

A46 Coventry Junctions (Walsgrave) Scheme Number: TR010066

8.23 Applicant's Comments on Submissions Received at Deadline 3

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

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

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

**APPLICANT'S COMMENTS ON SUBMISSIONS
RECEIVED AT DEADLINE 3**

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| Planning Inspectorate Scheme Reference | TR010066 |
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| Author | A46 Coventry Junctions (Walsgrave) Project Team, National Highways |

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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. This document has been prepared by the Applicant to set out its comments on submissions received at Deadline 4 issued on 26 June 2025. This document is submitted at Deadline 4 of the Examination.

2. List of Submissions

| Ref No. | Representation By: | Submission: |
|--------------------------|---------------------------------------|---|
| REP3-047 | Coventry City Council | Coventry City Council's responses to the Examining Authority's First Written Questions (ExQ1) |
| REP3-048 | Hinckley and Bosworth Borough Council | Hinckley and Bosworth Borough Council Deadline 3 Submission |
| REP3-049 | Rugby Borough Council | Rugby Borough Council's responses to the Examining Authority's First Written Questions (ExQ1) |
| REP3-050 | Warwickshire County Council | Warwickshire County Council's responses to the Examining Authority's First Written Questions (ExQ1) |
| REP3-051 | Environment Agency | Environment Agency's responses to the Examining Authority's First Written Questions (ExQ1) |
| REP3-052 | Natural England | Natural England's responses to the Examining Authority's First Written Questions (ExQ1) |

3. Applicant's responses to the Deadline 3 submissions

Applicant's comments on responses to the Examining Authority's First Written Questions from Interested Parties

1. Coventry City Council [REP3-047](#)

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
|--------------------------------|------------------------|--|---|--|
| General and Cross Topic | | | | |
| GC.1.2 | All Interested Parties | <p>Maintenance arrangements for the proposed woodland planting area chosen for ecological mitigation</p> <p>Coventry City Council in their summary of Issue Specific Hearing 1 [REP1-037] state that the City Council's Parks and Open Spaces Team will be responsible for the maintenance of the woodland area. IPs are invited to comment on</p> <ul style="list-style-type: none"> (i) the maintenance arrangements for the proposed woodland mitigation area and (ii) the proposal that access for maintenance would be provided via the Hungerley Hall Farm accommodation overbridge. <p>(Refer (i) to paragraphs 2.5.127. and 2.5.128. of ES Chapter 2 [APP-024], (ii) Sheet 2 of 5 on ES Figure 2.4 (Environmental Masterplan) [APP-043]; and (iii) [REP1-039] (Annex A to Issue Specific Hearing 1 - Indicative Cycle route))</p> | No further comments to make | The Applicant notes this comment. |
| GC.1.3 | All Interested Parties | <p>Use of an existing compound</p> <p>ES Chapter 2 [APP-024] paragraphs 2.6.10 – 2.6.20 refer to the use of an existing compound at Brinklow Road, which is not included within the order limits as it has been secured under a Town and Country Planning Act permission as it was previously used for the adjacent Binley Junctions upgrade (non DCO project).</p> | No concerns over the use of the existing compound, but would be more ideal if a secondary compound was sited closer to the works to reduce the longer distance movements? | Environmental Statement (ES), Chapter 2 (APP-024) identifies that a satellite compound within the Order Limits would also be required to provide welfare facilities. The satellite compound would be approximately 110m by 50m in size and accessed |

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| | | <p>ES Chapter 4 [APP-026] paragraph 4.6.2 states that the use of this compound, including traffic movements, is considered as part of the baseline due to the existing permission. The Inspectorate provided draft document comments on this matter, to which the applicant has responded [APP-130] to provide additional information.</p> <p>IPs are invited to comment on any anticipated implications of the use of this compound and exclusion from the order limits, and consideration of the compound within the baseline data.</p> | | off the A46 north bound carriageway via the existing layby. It would be in use throughout the construction phase. The location is shown on ES Figure 2.5 (Temporary Works) (APP-044). |
| GC.1.4 | All Interested Parties | <p>Assessment of diversion routes</p> <p>The ES notes throughout [APP-024][APP-027][APP-134] that temporary closures and diversions are required during construction, typically during night times or weekends. The ES does not specifically include an assessment of these diversions during construction, however, provides a justification for this as follows:</p> <ul style="list-style-type: none"> •The overall duration of construction works does not exceed the 24-month threshold for assessment stated within the Design Manual for Roads and Bridges •The closures are generally short term e.g. overnight / weekend, and a specified short diversion route, which is the existing diversion in the event of a planned or emergency closure of the current A46 / B4082, is given. •Diversion routes are on the Affected Road Network so may form part of the assessment •In the event that the construction period does over run beyond 24 months, the ES gives the anticipated traffic movements from the appointed contractor, which are shown to not meet the relevant vehicle movement thresholds of the DMRB (APP-027 paragraphs 5.5.9 – 5.5.13). IPs are invited to comment on any concerns noted with the applicant's assessment of diversion routes | No further comments | No response required. |
| Air Quality | | | | |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| AQ.1.1 | The Applicant, Coventry City Council and Rugby Borough Council | ES Ch.5 [APP-027] Paragraph 5.6.2 Is more recent data available and does this have any implications for the assessments and modelling undertaken? | We have yet to get calibrated data for 2024. | If made available within the Examination period, the equivalent monitoring data for 2024 can be used to update the baseline information included within ES Chapter 5 (Air Quality) (APP-027). It is highly unlikely that there would be any implications for the assessments and modelling undertaken. |
| AQ.1.2 | Natural England, Coventry City Council and Rugby Borough Council | ES Ch.5 [APP-027] Paragraph 5.13.9 Do you agree with the conclusion “there will be no significant effects in terms of air quality on human and ecological receptors as a result of the Scheme.” If not explain the points of difference with this conclusion | Yes. CCC are of the opinion there would be no noticeable change in AQ as a result of the scheme. If anything, it should improve as the A46 and Clifford Bridge Road link will be more free flowing. | The Applicant notes this comment. |
| AQ.1.3 | Natural England, Coventry City Council and Rugby Borough Council | Applicant's response to Rule 9 [PD1-016] – Paragraph 7.1.7 The Applicant's conclusion concerning the impact of the “Interim Planning Guidance on the consideration of the Environment Act PM2.5 targets in planning decisions” - published 4 October 2024 states; in conclusion that “if the interim planning guidance had been in place at the time of the original Scheme air quality assessment, there would be no material changes to the assessment outcomes.” Do you agree? If not explain the points of difference with this conclusion. | Yes | The Applicant notes this comment. |
| Alternatives | | | | |
| AS.1.1 | Environment Agency, Historic England, Natural England, Coventry City Council, | ES Ch.3 [APP-025] – Assessment of Alternatives Do you agree with the assessments of alternatives set out in this chapter and the option selected for this application? If not set out any areas of disagreement. | Yes | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| | Warwickshire County Council and Rugby Borough Council | | | |
| Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA)) | | | | |
| BY.1.2 | Natural England Environment Agency Coventry City Council Warwickshire County Council | <p>Assessment and mitigation</p> <p>Do you agree with the applicant's conclusions regarding the likely significant effects on biodiversity arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 8.11 Assessment of likely significant effects (both during construction and operation) [APP-030]).</p> <p>Do you consider the Applicants approach to the assessment and mitigation of biodiversity and nature conservation to comply with the relevant parts of the National Networks National Policy Statement?</p> | <p>Yes (reference is made with the Council's LIR (REP1- 036))</p> <p>Yes</p> | The Applicant notes this comment. |
| BY.1.8 | Natural England Environment Agency Coventry City Council Warwickshire County Council | <p>Management Measures</p> <p>What are your views on the Outline Landscape and Ecology Management Plan (Appendix B.4, [APP-109]) regarding:</p> <ul style="list-style-type: none"> (i) Ecology strategy and principles (ii) REAC Ecology (iii) Biodiversity net gain (iv) monitoring specifications <p>What are your views on the management measures BD1 through to BD9 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> <p>Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.4 [APP-109] adequately secure all measures required to reduce the environmental impacts of material assets and waste?</p> | <p>Appropriate and Acceptable</p> <p>Satisfactory as they appear to provide sufficient mitigation and protection measures</p> <p>Yes</p> | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| Climate | | | | |
| CE.1.7 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | <p>Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on greenhouse gases? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 14.11 Assessment of likely significant effects (construction and operation) [APP-036])</p> <p>Do you consider the Applicants approach to the assessment and mitigation of greenhouse gas emissions to comply with the relevant parts of the National Networks National Policy Statement?</p> | <p>Yes The assessment has considered the schemes effect on climate as well as the potential vulnerability of the scheme to climate change and concluded that the greenhouse gas emissions impact of the scheme would not have any material impact on the UK Government meeting its legally binding carbon reduction targets</p> <p>Yes</p> | The Applicant notes this comment. |
| CE.1.14 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | <p>Management Measures What are your views on the Outline Carbon Management Plan (Appendix B.8, [APP-109]) regarding: - Approach - Carbon Management Process Monitoring and Reporting</p> <p>What are your views on the management measures C1 through to C3 (related to climate) set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? What are your views on the mitigation measures to minimise the carbon emissions from construction and operation? (Refer to Section 14.10 of ES Chapter 14 [APP-036]). Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required to reduce the environmental impacts on climate?</p> | <p>Appropriate and acceptable</p> <p>Appropriate and acceptable</p> <p>Yes</p> | The Applicant notes this comment. |
| Combined and Cumulative Effects | | | | |
| CC.1.5 | Local Planning | <p>Cumulative effects with other developments Do the local planning authorities agree with the list of</p> | Yes (reference is made with the Council's LIR (REP1- 036)) | The Applicant notes this comment. |

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| | Authorities | other developments included in the cumulative effects assessment (Refer to Section 15.8 of ES Chapter 15 [APP-037])? | | |
| Draft Development Consent Order (dDCO) [REP1-002] | | | | |
| DCO.1.2 | LHAs (Coventry City Council and Warwickshire County Council) | A10, Application of the 1991 Act – (8) Is there a street works permit scheme in operation by LHAs and if so, do you have any comments about the wording of this article. | Yes we, and WCC, are part of the Western Shires Permit Scheme No further comments to make on the text. | Please see the Applicant's response to Warwickshire County Council's response to DCO.1.2 below. |
| DCO.1.5 | LHAs (Coventry City Council and Warwickshire County Council) | A15, Temporary closure, alteration, diversion and restriction of use of streets - (6) Is the period stipulated in this clause acceptable? | Yes, 28 days is acceptable | The Applicant notes this comment. |
| DCO.1.6 | Relevant LPAs and Historic England | A23, Protective work to buildings Are the measures stipulated in this article acceptable? | Yes | The Applicant notes this comment. |
| DCO.1.7 | LHAs (Coventry City Council and Warwickshire County Council) | A24, Authority to survey and investigate the land - (6) Are you satisfied with the deemed consent provision stipulated in the paragraph? | Yes | The Applicant notes this comment. |
| DCO.1.8 | Relevant LPAs. | A26, Trees subject to tree preservation orders Do you have any concerns about the powers, relating to TPO trees, that would be granted by this article? | Yes | The Applicant notes this comment. |
| DCO.1.10 | Coventry City Council | A52, Disapplication and modification of legislative provisions - (3) Are you satisfied with the disapplication of the Traffic Management (Coventry City Council) Permit Scheme Order 2014(c), for this project? | Yes | The Applicant notes this comment. |
| DCO.1.11 | Coventry City Council and Rugby Borough | A53, Amendment of local legislation Are you content with the amendments to local legislation stipulated in this article to undertake this | Yes | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| | Council | project? | | |
| DCO.1.12 | Relevant LHAs and LPAs | Requirement (R) 3, Detailed design Does the Council have any comments about the process stipulated in this requirement, in particular with reference to the new bridge design | CCC is having ongoing discussions with NH regarding the design process and remain happy with the progress. No further comments to be made regarding the bridge design. | The Applicant notes this comment. |
| DCO.1.17 | Relevant LHAs and LPAs | R13, Pre-commencement works Have the Council any views on this requirement relating to the pre-commencement plan [APP112]? | No, it appears precautionary measures are being taken to reduce any impact had. | The Applicant notes this comment. |
| Geology and Soils | | | | |
| GS.1.1 | Natural England, Environment Agency, Coventry City Council, Rugby Borough Council and Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on geology and soils relating to human health, controlled waters and agricultural soils? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 9.11 Assessment of likely significant effects [APP-031]). | Yes Consideration has been given to the Ground Investigation Report which highlighted only minor impact from ground contamination and therefore limited potential for construction activities to mobilise contaminants within the underlying soils. The conclusions also highlight the adverse impact of the loss of agricultural land in which it has graded with the adverse impact ranging from large to moderate which CCC agree is a fair assumption. | The Applicant notes this comment. |
| GS.1.5 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Management Measures What are your views on the management measures GS1 through to GS5 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required to reduce the environmental impacts of material assets and waste? | Appropriate and acceptable Yes | The Applicant notes this comment. |
| Historic Environment | | | | |

