agricultural land following construction. Natural England welcomes the measures set out in the section - Restoration of Land of the Appendix 9.2 Soil Resource Plan and Agricultural Land Classification (ALC). However there is no information provided on monitoring and reporting, where soils are to be re-instated and returned to agriculture. This information should be provided.			monitoring and reporting as required noted within the document. These will be produced as part of the Second Iteration EMP, secured by Requirement 4 of the draft DCO (PD1-003).
NE14	Soils and best and most versatile agricultural land	Soil storage and handling (C), (O)	Appendix 9.2 Soil Resource Plan and Agricultural Land Classification. We are mostly satisfied and we welcome the proposal for the Soil Handling Management Plan. We have provided advice to National Highway's consultants and expect to see this reflected in the Soil Handling Management Plan.	Soil Handling Management Plan.	Green	This comment is noted by the Applicant. The Soil Handling Management Plan will be produced as part of the Second Iteration EMP, secured by Requirement 4 of the draft DCO (PD1-003).
NE15	Ancient woodland and ancient / veteran trees	Potential air quality impacts on ancient woodland and veteran trees (O)	As noted in ES Chapter 8: Biodiversity, there are several ancient woodlands (Binley Common Farm Wood, Willenhall Wood LNR, LWS and Piles Coppice LWS) located within 200m of the affected road network (Table 5-27). There are also several veteran trees located within 200m of the affected road network. Given their proximity, these receptors may experience changes to air	No further information required.	Green	ES Appendix 8.15 (Assessment of Air Quality Impacts on Ecological Features) (APP-090) includes assessment of ancient woodland and veteran trees. The impact assessment within ES Chapter 8 (Biodiversity) (APP-030) includes assessment of construction and operational effects, considers indirect and direct effects and applies the mitigation hierarchy in accordance with Natural England's standing advice. This assessment concluded no significant effects on veteran trees and ancient woodland.

NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on: • Further details about the project in order to enable assessment • Further evidence or assessment work required	Natural England comment on the mechanism for securing mitigation/ compensation measures	Risk Red/ Amber/	Applicant's Response
			quality due to the project. Where Ancient Woodland and Ancient/Veteran Trees do not form part of a SSSI, Natural England will only provide bespoke advice in exceptional circumstances. As a result, our advice in this instance is limited to the Natural England and Forestry Commission 'Standing Advice' for ancient woodland, ancient trees and veteran trees.			

Natural England's Relevant Representations PART III: Natural England's detailed comments on the Development Consent Order (DCO) and associated documents

The Applicant's response to each of the detailed comments is shown in the last column of the table.

Page	DCO or Omission Ref	Natural England' comments	Risk Red/ Amber/	Applicant's Response
47	Requirement 4 Second Iteration EMP	We welcome the commitment within the Second Iteration Environmental Management Plan to include the following plans: (b) Construction Air Quality and Dust Management Plan; (d) Construction Noise and Vibration Management Plan; (f) Invasive Non-native Species Management Plan; (g) Landscape and Ecology Management Plan; (h) Materials Management Plan; (j) Site Waste Management Plan; (k) Soil Handling Management Plan; (l) Water Monitoring and Management Plan	Green	This comment is noted by the Applicant.
48	Requirement 8 Protected species	We welcome the inclusion of this requirement. We also welcome the wording specifying that work must cease if any protected species are found beyond those identified in the environmental statement or nesting birds, and work must	Green	This comment is noted by the Applicant.

Page	DCO or Omission Ref	Natural England' comments	Risk Red/ Amber/	Applicant's Response
		not re-commence until any necessary licences are obtained.		
49	Requirement 9 Surface water drainage	We welcome the inclusion of this requirement.	Green	This comment is noted by the Applicant.