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| | | (iii) establishment, management and maintenance? What are your views on the management measures LV1 through to LV3 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments (REAC) [APP-110]? Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.4 [APP-109] adequately secure all measures required to protect landscape and visual amenity? | Yes | |
| Material Assets and Waste | | | | |
| MW.1.1 | Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on material assets and waste arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to Section 10.11 of ES Chapter 10 [APP-032]). Do you consider the Applicants approach to reducing waste safely and maximising resource usage to comply with the relevant parts of the National Networks National Policy Statement? | Yes CCC are satisfied that there will be excess of the regional target of 28% and encouraged that if 'good practice' is achieved during construction that an overall recycled content of 53% can be reached. Yes | The Applicant notes this comment. |
| MW.1.12 | Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Management Measures What are your views on the Outline Site Waste Management Plan (Appendix B.3 [APP-109]) regarding: (i) resource efficiency and waste minimisation (ii) waste management (iii) monitoring; and audit and review? | No further comments to make | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| | | <p>What are your views on the management measures MA1 through to MA7 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> <p>Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.3 [APP-109] adequately secure all measures required to reduce the environmental impacts of material assets and waste?</p> | <p>No further comments to make</p> <p>Yes</p> | |
| Noise and Vibration | | | | |
| NV.1.2 | Coventry City Council Rugby Borough Council | <p>Assessment and mitigation</p> <p>Do you agree with the applicant's conclusions regarding the likely significant effects of noise and vibration arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 11.11 Assessment of likely significant effects (both during construction and operation) [APP-033]). Do you consider the Applicants approach to managing the impacts of noise and vibration (on human and ecological receptors) to comply with the relevant parts of the National Networks National Policy Statement?</p> | <p>Yes, on both accounts (reference is made within the Council's LIR (REP1-036))</p> <p>Yes</p> | The Applicant notes this comment. |
| NV.1.8 | Coventry City Council Rugby Borough Council | <p>Management Measures</p> <p>What are your views on the Outline Construction Noise and Vibration Management Plan (ES Appendix B.2, [APP-109]) regarding:</p> <ul style="list-style-type: none"> (i) noise and vibration control measures (ii) specific measures (iii) protection of buildings; and (iv) monitoring and reporting? <p>What are your views on the management measures NV1 through to NV4 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> | <p>Appropriate and acceptable. However, the LIR (REP1- 036) highlights "There are no acoustic barriers recommended or identified as part of the scheme although the access slip road will be moved closer to a residential receptor of Hungerley Hall Farm" Whilst CCC concluded there would be a neutral impact following completion of the works and mitigation measures put in place such as landscaping etc... would suggest consideration is given in the assessment to potential acoustic barriers being provided to protect the</p> | <p>In ES Chapter 10 (Material Assets and Waste) (APP-032), paragraph 10.10.12 details that mitigation measures in the form of temporary noise barriers shall be provided where it is safe and practical to do so during works where high noise levels are expected, and where the works will exceed 10 days or nights in any 15 consecutive days or nights period; or for a total number of days exceeding 40 in any six consecutive months in accordance with BS:5228 Part 1 Noise (Commitment NV2 of</p> |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| | | Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and ES Appendix B.2 [APP-109] adequately secure all measures required to reduce the environmental impacts of noise and vibration? | amenity of Hungerly Hall Farm. Yes | the First Iteration EMP Appendix A Register of Environmental Actions and Commitments (REAC) (REP3-034). |
| Population and Human Health | | | | |
| PH.1.2 | Coventry City Council and Warwickshire County Council | Assessment and Mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on population and human health arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 12.11 Assessment of likely significant effects (both during construction and operation) [APP-034]). Do you consider the Applicants approach to managing the impacts of the Proposed Development on safety, health and accessibility to comply with the relevant parts of the National Networks National Policy Statement? | Yes, on both accounts (reference is made within the Council's LIR (REP1-036)) Yes | The Applicant notes this comment. |
| PH.1.5 | Coventry City Council Warwickshire County Council | Management Measures What are your views on the management measure PH1 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110], adequately secure all measures required to reduce the environmental impacts on population and human health? | Appropriate and acceptable Yes | The Applicant notes this comment. |
| Road Drainage and Water Environment | | | | |
| RW.1.2 | The Environment | Flood Risk Assessment Can you briefly confirm your views on the applicant's | As indicated in the LIR (REP- 036) the Council are satisfied with the findings of | The Applicant considers that the Flood Risk Assessment (FRA) (ES |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| | Agency Warwickshire County Council Coventry City Council | <p>approach and method in the Flood Risk Assessment [AS-012] (refer to Section 13.5 of ES Chapter 13 [APP-035]).</p> <p>Do you consider the Flood Risk Assessment to comply with National Networks National Policy Statement, the National Planning Policy Framework and Planning Practice Guidance?</p> <p>Does the Flood Risk Assessment represent an accurate assessment of the flood risks on site and is the assessment proportionate to the risk and appropriate to the scale and nature of the Proposed Development?</p> | <p>the FRA and all elements other than the assessment of residual risk associated with the failure of the Coombe Pool reservoir to which further discussions are still on going</p> <p>Yes, however as stated in the hearing the National Guidance states in addressing residual risk, "it will not be appropriate to rely solely on emergency plans to mitigate risk"</p> <p>Yes</p> | <p>Appendix 13.1) (AS-012) demonstrates that the Scheme will not result in an increase in flood risk associated with reservoir failure.</p> <p>The FRA (AS-012) has been approved by the EA (including their specialist reservoir team) as demonstrated in their response to this question (see response to RW.1.2 in REP3-051).</p> <p>Therefore, the proposed Scheme does not rely on mitigation / emergency plans any more than the current arrangement. Furthermore, the addition of the clay layer on the eastern face of the A46 embankment above the Smite Brook culvert will add an extra degree of resilience.</p> |
| RW.1.3 | Warwickshire County Council Coventry City Council | <p>Flood Risk Assessment</p> <p>Does the Flood Risk Assessment (FRA) [AS-012] adequately and appropriately cover the specific issues of concern to the Lead Local Flood Authority?</p> | Yes | The Applicant notes that Coventry City Council consider the FRA (ES Appendix 13.1) (AS-012) to adequately and appropriately cover the specific issues of concern to the Lead Local Flood Authority. |
| RW.1.4 | Coventry City Council | <p>Flood Risk Assessment</p> <p>At Issue Specific Hearing 1 [EV4-004 and EV4-005] you stated the City Council was awaiting more information on the proposed road drainage system. Can you update the ExA on progress with receipt of this information and provide your views on whether the Applicant's Road drainage proposals are suitable and sufficient?</p> | We are still awaiting this further information at detail design stage until we can comment | The Applicant notes that Coventry City Council are satisfied to receive this information during the detailed design phase. The provision of this information to Coventry City Council is secured by Requirement 9 of the draft DCO (REP3-004). |
| RW.1.5 | Environment Agency Warwickshire County Council Coventry City Council | <p>Sequential and Exception Tests</p> <p>Can you provide a brief confirmation of your views on the sufficiency and application of the sequential and exception tests outlined in the Flood Risk Assessment [AS-012]?</p> | The Council are in agreement that the sequential and exception tests are sufficient and applied correctly | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| RW.1.6 | Coventry City Council | <p>Reservoir flood risk assessment</p> <p>At Issue Specific Hearing 1 [EV4-004 and EV4-005] you referred to ongoing assessment work to better understand the residual risk to Coombe Pool reservoir and the nearby A46 highway and ongoing discussion with the Applicant regarding a proposed change in height of the earthwork embankment between the reservoir and the A46.</p> <p>Provide an update on the progress of these discussions and the suitability and sufficiency of the reservoir flood risk assessment and any physical and administrative mitigation measures proposed by the Applicant</p> | Responses have been provided and reference is made within the Council's LIR (REP1-036) and Coventry City Council's Outstanding Actions from the DCO Issue Specific Hearing 1 – A46 Junction Works (REP-037) | <p>The Environment Agency has confirmed the acceptability of the FRA (ES Appendix 13.1) (AS-012) in response to ExA Question RW.1.2. In light of this confirmation, the Applicant's position remains as set out in their response to 8.4 of the Applicant's Comments on Submissions Received at Deadline 1 (REP2-005), which concludes:</p> <p><i>"...the Applicant considers that the FRA (ES Appendix 13.1 (AS-012) is proportionate to the risk and appropriate to the scale and nature of the Scheme as the residual risk of reservoir failure adequately and appropriately considered with no requirement to undertake modelling of reservoir failure. The Applicant therefore considers that the FRA (ES Appendix 13.1 (AS-012), which has been undertaken in accordance with the requirements set out in DMRB (LA 113), NPS NN, the NPPF and the Flood Risk and Coastal Change PPG and the British Standard (BS 8533:2017 – with approval from the Environment Agency in their role as the 'appropriate authority' as set out in the Reservoirs Act 1975), is proportionate to the risk and appropriate to the scale and nature of the Scheme as the residual risk of reservoir failure adequately and appropriately considered with no requirement to undertake modelling of reservoir failure."</i></p> |
| RW.1.8 | Environment Agency Warwickshire | <p>Water quality and resources</p> <p>Do you consider the Applicants approach to managing the demand for water and potential impacts on health</p> | Yes | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Coventry City Council | Applicant's Response |
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| | County Council Coventry City Council | and on species and habitats to comply with the National Networks National Policy Statement? | | |
| RW.1.12 | Coventry City Council | Coombe Pool Flood Mitigation Scheme In your Relevant Representation [RR-013], under the heading 'Drainage and Flooding Impacts', you refer to the City Council developing proposals for a Coombe Pool Flood Mitigation Scheme due to the risk to the A46 and immediate city area. Outline the risk to the A46. Provide an explanation of the Coombe Flood Mitigation Scheme proposals and an update on the status of these proposals | Coventry City Council's Outstanding Actions from the DCO Issue Specific Hearing 1 – A46 Junction Works (REP-037) which references when maintenance works will occur. The Coombe Flood Mitigation scheme itself has been shelved at present. | The Applicant notes that Coventry City Council has no active proposals for a mitigation scheme at this location. The Applicant notes the timing of the works on Coombe Pool reservoir to meet the requirements of the reservoir inspection to ensure that the reservoir is suitably maintained and able to perform as required and meet the requirements set out in the Reservoirs Act 1975. These works will provide greater certainty that the reservoir will be able to contain the water stored behind the dam. |
| RW.1.14 | Environment Agency Warwickshire County Council Coventry City Council | Management Measures What are your views on the management measures RD1 through to RD13 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the draft Development Consent Order [REP1-002] and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required for pollution prevention and water management for the construction and operation phases? | No further comment to make | The Applicant notes this comment. |
| RW.1.17 | All Interested Parties | Provision of additional flood risk information The ExA wishes to draw IPs attention to the applicant's submission [PD1-016], in response to the ExA's rule 9 requests for further information [PD-005] on the matter of updating the assessment of flood risk following the release of new flood risk data by the Environment Agency. All IPs are invited to provide comments on the Applicants response on this matter. | No further comments to make | The Applicant notes this comment. |

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| Transportation and Traffic | | | | |
| TT.1.4 | Coventry City Council | Designer's response to the Road Safety Audit Table 3-1 of the Consultation Report [APP-115] presents a summary of engagement with stakeholders, including local authorities. Table 3-1 indicates that Coventry City Council disagreed with the designers' responses in the road safety audit concerning verge widening for a possible future route for walking, cycling, and horse-riding alongside the B4082. Could the City Council offer additional clarification regarding their concerns? | Since the completion of the RSA CCC and NH have had ongoing discussions regarding this matter. We have agreed that the land will be made available for the later provision of the cycle and walking route, to be delivered by the Council, as the phased developments come through and links to Coombe Abbey come forward | The Applicant notes this comment. |

2. Rugby Borough Council [REP3-049](#)

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| Air Quality | | | | |
| AQ.1.1 | The Applicant, Coventry City Council and Rugby Borough Council | ES Ch.5 [APP-027] Paragraph 5.6.2 Is more recent data available and does this have any implications for the assessments and modelling undertaken? | Data from 2024 is not yet published as the 2025 Annual Status Report is still being written. Once published, the data will be available to the consultants. It is not expected to lead to any significant changes. | If made available within the Examination period, the equivalent monitoring data for 2024 can be used to update the baseline information included within ES Chapter 5 (Air Quality) (APP-027). However, as noted by Rugby Borough Council, it is highly unlikely that there would be any implications for the assessments and modelling undertaken. |
| AQ.1.2 | Natural England, Coventry City Council and Rugby Borough Council | ES Ch.5 [APP-027] Paragraph 5.13.9 Do you agree with the conclusion “there will be no significant effects in terms of air quality on human and ecological receptors as a result of the Scheme.” If not explain the points of difference with this conclusion. | The modelling indicates impacts from junction works will not be significant adverse impacts. The junction works should improve traffic flows on the A46 however there will be some traffic flow impacts on the roads to the west. | As Rugby Borough Council notes, the air quality modelling reported within ES Chapter 5 (Air Quality) (APP-027) demonstrated that the Scheme would not have any significant effect on air quality. It is noted that there will be traffic impacts on both the A46 and the local roads to the west. In some cases, traffic flows will increase, whereas at other locations the flows are predicted to decrease. Please refer to the Transport Assessment (APP-134) for further information. |
| AQ.1.3 | Natural England, Coventry City Council, Rugby Borough Council and any other Interested Parties | Applicant's response to Rule 9 [PD1-016] – Paragraph 7.1.7 The Applicant's conclusion concerning the impact of the “Interim Planning Guidance on the consideration of the Environment Act PM2.5 targets in planning decisions” - published 4 October 2024 states; in conclusion that “if the interim planning | Rugby Borough Council agrees. | The Applicant notes this comment. |

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| | | guidance had been in place at the time of the original Scheme air quality assessment, there would be no material changes to the assessment outcomes.” Do you agree? If not explain the points of difference with this conclusion. | | |
| Alternatives | | | | |
| AS.1.1 | Environment Agency, Historic England, Natural England, Coventry City Council, Warwickshire County Council and Rugby Borough Council | ES Ch.3 [APP-025] – Assessment of Alternatives Do you agree with the assessments of alternatives set out in this chapter and the option selected for this application? If not set out any areas of disagreement. | Rugby Borough Council agrees with the assessment of alternatives. | The Applicant notes this comment. |
| Climate | | | | |
| CE.1.7. | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on greenhouse gases? If you do, provide an explanation; if you do not, | Rugby Borough Council agree with the applicant's conclusion that the proposed scheme is unlikely to have a significant effect on greenhouse gas emissions. The applicant has completed a series of assessments to review and compare the emissions from the scheme to reach this conclusion. This has included a benchmarking exercise, a comparison against a “do-nothing” baseline, and a review of the contribution to the relevant carbon budgets. This in-depth analysis provides a solid understanding of the scheme's projected emissions, and estimated it would contribute 0.0003% towards the relevant carbon budgets, an amount that would not be viewed as significant. Additionally, the majority of the emissions | The Applicant notes this comment. |

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| | | | <p>are predicted to be seen in the operation of the scheme. With the implementation of the ZEV mandate and the wider strategies supporting a transition away from combustion vehicles, it is fair to consider that there will be considerable operational emissions reductions over time driven by outside factors.</p> <p>Yes, the assessment and mitigation of greenhouse gases (namely carbon dioxide emissions per the measurement used by NPS NN) has complied with the relevant parts of the NPS NN.</p> <p>These cover the consideration of climate change adaptation and vulnerability, involvement of relevant authorities, completing a Whole Life Carbon Assessment, the emissions from construction and operation, reducing emissions as much as possible, and offsetting residual emissions. The Applicants have addressed each of these within these documents. This has been achieved through the calculation of their contribution to the UK carbon budget, the completion of the Whole Life Cycle Carbon Assessment, and commitment to complete a Carbon Management Report at each stage, allowing for additional mitigation work as needed.</p> | |
| CE.1.14 | Natural England Environment Agency Coventry City Council Rugby Borough | Management Measures What are your views on the Outline Carbon Management Plan (Appendix B.8, [APP-109]) regarding: | The applicants have followed PAS 2080:2023 to complete the carbon management plan, a robust and holistic framework. The value-chain focus ensures that Scope 3 emissions | Carbon Management Process: The carbon reduction target of 20% is a National Highways target but due to the calculation of the baseline (provided by the Principal Contractor) |

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| | Council Warwickshire County Council | <ul style="list-style-type: none"> - Approach - Carbon Management Process - Monitoring and Reporting <p>What are your views on the management measures C1 through to C3 (related to climate) set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP- 110]? What are your views on the mitigation measures to minimise the carbon emissions from construction and operation? (Refer to Section 14.10 of ES Chapter 14 [APP-036]). Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required to reduce the environmental impacts on climate?</p> | <p>have also been accounted for - a significant source of emissions during construction. This process has guaranteed reduction activities are identified and implemented throughout the development. in with the Carbon Management reviews and keeping the Carbon Opportunities Register live throughout the project.</p> <p>The workshops with the design team are a good way to ensure they understand reduction requirements and take time to thoroughly explore different strategies.</p> <p>Carbon Management Process: The applicant have broken the scheme into logical stages for review and identified the relevant connections to carbon emissions. Whilst it is useful to see the breakdown of estimated emissions from the preliminary design against the baseline, there could've been more details. For example, including why the carbon reduction target was set at 20% and how the baseline was calculated. This would help show the significance of the 55% reduction against baseline in the preliminary design.</p> <p>Additionally, it is good to see that the applicant will continue to complete operation assessments for 60 years, but it does not state how frequently those will take place.</p> <p>Monitoring and Reporting:</p> <p>The plan for monitoring and reporting sounds effective, ensuring that there is</p> | <p>and the preliminary design assessment which showed a significant reduction in emissions, 55% was chosen as a more reliable and appropriately ambitious target for the Scheme.</p> <p>The 60-year reference in section 3.2.1 of the Outline Carbon Management Plan (APP-110) is the estimated project lifetime post construction according to the Design Manual for Roads and Bridges (DMRB) LA 114, rather than the duration of assessment continuation.</p> <p>C1: The Outline Carbon Management Plan's Appendix A included within the Environmental Management Plan Appendix B.8 (REP3-032) details the Carbon Opportunities Register. This Carbon Opportunities Register described each opportunity and whether it was implemented as part of the preliminary design. Further consideration of opportunities to reduce the carbon impact of the Scheme will be undertaken at the detailed design stage and will be reported within the Carbon Management Plan as part of the Second Iteration EMP, which will be secured through Requirement 4 of the draft DCO (REP3-004). Examples of opportunities that could be considered in discussion with the design teams during detail design are outlined in paragraphs 14.10.11 – 14.10.24 of ES Chapter 14 (Climate) (APP-036).</p> |

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| | | | <p>detailed analysis of the anticipated emissions and</p> <p>It is positive to see the consideration for how data availability and ability to deliver emission reduction will change as the scheme progresses. This shows how the larger strategy has been developed with specific actions refined at later stages. This has been factored future opportunities to take action. The carbon intensity tracking on the Carbon Opportunities Register should guarantee changes during implementation are accounted for.</p> <p>C1: The applicant has identified several strategies for reducing emissions that appear to be suitable for this project. Several mention the carbon intensity of the construction materials or the lifespan of the object, demonstrating the applicant's whole life cycle approach. However, it is unclear if any are already committed within the plans versus being explored, or what options could produce significant reductions and should be prioritised.</p> <p>C2: The applicant's approach to monitoring emissions throughout the whole life cycle of the scheme will provide accurate accounting of the carbon emissions.</p> <p>C3: the applicant's commitment to review updates to climate change modelling up to construction should ensure the scheme is updated as necessary.</p> | <p>The draft DCO (REP3-004) states in Requirement 4: <i>"4.—(1) No part of the authorised development is to commence until the Second Iteration EMP for that part, substantially in accordance with the First Iteration EMP, has been submitted to and approved in writing by the Secretary of State, following consultation with the relevant planning authority."</i></p> <p>C3: The Applicant's Response to the Examining Authority's First Written Questions (REP3-044) CE.1.3 and CE.1.9 both outline that the Applicant has considered the impacts of climate change within the design to ensure climate resilience of the Scheme during operation. As outlined within the Applicant's Response to the Examining Authority's First Written Questions (REP3-044) CE.1.3 <i>"...The Applicant has incorporated the principles of Design Manual for Roads and Bridges (DMRB) LA114 into the schemes' design, thereby ensuring its resilience to future climate impacts. GS 801 and GM 701 of the DMRB set out asset inspection and maintenance requirements respectively. Both are reviewed and updated every 5 years, enabling periodic adaptation in response to climate impacts. National Highways also follow additional standards to maintain their assets in relation to climate impacts,</i></p> |

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| | | | <p>It is fair to state that this does not continue through the construction stage as commitments will have been made and it would be unreasonable to implement sudden changes, especially with the relatively short construction period (18 months). However, the applicant could have considered restarting the evaluation of climate change models for the operation phase, as it could impact maintenance and usage of the scheme.</p> <p>The applicant has identified many ways in which the scheme will minimise the construction and operation carbon emissions. The examples given were able to demonstrate the opportunity for mitigation across different components and appear to be viable options.</p> <p>The three step approach to mitigation outlined in paragraph 14.10.5. (namely Avoid; Switch; Improve) should ensure mitigation measures are delivered appropriately and prioritise the avoidance of highly emitting actions. This is supported by the detailed examples of mitigation opportunities, with a particular focus on reusing materials. An important consideration due to the connections between waste and climate change, including consumption of new materials, transport emissions, demand for land, and emissions from waste processing. The benefits of recycled materials were identified by the applicant.</p> <p>The fact that that several mitigation strategies are described using “there is</p> | <p>including:</p> <ul style="list-style-type: none"> - CD 535 – Drainage asset data and risk management - CD 622 – Managing geotechnical risk - CS 229 – Data for pavement assessment - CS 230 – Pavement maintenance assessment procedure - CS 228 – Skidding resistance <p>These standards are reviewed and updated as necessary to maintain their fitness for purpose.</p> <p>The Applicant has considered the impacts of climate change within the design to ensure the climate resilience of the Scheme. Elements in relation to structures, highways, drainage and landscape are provided below.”</p> <p>The Applicant's response to the points made regarding REAC (REP3-034) commitment C1 above details the design opportunities that were implemented as part of preliminary design. The measures outlined in paragraphs 14.10.11 – 14.10.24 are potential opportunities that will be further reviewed as part of detailed design and will be detailed within the Carbon Opportunities Register, which is included within the Carbon Management Plan produced as part of the Second Iteration Environmental Management Plan (APP-109).</p> <p>The ES Chapter 14 (Climate) (APP-036), paragraph 14.6.1, details that the climate assessment is based on</p> |

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| | | | <p>an opportunity” creates uncertainty around the commitment to those approaches. This raises a potential concern that after further exploration and other factors are considered (e.g., costs, supplier availability) the actual mitigation actions delivered are significantly less than initially identified. This may have been supported by comments on the feasibility or prioritisation of different suggestions, or noting potential challenges. For example, paragraph 14.10.13. notes the potential use of HVO fuel and the carbon savings are dependent on whether it has been sourced sustainably; there are also availability concerns as demand is growing.</p> <p>The applicants have included very few strategies for mitigating operational emissions, outside of some comments on extending the life of constructed components (e.g., pavements). However, as acknowledged by the applicants within ES Chapter 14, these will largely come from end-users and there are likely minimal operational mitigation measures that could be implemented.</p> <p>The applicant has provided an extensive list of actions in the dDCO and the Register of Environmental Actions and Commitments, which should secure the measures to reduce environmental impacts.</p> | <p>the Scheme description presented in ES Chapter 2 (The Scheme) (APP-023) and the design presented on the Works Plans (APP-013) assuming a reasonable worst-case basis afforded by the limits of deviation.</p> <p>It is assumed that in the instance of any changes to the design within the vertical and horizontal limits of deviation, mitigation measures would still be provided and would function as described in this Chapter and as such there would be no change to the assessment of significant effects. Further consideration of opportunities to reduce the carbon impact of the scheme will be undertaken at the detailed design stage and will be reported within the Carbon Management Plan as part of the Second Iteration EMP, which will be secured through Requirement 4 of the draft DCO (REP1-002).</p> <p>Rugby Borough Council will be consulted at the detailed design stage of the Scheme, as set out in Requirement 3 of the draft DCO (REP3-004) and will also be consulted on the Carbon Management Plan in line with Requirement 4 of the draft DCO (REP3-004). Requirement 4 states: “4.—(1) <i>No part of the authorised development is to commence until the Second Iteration EMP for that part, substantially in accordance with the First Iteration EMP, has been submitted to and approved in writing by the Secretary of State, following</i></p> |

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| | | | | <i>consultation with the relevant planning authority."</i> |
| Combined and cumulative effects | | | | |
| CC.1.5 | Local planning authorities | Cumulative effects with other developments Do the local planning authorities agree with the list of other developments included in the cumulative effects assessment (Refer to Section 15.8 of ES Chapter 15 [APP-037])? | Rugby Borough Council agrees with the list of developments included in the cumulative effects assessment. | The Applicant notes this comment. |
| Draft Development Consent Order (dDCO) [REP1-002] | | | | |
| DCO.1.6 | Relevant LPAs and Historic England | A23, Protective work to buildings Are the measures stipulated in this article acceptable? | Rugby Borough Council has no comment on this question. | No response required. |
| DCO.1.8 | Relevant LPAs | A26, Trees subject to tree preservation orders Do you have any concerns about the powers, relating to TPO trees, that would be granted by this article? | <p>We do not have concerns. As per the AIA "None of the trees proposed for removal are afforded statutory protection by a TPO, Conservation Area, nor considered aged or veteran".</p> <p>With regard proposed ground works in close proximity to TPO trees the AIA states:</p> <p><i>"There are groundworks would be required to facilitate the new environmental bund and perimeter fencing adjacent to Coombe Pool SSSI woodland boundary. This will require working within the RPAs of retained trees subject to statutory protection. Sensitive working methodologies, temporary ground protection and on-site supervision will ensure that no foreseeable damage occurs to the retained trees. All trees to be retained</i></p> | The Applicant welcomes confirmation that Rugby Borough Council does not have any concerns in relation to TPOs. |

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| | | | <i>on the site will be protected by barriers and/or ground protection to create a CEZ around their associated RPA. The protective barriers are to be installed prior to any development activity” Details of this would be confirmed by a finalised Arboricultural Method Statement to be overseen by an Arboricultural clerk of works.</i> | |
| DCO.1.11 | Coventry City Council and Rugby Borough Council | A53, Amendment of local legislation Are you content with the amendments to local legislation stipulated in this article to undertake this project? | Rugby Borough Council is content with this. | The Applicant notes this comment. |
| DCO.1.12 | Relevant LHAs and LPAs | Schedule 2 – Requirements Requirement (R) 3, Detailed design Does the Council have any comments about the process stipulated in this requirement, in particular with reference to the new bridge design. | Rugby Borough Council has no comment on this. | The Applicant notes this comment. |
| DCO.1.17 | Relevant LHAs and LPAs | Schedule 2 – Requirements R13, Pre-commencement works Have the Council any views on this requirement relating to the pre-commencement plan [APP112]? | Rugby Borough Council has no comment on this. | The Applicant notes this comment. |
| Geology and soils | | | | |
| GS.1.1 | Natural England • Environment Agency • Coventry City Council • Rugby Borough Council • Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on geology and soils relating to human health, controlled waters and agricultural soils? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. • | Rugby Borough Council agrees. The nature of the receptors has not changed, (no gross contamination being identified that needed special remediation activities). The Second Iteration EMP would include following management plans: <input type="checkbox"/> Site Waste Management Plan (SWMP) <input type="checkbox"/> Materials Management Plan (MMP) <input type="checkbox"/> Soil Management Plan (including a Soil | The Applicant notes this comment. |

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| | | Refer to ES Section 9.11 Assessment of likely significant effects [APP-031]). Do you consider the Applicants approach to the assessment and mitigation of land use and land contamination and instability to comply with the relevant parts of the National Networks National Policy Statement? | Handling Management Plan). | |
| GS.1.5 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Management Measures What are your views on the management measures GS1 through to GS5 set out in Table 1 of the First Iteration Environmental Management Plan Appendix , Register of Environmental Actions and Commitments [APP-110]? Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required to reduce the environmental impacts of material assets and waste? | Noted and considered acceptable, hours of work are longer than normally accepted within Rugby Borough, however as a major infrastructure project, allowing slightly extended time to facilitate quicker completion of scheme is considered acceptable. | The Applicant notes this comment. |
| Historic Environment | | | | |
| HE.1.2 | The Applicant, Coventry City Council and Rugby Borough Council | ES Ch.6 [APP-048] Cultural Heritage - Paragraph 6.4.7 The third bullet point of this paragraph records the concern expressed by Coventry City Council as owner of the Coombe Abbey Park but there is no mention of any such concerns from Rugby Borough Council as local planning authority. Does it share these concerns, and if so where are its views set out in Chapter 6? | Rugby Borough Council are of the opinion that the assessment undertaken as summarised in Chapter 6 (Cultural Heritage) of the Environmental Statement is adequate and the Borough Council are in agreement with the assessment in that there would be a neutral residual effect upon the Coombe Abbey Registered Park and Garden from the scheme. Consequently, the Borough Council are of the opinion there would be no adverse impacts from the scheme upon designated heritage assets located within its boundary. | The Applicant thanks Rugby Borough Council for their comment and welcomes their agreement as to the adequacy of the assessment and the effects reported. The Applicant would also like to thank Rugby Borough Council for pointing out the discrepancy in the outcome of effect when using the matrix at table 6.7 of ES Chapter 6 (Cultural Heritage) (APP-028). On review, with the magnitude of impact at negligible on an asset of high value, this leads to a Slight Adverse effect, rather than a negligible/slight |

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| | | | <p>However, it is noted that when utilising the methodology table set out in the assessment (table 6-7) and when a professional judgement is applied (see section 6.5.20) that a negligible impact on a high value heritage asset (the Coombe Abbey RPG) this could also result in a slight adverse rather than neutral effect. Such an effect from the scheme would most likely be classed as less than substantial harm in terms of the National Planning Policy Framework (NPPF), so if the examiner is minded to conclude that the scheme would result in such a level of harm then the harm vs public benefits balancing exercise as required by paragraph 215 of the NPPF should be applied, whilst also giving demonstrable application of the requirements of paragraphs 212 and 213 in the exercise.</p> | <p>as indicated by RBC. ES Chapter 6 (Cultural Heritage) (APP-028) has been updated to reflect this error including the addition of a summary paragraph at 6.11.7 and has been resubmitted at Deadline 4.</p> <p>Based on the comment from Rugby Borough Council, and in line with the conclusions within the assessment, the Applicant suggests that while the nature of the DMRB matrix necessitates the effect on Coombe Abbey as slight adverse, this change is so extremely low that it would not meet the threshold for harm as per the National Networks National Policy Statement (NPS NN), in particular paragraphs 5.129 to 5.132.</p> <p>While the level of change is extremely low, the Applicant is proactively engaging with Historic England as detailed within the Statement of Common Ground (REP1-026).</p> |
| Landscape and Visual | | | | |
| LV.1.1 | Coventry City Council Rugby Borough Council | <p>Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on landscape and visual receptors arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 7.11 Assessment of likely significant effects (both during construction and operation) [APP-029]).</p> | <p>Rugby Borough Council does not have the in- house expertise to advise on landscape and visual matters. Therefore, we are unable to respond to this question.</p> | <p>The Applicant notes this comment.</p> |

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| | | Do you consider the Applicants approach to assessing and mitigating landscape and visual effects to comply with the relevant parts of the National Networks National Policy Statement? | | |
| LV.1.2 | Coventry City Council Rugby Borough Council | Extent of land allocated as Green Belt Reference to the extent of the green belt is given in [REP1-036] (paragraph 5.5) and [APP-029] (Table 7.2 under reference to paragraph 5.181) and is also shown in ES Figure 7.1 (Landscape Policy Context) [APP-049]. State the full extent of land within your administrative boundary allocated as Green Belt | <p>The extent of the Green Belt shown in Figure 7.1 is correct. All land within Rugby Borough within the red line boundary and a 1km radius (with the exception of the small area of land within the settlement boundary of the village of Binley Woods) is designated as Green Belt in the Rugby Borough Local Plan 2011-2031 adopted June 2019.</p> <p>It should be noted that the local authority boundary between Rugby Borough and Coventry City is the western edge of A46 verge on its boundary with adjacent agricultural land. This boundary is the western extent of Green Belt within Rugby Borough.</p> | The Applicant notes this comment. |
| LV.1.12 | Coventry City Council Rugby Borough Council | Management Measures What are your views on the Outline Landscape and Ecology Management Plan (Appendix B.4, [APP-109]) regarding: <ul style="list-style-type: none"> (i) landscape requirements (ii) landscape strategy and principles; and (iii) establishment, management and maintenance? What are your views on the management measures LV1 through to LV3 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, | Rugby Borough Council defers to the comments of Warwickshire County Council (if any) on this question. | The Applicant notes this comment. |

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| | | Register of Environmental Actions and Commitments (REAC) [APP-110]? Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.4 [APP-109] adequately secure all measures required to protect landscape and visual amenity? | | |
| Material Assets and Waste | | | | |
| M.W.1.1 | Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on material assets and waste arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to Section 10.11 of ES Chapter 10 [APP-032]). Do you consider the Applicants approach to reducing waste safely and maximising resource usage to comply with the relevant parts of the National Networks National Policy Statement? | Rugby Borough Council agrees and agreed with original plans for control and disposal/ reuse of waste materials arising. It is noted that the Second Iteration EMP would include following management plans: <input type="checkbox"/> Site Waste Management Plan (SWMP) <input type="checkbox"/> Materials Management Plan (MMP) <input type="checkbox"/> Soil Management Plan (including a Soil Handling Management Plan) | The Applicant notes this comment. |
| MW.1.12 | Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Management Measures What are your views on the Outline Site Waste Management Plan (Appendix B.3 [APP-109]) regarding: (i) resource efficiency and waste minimisation (ii) waste management (iii) monitoring; and audit and review? What are your views on the management measures MA1 through to MA7 set out in Table 1 of the First | Accepted at this stage, liable to be updated as the project proceeds. | The Applicant notes this comment. |

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| | | Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.3 [APP-109] adequately secure all measures required to reduce the environmental impacts of material assets and waste? | | |
| Noise and Vibration | | | | |
| NV.1.2 | Coventry City Council Rugby Borough Council | <p>Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects of noise and vibration arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 11.11 Assessment of likely significant effects (both during construction and operation) [APP-033]).</p> <p>Do you consider the Applicants approach to managing the impacts of noise and vibration (on human and ecological receptors) to comply with the relevant parts of the National Networks National Policy Statement?</p> | <p>Rugby Borough Council agrees.</p> <p>Specific issues can be investigated and controlled as the project proceeds and even under Control of Pollution Act 1974 with Best Practicable Means requirements if necessary.</p> <p>In summary, the proposed work will be noisy and noticeable above existing background noise levels. As construction work though, it will be of limited duration and once completed, should have a beneficial effect including on air quality by allowing smoother flow of traffic. There will be short noise and vibration impacts associated with construction works and route diversions. These should be minimised by using 'best practicable means' (BPM) as per the different pieces of appropriate legislation and guidance documents referred to. The longer-term operational noise and other impacts are predicted to lead to an overall</p> | The Applicant notes this comment |

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| | | | improvement. | |
| NV.1.8 | Coventry City Council Rugby Borough Council | <p>Management Measures</p> <p>What are your views on the Outline Construction Noise and Vibration Management Plan (ES Appendix B.2, [APP-109]) regarding:</p> <ul style="list-style-type: none"> (i) noise and vibration control measures (ii) specific measures (iii) protection of buildings; and (iv) (iv) monitoring and reporting? <p>What are your views on the management measures NV1 through to NV4 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> <p>Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and ES Appendix B.2 [APP-109] adequately secure all measures required to reduce the environmental impacts of noise and vibration?</p> | <p>Rugby Borough Council accepts (i) – (iv) in relation to the Outline Construction Noise and Vibration Management Plan (ES Appendix B.2, [App-109]).</p> <p>Section 6 for vibration limits is noted and concurred with. There is the potential for impact upon buildings from construction works and operational changes, however, the proposed controls and predictions from the assessments show reference has been made to relevant standards. This would not prevent either more detailed site-specific assessment or local target limits on construction impacts being recommended for the listed buildings.</p> | The Applicant notes this comment |

3. Warwickshire County Council [REP3-050](#)

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| General and cross-topic | | | | |
| GC.1.2 | All interested parties | <p>Maintenance arrangements for the proposed woodland planting area chosen for ecological mitigation</p> <p>Coventry City Council in their summary of Issue Specific Hearing 1 [REP1-037] state that the City Council's Parks and Open Spaces Team will be responsible for the maintenance of the woodland area.</p> <p>IPs are invited to comment on (i) the maintenance arrangements for the proposed woodland mitigation area and (ii) the proposal that access for maintenance would be provided via the Hungerley Hall Farm accommodation overbridge. (Refer (i) to paragraphs 2.5.127. and 2.5.128. of ES Chapter 2 [APP-024], (ii) Sheet 2 of 5 on ES Figure 2.4 (Environmental Masterplan) [APP-043]; and (iii) [REP1- 039] (Annex A to Issue Specific Hearing 1 - Indicative Cycle route)).</p> | <p>The County Council understand that there is ongoing engagement by the Applicant on this matter, and that detail around the maintenance arrangements for the proposed woodland planting area and ecological mitigation will be dealt with through the detailed design process.</p> | <p>The Applicant acknowledges this comment and will continue engagement with Warwickshire County Council and Coventry City Council through the detailed design stage of the Scheme.</p> |
| GC.1.3 | All interested parties | <p>Use of an existing compound</p> <p>ES Chapter 2 [APP-024] paragraphs 2.6.10 – 2.6.20 refer to the use of an existing compound at Brinklow Road, which is not included within the order limits as it has been secured under a Town and Country Planning Act permission as it was previously used for the adjacent Binley Junctions upgrade (non DCO project). ES Chapter 4 [APP-026] paragraph 4.6.2 states that the use of this compound, including traffic movements, is considered as part of the baseline due to the existing permission. The Inspectorate provided draft document comments on this matter, to which the applicant has responded [APP-130] to provide additional information.</p> <p>IPs are invited to comment on any anticipated</p> | <p>The County Council has no specific concerns around the use of the former Binley compound site off Brinklow Road for the construction of the proposed A46 Walsgrave scheme. A Section 59 survey of movements to/from the compound may be requested by the County Council due to any extraordinary traffic proposed by the Applicant during the construction period.</p> | <p>The Applicant notes this comment.</p> |

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| | | implications of the use of this compound and exclusion from the order limits, and consideration of the compound within the baseline data. | | |
| GC.1.4 | All interested parties | <p>Assessment of diversion routes</p> <p>The ES notes throughout [APP-024][APP-027][APP-134] that temporary closures and diversions are required during construction, typically during night times or weekends. The ES does not specifically include an assessment of these diversions during construction, however, provides a justification for this as follows:</p> <ul style="list-style-type: none"> The overall duration of construction works does not exceed the 24-month threshold for assessment stated within the Design Manual for Roads and Bridges The closures are generally short term e.g. overnight / weekend, and a specified short diversion route, which is the existing diversion in the event of a planned or emergency closure of the current A46 / B4082, is given. Diversion routes are on the Affected Road Network so may form part of the assessment In the event that the construction period does over run beyond 24 months, the ES gives the | <p>The Environmental Statement (ES) acknowledges that temporary closures and associated diversions will be necessary during the construction phase of the project. These are anticipated to occur predominantly during off- peak periods, such as overnight or at weekends, to minimise disruption to road users.</p> <p>While the ES does not include a detailed assessment of the diversion routes themselves, this approach is justified on the following grounds:</p> <ul style="list-style-type: none"> Duration of Works: The overall construction period does not exceed the 24- month threshold for assessment as outlined in the Design Manual for Roads and Bridges (DMRB). As such, the temporary nature of the works falls outside the scope requiring a full assessment of traffic impacts under the DMRB guidance. Nature of Closures: The closures are expected to be short-term in nature, typically limited to overnight or weekend periods. This significantly reduces the potential for prolonged disruption. Established Diversion Routes: The proposed diversion routes are existing, well-established | <p>The Applicant acknowledges this comment and will continue engagement with Warwickshire County Council and Coventry City Council through the detailed design of the Traffic Management stage of the Scheme.</p> |

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| | | <p>anticipated traffic movements from the appointed contractor, which are shown to not meet the relevant vehicle movement thresholds of the DMRB (APP-027 paragraphs 5.5.9 – 5.5.13). IPs are invited to comment on any concerns noted with the applicant's assessment of diversion routes.</p> | <p>alternatives that are already in use for planned or emergency closures of the A46 and B4082. These routes have been previously assessed and are considered suitable for temporary use during construction. The preferred route that is used currently for any diversions around the A46 Walsgrave Junction is to utilise the A428 Brandon Road from the A46 Binley junction, then along the B4082 Clifford Bridge Road and A4600 Ansty/Hinckley Road to M6 Junction 2.</p> <p>None of this route is within the County of Warwickshire, it is all on Coventry City Council maintained highway.</p> | |
| AQ.1.1 | The Applicant, Coventry City Council and Rugby Borough Council | <p>ES Ch.5 [APP-027] Paragraph 5.6.2</p> <p>Is more recent data available and does this have any implications for the assessments and modelling undertaken?</p> | N/A | No response required. |
| FAQ.1.2 | Natural England, Coventry City Council and Rugby Borough Council | <p>ES Ch.5 [APP-027] Paragraph 5.13.9</p> <p>Do you agree with the conclusion “there will be no significant effects in terms of air quality on human and ecological receptors as a result of the Scheme.” If not explain the points of difference with this conclusion.</p> | N/A | No response required. |
| AQ.1.3 | Natural England, Coventry City Council, Rugby Borough Council and any other Interested Parties | <p>Applicant's response to Rule 9 [PD1-016] – Paragraph 7.1.7</p> <p>The Applicant's conclusion concerning the impact of the “Interim Planning Guidance on the consideration of the Environment Act PM2.5 targets in planning decisions” - published 4 October 2024 states; in conclusion that “if the interim planning guidance had been in place at the time of the original Scheme air quality assessment, there would be no material changes to the assessment outcomes.” Do you agree? If</p> | No comments. | No response required. |

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| | | not explain the points of difference with this conclusion. | | |
| Alternatives | | | | |
| AS.1.1 | Environment Agency, Historic England, Natural England, Coventry City Council, Warwickshire County Council and Rugby Borough Council | ES Ch.3 [APP-025] – Assessment of Alternatives Do you agree with the assessments of alternatives set out in this chapter and the option selected for this application? If not set out any areas of disagreement. | Prior to responding to the Applicant's consultation on the proposed Preferred Option in February 2022, the County Council reviewed the merits or otherwise of all available options. The County Council then confirmed its support for the option which the Applicant has presented through this DCO application (referred to then as Option 11). | The Applicant notes this comment. |
| Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA)) | | | | |
| BY.1.2 | Natural England Environment Agency Coventry City Council Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on biodiversity arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 8.11 Assessment of likely significant effects (both during construction and operation) [APP-030]). Do you consider the Applicants approach to the assessment and mitigation of biodiversity and nature conservation to comply with the relevant | The County Council is satisfied with the conclusion that Proposed Development will not have an impact on Ensor's Pool SAC or River Mease SAC European Sites as there are no functional pathways between the Proposed Development and the two sites. The County Council considers that the Applicant's approach complies with the National Networks National Policy Statement. | The Applicant notes this comment |

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| | | parts of the National Networks National Policy Statement? | | |
| BY.1.8 | Natural England Environment Agency Coventry City Council Warwickshire County Council | <p>Management Measures</p> <p>What are your views on the Outline Landscape and Ecology Management Plan (Appendix B.4, [APP- 109]) regarding:</p> <ul style="list-style-type: none"> (i) Ecology strategy and principles (ii) REAC Ecology (iii) Biodiversity net gain (iv) monitoring specifications <p>What are your views on the management measures BD1 through to BD9 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.4 [APP-109] adequately secure all measures required to reduce the environmental impacts of material assets and waste?</p> | <p>The County Council is content with the Ecological strategy and principles, REAC Ecology, Biodiversity Net Gain (BNG) and monitoring specifications. In relation to BNG there is significant potential to deliver a gain within the Proposed Development.</p> <p>The County Council considers the management measures BD1 to DB9 as set out in Table 1 are complete and comprehensive.</p> <p>The County Council has concerns that the words 'should', 'would' or 'could' have been used erroneously within MA1 to 7 (particularly MA3, 4, 5 & 7).</p> | <p>The Applicant has removed 'should' from the REAC (REP3-034) commitment MA5 and resubmitted this at Deadline 4.</p> <p>The Applicant confirms the use of 'would' is correct in the commitments MA1-MA7 of the REAC (REP3-034).</p> <p>The Applicant confirms the use of 'could' in the REAC (REP3-034) commitment MA1, as it is highlighting that the Principal Contractor 'could' consider off-site disposal for green waste if they do not re-use or recycle through on-site landscaping or ecological improvement works.</p> |
| CE.1.7 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | <p>Assessment and mitigation</p> <p>Do you agree with the applicant's conclusions regarding the likely significant effects on greenhouse gases?</p> <p>If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 14.11 Assessment of likely significant effects (construction and operation) [APP-036]).</p> | No comments. | No response required. |

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| | Council | Do you consider the Applicants approach to the assessment and mitigation of greenhouse gas emissions to comply with the relevant parts of the National Networks National Policy Statement? | | |
| CE.1.14 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Management Measures What are your views on the Outline Carbon Management Plan (Appendix B.8, [APP-109]) regarding: - Approach - Carbon Management Process - Monitoring and Reporting What are your views on the management measures C1 through to C3 (related to climate) set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? What are your views on the mitigation measures to minimise the carbon emissions from construction and operation? (Refer to Section 14.10 of ES Chapter 14 [APP-036]). Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required to reduce the environmental impacts on climate? | No comments. | No response required. |
| Combined and Cumulative Effects | | | | |
| CC.1.5 | Local planning authorities | Cumulative effects with other developments Do the local planning authorities agree with the list of other developments included in the cumulative effects assessment (Refer to Section 15.8 of ES Chapter 15 [APP-037])? | N/A | No response required. |
| Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations | | | | |

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| Draft Development Consent Order (dDCO) [REP1-002] - ARTICLES | | | | |
| DCO.1.2 | LHAs (Coventry City Council and Warwickshire County Council) | A10, Application of the 1991 Act – (8) Is there a street works permit scheme in operation by LHAs and if so do you have any comments about the wording of this article. | Yes, a street works permit scheme is currently in operation within Warwickshire which is run by the County Council's Network Management team. This scheme is governed by statutory guidance issued by the Department for Transport. Regarding the wording of Article A10(8), it is important that the language used aligns with the statutory framework and reflects the operational realities of permit schemes. The article should clearly define the scope of the permit scheme, the responsibilities of undertakers, and the conditions under which permits may be granted or refused. If the current wording lacks clarity or does not adequately reflect the statutory guidance, it may benefit from revision to ensure consistency and enforceability. | The Applicant has considered the West and Shires Permit Scheme ('the scheme'), which is the scheme currently in operation within the Warwickshire County Council, and Coventry City Council area. It is considered appropriate for Article 10(8) to disapply the scheme in respect of the works that form part of the DCO. Those works are being authorised through the DCO and adding an extra level of authorisation through the scheme is not appropriate or proportionate given the scale of the project and the level of scrutiny that it goes through during the examination process. |
| DCO.1.5 | LHAs (Coventry City Council and Warwickshire County Council) | A15, Temporary closure, alteration, diversion and restriction of use of streets - (6) Is the period stipulated in this clause acceptable? | The period stipulated in clause A15(6), which allows for temporary closure, alteration, or diversion of streets, appears to be acceptable provided it adheres to the principles of reasonableness and necessity. According to the relevant legislation: 2 , such closures must be for a "reasonable time" and require consent from the street authority, which must not be unreasonably withheld or delayed. Additionally, affected parties are entitled to compensation for any loss resulting from the suspension of private rights of way. Therefore, the acceptability of the period depends on its alignment with these statutory provisions and whether it allows sufficient time for the undertaker to complete the authorised development without causing undue disruption to the public or adjacent property owners. | The Applicant notes Warwickshire County Council's comment and welcomes its confirmation that the period stipulated is considered acceptable. |
| DCO.1.6 | Relevant LPAs and | A23, Protective work to buildings Are the measures stipulated in this article | N/A | No response required. |

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| | Historic England | acceptable? | | |
| DCO.1.7 | LHAs (Coventry City Council and Warwickshire County Council) | A24, Authority to survey and investigate the land - (6) Are you satisfied with the deemed consent provision stipulated in the paragraph? | No comments. | No response required. |
| DCO.1.8 | Relevant LPAs | A26, Trees subject to tree preservation orders Do you have any concerns about the powers, relating to TPO trees, that would be granted by this article? | N/A | No response required. |
| DCO.1.10 | Coventry City Council | A52, Disapplication and modification of legislative provisions - (3) Are you satisfied with the disapplication of the Traffic Management (Coventry City Council) Permit Scheme Order 2014(c), for this project? | N/A | No response required. |
| DCO.1.11 | Coventry City Council and Rugby Borough Council | A53, Amendment of local legislation Are you content with the amendments to local legislation stipulated in this article to undertake this project? | N/A | No response required. |
| Draft Development Consent Order (dDCO) [REP1-002] - SCHEDULE 2 - REQUIREMENTS | | | | |
| DCO.1.12 | Relevant LHAs and LPAs | Requirement (R) 3, Detailed design Does the Council have any comments about the process stipulated in this requirement, in particular with reference to the new bridge design. | As any new bridges or other structures associated with the scheme will be assets maintained by either the Applicant or Coventry City Council, the County Council does not need to be involved in this element of the detailed design process. | The Applicant notes this comment. |
| DCO.1.17 | Relevant LHAs and LPAs | R13, Pre-commencement works Have the Council any views on this requirement relating to the pre-commencement plan [APP112]? | No comments. | No response required. |
| Draft Development Consent Order (dDCO) [REP1-002] - SCHEDULE 2A - COUNTER-NOTICE REQUIRING PURCHASE OF LAND | | | | |
| Draft Development Consent Order (dDCO) [REP1-002] - SCHEDULE 8 - LAND OF WHICH TEMPORARY POSSESSION ONLY MAY BE TAKEN | | | | |
| Geology and Soils | | | | |
| GS.1.1 | Natural England Environment | Assessment and mitigation Do you agree with the applicant's conclusions | Unfortunately, the County Council does not have the appropriate expertise in the fields of hydrology, soils and geotechnics to answer this question. | No response required. |

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| | Agency Coventry City Council Rugby Borough Council Warwickshire County Council | <p>regarding the likely significant effects on geology and soils relating to human health, controlled waters and agricultural soils?</p> <p>If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions.</p> <p>(Refer to ES Section 9.11 Assessment of likely significant effects [APP-031]).</p> <p>Do you consider the Applicants approach to the assessment and mitigation of land use and land contamination and instability to comply with the relevant parts of the National Networks National Policy Statement</p> | | |
| GS.1.5 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | <p>Management Measures</p> <p>What are your views on the management measures GS1 through to GS5 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required to reduce the environmental impacts of material assets and waste?</p> | As above. | No response required. |
| Historic Environment | | | | |
| HE.1.2 | The Applicant, Coventry City Council and Rugby Borough Council | <p>ES Ch.6 [APP-048] Cultural Heritage - Paragraph 6.4.7</p> <p>The third bullet point of this paragraph records the concern expressed by Coventry City Council as owner of the Coombe Abbey Park but there is no mention of any such concerns from Rugby Borough Council as local planning authority. Does it share these concerns, and if so where are its views set out in Chapter 6?</p> | N/A | No response required. |
| Landscape and Visual | | | | |
| LV.1.1 | Coventry City Council | <p>Assessment and mitigation</p> <p>Do you agree with the applicant's conclusions</p> | N/A | No response required. |

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| | Rugby Borough Council | regarding the likely significant effects on landscape and visual receptors arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 7.11 Assessment of likely significant effects (both during construction and operation) [APP-029]). | | |
| LV.1.2 | Coventry City Council Rugby Borough Council | Extent of land allocated as Green Belt Reference to the extent of the green belt is given in [REP1-036] (paragraph 5.5) and [APP-029] (Table 7.2 under reference to paragraph 5.181) and is also shown in ES Figure 7.1 (Landscape Policy Context) [APP-049]. State the full extent of land within your administrative boundary allocated as Green Belt | N/A | No response required. |
| LV.1.12 | Coventry City Council Rugby Borough Council | Management Measures What are your views on the Outline Landscape and Ecology Management Plan (Appendix B.4, [APP- 109]) regarding: (i) landscape requirements (ii) landscape strategy and principles; and (iii) establishment, management and maintenance? What are your views on the management measures LV1 through to LV3 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments (REAC) [APP-110]? Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.4 [APP-109] adequately secure all measures required to protect landscape and visual amenity? | N/A | No response required. |
| Material Assets and Waste | | | | |
| MW.1.1 | Environment Agency Coventry | Assessment and mitigation (a) Do you agree with the applicant's | Answer to (a): Yes. The County Council believe that in the context of minerals and waste the applicant's conclusion on predicted effects of | The Applicant notes this comment |

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| | City Council Rugby Borough Council Warwickshire County Council | <p>conclusions regarding the likely significant effects on material assets and waste arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to Section 10.11 of ES Chapter 10 [APP-032]).</p> <p>Do you consider the Applicants approach to reducing waste safely and maximising resource usage to comply with the relevant parts of the National Networks National Policy Statement?</p> | <p>slight adverse – not significant is reasonable and appropriate. The tonnages involved are not significant, industry good practice considerations have been applied, and recovery and reuse which are at the higher end of the waste hierarchy have been applied. The County Council has tested the appropriateness of the consideration and flagged a number of points early on. These have been addressed as set out in the agreed Statement of Common Ground (SoCG). The applicant has exceeded recycling and recovery targets and have included a number of committed mitigations which will minimise the impact of the scheme on minerals and waste.</p> <p>Answer to (b): Yes. In The National Policy Statement paragraphs 5.70 – 5.78 set the approach to be taken for Resources and Waste Management, with the aim to protect human health and the environment and maximise resource use. Steps have been taken to minimise the volume of waste arisings and to maximise its reuse and recycling. The Applicant's overall approach has been to "retain and reuse" first which is supported by the County Council. Consideration has been given to how waste will be managed on and off site and the availability of local infrastructure, an area covered by the SoCG in terms of the implications for landfill capacity in the County.</p> | |
| MW.1.12 | Environment Agency Coventry City Council Rugby Borough Council | <p>Management Measures</p> <p>(a) What are your views on the Outline Site Waste Management Plan (Appendix B.3 [APP-109]) regarding: (i) resource efficiency and waste minimisation (ii) waste management (iii)</p> | <p>Answer to (a): The Plan is an Outline and covers all the main areas for managing waste produced during construction. The County Council is satisfied that it covers all the main topic areas and there will be monitoring, review and auditing. We would expect that when the scheme has been approved and prior to commencement of construction that a final Site Waste Management Plan (SWMP) will be produced based on more specific quantities of materials to be released and reused. As a "living document" the County Council expects the</p> | <p>The Applicant confirms that the outline Site Waste Management Plan which forms Appendix B.3 of the First Iteration EMP (REP3-032) will be further developed as part of the Second Iteration EMP and compliance with it is secured through Requirement 4 of the draft DCO (REP3-004).</p> <p>A Materials Management Plan</p> |

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| | | | <p>document to be regularly reviewed by the Applicant during the construction process.</p> <p>Answer to (b): The County Council is satisfied that they are necessary, appropriate, comprehensive and can be adequately monitored. Under MA 7, the County Council would wish to see a firmer commitment to deliver a Materials Management Plan from the outset.</p> <p>Answer to (c): The County Council has no evidence to suggest that the dDCO, Table 1 in REAC and Relevant Management Plans (OSWMP) will not secure the measures required to reduce the environmental impacts on minerals and waste.</p> | <p>(MMP) would be prepared where applicable to provide lines of evidence covering the use of clean site won materials within the Scheme (Commitment MA7 of First Iteration EMP Appendix A REAC, (REP3-034)). If required, the MMP would be developed and form part of the Second Iteration EMP. The MMP would be based on an adequate risk assessment concluding that the objectives of preventing harm to human health and pollution of the environment will be met if materials are used in the proposed manner.</p> <p>A Materials Management Plan will only be required if material from any other scheme is proposed for use as a fill material on the A46 Walsgrave Project in accordance with "The Definition of Waste: Development Industry Code of Practice" (DoWCoP) Version 2 (March 2011).</p> |
| NV.1.2 | Coventry City Council Rugby Borough Council | <p>Assessment and mitigation</p> <p>Do you agree with the applicant's conclusions regarding the likely significant effects of noise and vibration arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 11.11 Assessment of likely significant effects (both during construction and operation) [APP-033]).</p> <p>Do you consider the Applicants approach to managing the impacts of noise and vibration (on human and ecological receptors) to comply with the relevant parts of the National Networks National Policy Statement?</p> | N/A | No response required. |

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| NV.1.8 | Coventry City Council Rugby Borough Council | Management Measures What are your views on the Outline Construction Noise and Vibration Management Plan (ES Appendix B.2, [APP-109]) regarding: (i) noise and vibration control measures (ii) specific measures (iii) protection of buildings; and (iv) monitoring and reporting? What are your views on the management measures NV1 through to NV4 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and ES Appendix B.2 [APP-109] adequately secure all measures required to reduce the environmental impacts of noise and vibration? (iv) | N/A | No response required. |
| Population and Human Health | | | | |
| PH.1.2 | Coventry City Council Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on population and human health arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 12.11 Assessment of likely significant effects (both during construction and operation) [APP-034]). Do you consider the Applicants approach to managing the impacts of the Proposed Development on safety, health and accessibility to comply with the relevant parts of the National Networks National Policy Statement? | No comments. | No response required. |

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| PH.1.5 | Coventry City Council Warwickshire County Council | Management Measures What are your views on the management measure PH1 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110], adequately secure all measures required to reduce the environmental impacts on population and human health? | No comments. | No response required. |
| Road Drainage and Water Environment | | | | |
| RW.1.2 | The Environment Agency Warwickshire County Council Coventry City Council | Flood Risk Assessment Can you briefly confirm your views on the applicant's approach and method in the Flood Risk Assessment [AS-012] (refer to Section 13.5 of ES Chapter 13 [APP-035]). Do you consider the Flood Risk Assessment to comply with National Networks National Policy Statement, the National Planning Policy Framework and Planning Practice Guidance? Does the Flood Risk Assessment represent an accurate assessment of the flood risks on site and is the assessment proportionate to the risk and appropriate to the scale and nature of the Proposed Development? | Through the various hydraulic modelling assessments undertaken and documented within the Flood Risk Assessment, the County Council's Flood Risk Management (FRM) consider those assessments as proportionate to the scale and nature of the development alongside proportionality to the risk within Warwickshire itself. We see no obvious gaps in the assessment or its compliance against the NN NPS, NPPF and PPG, however we believe the Examining Authority (ExA) as the Planning Authority is the appropriate body to determine if the Assessment complies with policy. | The Applicant notes this comment. |
| RW.1.3 | Warwickshire County Council Coventry City Council | Flood Risk Assessment Does the Flood Risk Assessment (FRA) [AS-012] adequately and appropriately cover the specific issues of concern to the Lead Local Flood Authority? | Yes. | No response required. |
| RW.1.4 | Coventry City Council | Flood Risk Assessment At Issue Specific Hearing 1 [EV4-004 and EV4-005] you stated the City Council was awaiting more information on the proposed road drainage system. Can you update the ExA on progress with receipt of this information and provide your views on | N/A | No response required. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Warwickshire County Council | Applicant's Response |
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| | | whether the Applicant's road drainage proposals are suitable and sufficient? | | |
| RW.1.5 | Environment Agency Warwickshire County Council Coventry City Council | Sequential and Exception Tests Can you provide a brief confirmation of your views on the sufficiency and application of the sequential and exception tests outlined in the Flood Risk Assessment [AS-012]? | The County Council believe the flood risk Sequential & Exception Tests should be applied by the appropriate Planning Authority based on planning matters. However, we recognise the summary within the Flood Risk Assessment that the site is the only applicable location, therefore the Sequential Test is considered passed. As to the Exception Test, Annex G of the FRA [AS-012] has been reviewed and the County Council is content with the information provided. | The Applicant notes this comment. |
| RW.1.6 | Coventry City Council | Reservoir flood risk assessment At Issue Specific Hearing 1 [EV4-004 and EV4-005] you referred to ongoing assessment work to better understand the residual risk to Coombe Pool reservoir and the nearby A46 highway and ongoing discussion with the Applicant regarding a proposed change in height of the earthwork embankment between the reservoir and the A46. Provide an update on the progress of these discussions and the suitability and sufficiency of the reservoir flood risk assessment and any physical and administrative mitigation measures proposed by the Applicant. | N/A | No response required. |
| RW.1.8 | Environment Agency Warwickshire County Council Coventry City Council | Water quality and resources Do you consider the Applicants approach to managing the demand for water and potential impacts on health and on species and habitats to comply with the National Networks National Policy Statement? | The County Council is not the appropriate body to comment on water quality and water resource matters, this is for the Environment Agency. | No response required. |
| RW.1.12 | Coventry | Coombe Pool Flood Mitigation Scheme | N/A | No response required. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Warwickshire County Council | Applicant's Response |
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| | City Council | In your Relevant Representation [RR-013], under the heading 'Drainage and Flooding Impacts', you refer to the City Council developing proposals for a Coombe Pool Flood Mitigation Scheme due to the risk to the A46 and immediate city area. Outline the risk to the A46. Provide an explanation of the Coombe Flood Mitigation Scheme proposals and an update on the status of these proposals. | | |
| RW.1.14 | Environment Agency Warwickshire County Council Coventry City Council | Management Measures What are your views on the management measures RD1 through to RD13 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? Would the draft Development Consent Order [REP1-002] and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required for pollution prevention and water management for the construction and operation phases? | The County Council is not the appropriate body to comment on water quality and pollution prevention matters, this is for the Environment Agency. | No response required. |
| RW.1.17 | All interested parties | Provision of additional flood risk information The ExA wishes to draw IPs attention to the applicant's submission [PD1-016], in response to the ExA's rule 9 requests for further information [PD-005] on the matter of updating the assessment of flood risk following the release of new flood risk data by the Environment Agency. All IPs are invited to provide comments on the Applicants response on this matter. | The County Council agrees that the site- specific hydraulic modelling undertaken by the Applicant and reported on within the Flood Risk Assessment is more detailed than the updated national flood risk mapping. | No response required. |
| Transportation and Traffic | | | | |
| TT.1.4 | Coventry City Council | Designer's response to the Road Safety Audit Table 3-1 of the Consultation Report [APP-115] presents a summary of engagement with disagreed with the designers' responses in the road safety audit concerning verge widening for a | N/A | No response required. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Warwickshire County Council | Applicant's Response |
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| | | possible future route for walking, cycling, and horse-riding alongside the B4082. Could the City Council offer additional clarification regarding their concerns? | | |

4. Environment Agency [REP3-051](#)

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
|--|---|--|--|-----------------------------------|
| Air Quality | | | | |
| AS.1.1 | Environment Agency, Historic England, Natural England, Coventry City Council, Warwickshire County Council and Rugby Borough Council | ES Ch.3 [APP-025] – Assessment of Alternatives Do you agree with the assessments of alternatives set out in this chapter and the option selected for this application? If not set out any areas of disagreement. | The Environment Agency do not have any comments to make on this question | No response required. |
| Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA)) | | | | |
| BY.1.2 | Natural England Environment Agency Coventry City Council Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on biodiversity arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 8.11 Assessment of likely significant effects (both during construction and operation) [APP-030]). Do you consider the Applicants approach to the assessment and mitigation of biodiversity and nature conservation to comply with the relevant parts of the National Networks National Policy Statement? | <p>We agree with the Applicant's conclusions regarding the likely significant effects. We accept the conclusion that the overall significance of effect during operation to otters is 'Slight adverse' (not significant). The ditches are ephemeral and contain runoff water sporadically hence the works upon the two existing drainage ditches and the installation of a temporary culvert are unlikely to impact otters. We also understand that the A46 culvert is not anticipated to become less suitable for otter passage.</p> <p>With regards to the aquatic component, we accept that the applicant has considered the potential direct and indirect impact to biodiversity and nature conservation features. The applicant has also identified possible enhancement options, such as the planting of aquatic and riparian vegetation within the new drainage ponds.</p> <p>The EA agree that the applicant is complying with NN NPS.</p> | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
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| BY.1.8 | Natural England Environment Agency Coventry City Council Warwickshire County Council | <p>Management Measures</p> <p>What are your views on the Outline Landscape and Ecology Management Plan (Appendix B.4, [APP-109]) regarding:</p> <ul style="list-style-type: none"> i. Ecology strategy and principles ii. REAC Ecology iii. Biodiversity net gain iv. monitoring specifications <p>What are your views on the management measures BD1 through to BD9 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> <p>Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.4 [APP-109] adequately secure all measures required to reduce the environmental impacts of material assets and waste?</p> | <ul style="list-style-type: none"> I. The Ecology strategy and principles primarily focus on terrestrial ecology, but we agree in principle with the outlined strategy. II. We agree with the actions/commitments outlined in the REAC, especially those relating to reducing light disturbance for sensitive receptors (G3), protection of habitats and protected species during construction (BD3) and INNS (BD9). III. We agree with the use of the Statutory Biodiversity Metric. The applicant has not committed to provide 10% BNG for watercourses, which we recommended. However, as NSIPs will become mandatory for NSIPs in May 2026, current implementation is not statutorily required. The BNG assessment (APP-076) outlines that the watercourse baseline will remain the same post-construction, so it is positive to see that the area of watercourse won't be reduced. IV. It is positive to read that the applicant has committed to undertake monitoring of the new habitats post-construction, to determine if the LEMP objectives have been met. <p>The EA agrees with the actions/commitments outlined in the REAC.</p> | The Applicant notes this comment. |
| Climate | | | | |
| CE.1.7 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | <p>Assessment and mitigation</p> <p>Do you agree with the applicant's conclusions regarding the likely significant effects on greenhouse gases?</p> <p>If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may</p> | The Environment Agency do not have any comments to make on this question | No response required. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
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| | | <p>influence the overall conclusions. (Refer to ES Section 14.11 Assessment of likely significant effects (construction and operation) [APP-036]).</p> <p>Do you consider the Applicants approach to the assessment and mitigation of greenhouse gas emissions to comply with the relevant parts of the National Networks National Policy Statement?</p> | | |
| CE.1.14 | <p>Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council</p> | <p>Management Measures What are your views on the Outline Carbon Management Plan (Appendix B.8, [APP-109]) regarding: - Approach - Carbon Management Process Monitoring and Reporting What are your views on the management measures C1 through to C3 (related to climate) set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? What are your views on the mitigation measures to minimise the carbon emissions from construction and operation? (Refer to Section 14.10 of ES Chapter 14 [APP-036]). Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required to reduce the environmental impacts on climate?</p> | The Environment Agency do not have any comments to make on this document | No response required. |
| Geology and Soils | | | | |
| GS.1.1 | <p>Natural England Environment Agency Coventry City</p> | <p>Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on geology and soils</p> | We agree with the conclusions of ES Chapter 9 on Geology and Soils that only minor evidence of contamination from historical activities was recorded during the site | The Applicant notes this comment |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
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| | Council Rugby Borough Council Warwickshire County Council | <p>relating to human health, controlled waters and agricultural soils?</p> <p>If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions.</p> <p>(Refer to ES Section 9.11 Assessment of likely significant effects [APP-031]).</p> <p>Do you consider the Applicants approach to the assessment and mitigation of land use and land contamination and instability to comply with the relevant parts of the National Networks National Policy Statement?</p> | <p>investigation (some minimal total and leachable ammoniacal nitrogen, sulphate and metal impacts in places) and that no significant volumes of Made Ground were identified outside of the landfill in the south (where no significant works are proposed anyway).</p> <p>As such, we concur that no special remedial activities or further monitoring are recommended for the Scheme during its construction or indeed its operational phase to protect Controlled Waters, other than the ones outlined in terms of construction pollution prevention and operational road run-off interception.</p> <p>We understand that the developers will keep a watching brief for anything untoward during forthcoming earthworks and take appropriate consultation and action where justified. Also, appropriate waste management controls will be put in place to deal with all soils and other materials to be handled.</p> <p>As such, we believe that the steps taken, and measures outlined do adhere to the guiding 2024 NN NPS requirements such as those set out in its paragraphs 5.154 – 5.156 and indeed with the EA's latest LCRM guidance.</p> | |
| GS.1.5 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | <p>Management Measures</p> <p>What are your views on the management measures GS1 through to GS5 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> <p>Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately</p> | <p>The Management Measures in GS1 as listed in Table 1 of the First Iteration Environmental Management Plan (EMP) Appendix A appear complete, relevant and appropriate in terms of the required protection of Controlled Waters. GS1, covers a framework for the implementation of environmental requirements on site.</p> <p>We do have to point out that GS2 to GS5 covers aspects such as hours of operation, light disturbance and continued performance</p> | The Applicant notes this comment |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
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| | | secure all measures required to reduce the environmental impacts of material assets and waste? | <p>of transport network. In terms of the Environment Agency, these matters are beyond our remit.</p> <p>The EMP will ensure the identification and where needed, management of all issues required to reduce the environmental impacts of any significant ground contamination found. This also includes pollution where caused or excavated soil and waste material dealt with. It's subsidiary documents: Soil Handling Management Plan, Site Waste Management Plan and Materials Management Plan will also provide the same function. We welcome the fact that it will be developed and put in place to cover the activities on site. These documents appear dynamic enough to reflect any failings that may appear during the project.</p> | |
| Material Assets and Waste | | | | |
| MW.1.1 | <p>Environment Agency</p> <p>Coventry City Council</p> <p>Rugby Borough Council</p> <p>Warwickshire County Council</p> | <p>Assessment and mitigation</p> <p>Do you agree with the applicant's conclusions regarding the likely significant effects on material assets and waste arising from the Proposed Development?</p> <p>If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions.</p> <p>(Refer to Section 10.11 of ES Chapter 10 [APP-032]).</p> <p>Do you consider the Applicants approach to reducing waste safely and maximising resource usage to comply with the relevant parts of the National Networks National Policy Statement?</p> | We agree with the applicant's conclusions as the data supplied in Table 10.6 is consistent with the expected materials associated with the planned works. | The Applicant notes this comment. |
| MW.1.12 | <p>Environment Agency</p> <p>Coventry City</p> | <p>Management Measures</p> <p>What are your views on the Outline Site Waste Management Plan (Appendix B.3</p> | Appendix B.3 [APP-109] looks to cover aspects should construction waste and importantly if hazardous waste is identified. | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
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| | Council Rugby Borough Council Warwickshire County Council | <p>[APP-109]) regarding:</p> <ul style="list-style-type: none"> (i) resource efficiency and waste minimisation (ii) waste management (iii) monitoring; and (iv) audit and review? <p>What are your views on the management measures MA1 through to MA7 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> <p>Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.3 [APP-109] adequately secure all measures required to reduce the environmental impacts of material assets and waste?</p> | Resource efficiency has been integrated into the management process, but the operator should also be dynamic for any unexpectedness that may arise when construction commences. | |
| Road Drainage and the Water Environment | | | | |
| RW.1.2 | The Environment Agency Warwickshire County Council Coventry City Council | <p>Flood Risk Assessment</p> <p>Can you briefly confirm your views on the applicant's approach and method in the Flood Risk Assessment [AS-012] (refer to Section 13.5 of ES Chapter 13 [APP-035]).</p> <p>Do you consider the Flood Risk Assessment to comply with National Networks National Policy Statement, the National Planning Policy Framework and Planning Practice Guidance?</p> <p>Does the Flood Risk Assessment represent an accurate assessment of the flood risks on site and is the assessment proportionate to the risk and appropriate to the scale and nature of the Proposed Development?</p> | <p>The applicant's approach to the Flood Risk Assessment (FRA) and associated modelling complies with the requirements of the NPPF, PPG and NNN PS.</p> <p>We believe that the FRA and modelling are appropriate for the scale of the development proposed.</p> | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
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| RW.1.5 | Environment Agency Warwickshire County Council Coventry City Council | Sequential and Exception Tests Can you provide a brief confirmation of your views on the sufficiency and application of the sequential and exception tests outlined in the Flood Risk Assessment [AS-012]? | <p>The Environment Agency can provide an opinion on whether a development is safe for its lifetime and does so without increasing flood risk to third parties in line with the requirements of the NPPF and PPG and second part of the exception test. We do not typically confirm the first part of the exception test:</p> <p>“development that has to be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk.”</p> <p>We believe that the development proposed does meet the requirements of the second part of the exception test.</p> <p>The Sequential Test requires assessing other sites that the development could have been reasonably located at which may be at a lower risk of flooding and assessing the suitability of other sites.</p> <p>It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.</p> <p>As an advisory the EA does acknowledge that given the nature of these works, it is likely that they must be undertaken at this location.</p> | No response required. |
| RW.1.8 | Environment Agency Warwickshire County Council Coventry City Council | Water quality and resources Do you consider the Applicants approach to managing the demand for water and potential impacts on health and on species and habitats to comply with the National Networks National Policy Statement? | The applicant has appropriately considered the project's water resource-use and the potential impact on water-dependant habitats and ecosystems, through a WFD and GWTDE Assessment. For example, Appendix 13.4 (APP-104) outlines a GWTDE Assessment of sites that are hydrologically connected to the scheme, and the potential impacts of the activities. The risk too Herald Way Marsh SSSI (the only GWTDE) was deemed 'Negligible' due to the large distance between the scheme and the SSSI. | No response required. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
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| RW.1.14 | Environment Agency Warwickshire County Council Coventry City Council | <p>Management Measures</p> <p>What are your views on the management measures RD1 through to RD13 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> <p>Would the draft Development Consent Order [REP1-002] and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required for pollution prevention and water management for the construction and operation phases?</p> | <p>We agree with ES Chapter 13 Road Drainage and the Water Environment (and its Appendix 13.4 Groundwater Assessment) 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>We therefore pleased to see measure RD9 now listed in Table 1 of the First Iteration Environmental Management Plan Appendix A. Furthermore, we welcome the recognition in RD4 that any dewatering must be controlled via an abstraction licence and any subsequent discharge via an environmental permit, with specific requirements to be confirmed with ourselves via permitting pre-app advice as soon as possible.</p> <p>We do indeed also encourage the production of a Piling Risk Assessment prior to any construction work, as per measure RD5. We believe that the measures outlined throughout the Environmental Statement to protect Controlled Waters (notably as set out in ES Appendix 13.3 (Water Quality Assessment) and Appendix 13.4 (Groundwater Assessment)) do adhere to the latest guiding 2024 NN NPS requirements such as those set</p> | <p>The Applicant notes the Environment Agency's position and the Statement of Common Ground with Environment Agency (REP1-027) (as submitted at Deadline 4) has been updated to reflect this agreed position.</p> |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Environment Agency | Applicant's Response |
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| | | | out in its paragraphs 5.159, 5.252 – 5.254 and 5.258 – 5.259. | |
| RW.1.17 | All interested parties | <p>Provision of additional flood risk information</p> <p>The ExA wishes to draw IPs attention to the applicant's submission [PD1-016], in response to the ExA's rule 9 requests for further information [PD-005] on the matter of updating the assessment of flood risk following the release of new flood risk data by the Environment Agency.</p> <p>All IPs are invited to provide comments on the Applicants response on this matter.</p> | The Environment Agency do not have any comments to make on this document | No response required. |
| RW.1.18 | The Applicant The Environment Agency | <p>Water Framework Directive (WFD) Assessments</p> <p>In relation to WFD assessments, the ExA notes that the Applicant has chosen to separate out the surface water assessment (provided as [APP-102] and titled WFD compliance assessment), and groundwater assessment (provided in ES chapter 13 [APP-135] and ES Appendix 13.4 titled groundwater assessment [APP-104], with no reference to WFD in the document titles).</p> <p>Can the applicant explain the rationale behind the separation of the WFD assessments?</p> <p>Can the Environment Agency confirm its position on the WFD assessments provided and whether there are any implications from the assessment being undertaken in multiple documents?</p> | The EA can confirm that they have no implications with the WFD Assessment being split into 2 separate documents, as long as everything that is required in the assessment is covered. | No response required. |

5. Natural England [REP3-052](#)

| Ref no. | Question to | ExA's Questions | Interested Party Response – Natural England | Applicant's Response |
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| Air Quality | | | | |
| AQ.1.2 | Natural England, Coventry City Council and Rugby Borough Council | ES Ch.5 [APP-027] Paragraph 5.13.9 Do you agree with the conclusion “there will be no significant effects in terms of air quality on human and ecological receptors as a result of the Scheme.” If not explain the points of difference with this conclusion | <p>Natural England has advised that currently based on the assessment provided (APP-090) additional clarification was required regarding potential impacts of Air Quality on Combe Pool SSSI and Herald Way Marsh SSSI.</p> <p>Natural England understand that additional clarification from the Applicant, will be provided via an Air Quality Appendix which will fully address this matter.</p> <p>Clarification of the notified features of the SSSIs and sensitivity of these features to air quality impacts will provide evidence to conclude any likely significant effect for this impact pathway,</p> <p>At present it is not clear how assessment conclusions have been evidenced.</p> <p>We are not able to provide advice in regard to human receptors as this is not within our remit or expertise.</p> | The Applicant updated ES Appendix 8.15 (Assessment of Air Quality Impacts on Ecological Features) (REP3-026), and this was resubmitted at Deadline 3 to address these comments. |
| AQ.1.3 | Natural England, Coventry City Council, Rugby Borough Council and any other Interested Parties | <p>Applicant's response to Rule 9 [PD1-016] – Paragraph 7.1.7 The Applicant's conclusion concerning the impact of the “Interim Planning Guidance on the consideration of the Environment</p> <p>Act PM2.5 targets in planning decisions” – published 4 October 2024 states; in conclusion that “if the interim planning guidance had been in place at the time of the original Scheme air quality assessment, there would be no material changes to the assessment outcomes.” Do you agree? If not explain the points of</p> | The PM 2.5 targets set out in the Interim Planning Guidance are for human health not ecological receptors as PM 2.5 is a human health issue. This matter falls outside of Natural England's remit and therefore it would not be appropriate for us to comment. | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Natural England | Applicant's Response |
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| | | difference with this conclusion | | |
| Alternatives | | | | |
| AS.1.1 | Environment Agency, Historic England, Natural England, Coventry City Council, Warwickshire County Council and Rugby Borough Council | ES Ch.3 [APP-025] – Assessment of Alternatives Do you agree with the assessments of alternatives set out in this chapter and the option selected for this application? If not set out any areas of disagreement. | Yes, we agree with the Assessment of Alternatives. | The Applicant notes this comment. |
| Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA)) | | | | |
| BY.1.2 | Natural England Environment Agency Coventry City Council Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on biodiversity arising from the Proposed Development? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 8.11 Assessment of likely significant effects (both during construction and operation) [APP-030]). Do you consider the Applicants approach to the assessment and mitigation of biodiversity and nature conservation to comply with the relevant parts of the National Networks National Policy Statement? | Assessment and mitigation. We agree with some parts of the Applicant's conclusions and currently disagree with other parts of the conclusion. See explanation below: HRA- agree We agree that there are no likely significant effects on Ensor's Pool Special Area of Conservation and River Mease Special Area of Conservation. This is due to the distance of the proposal from the sites distance (10.1km and 29.5km respectively). There is no hydrological or hydrogeological linkage, and neither site is notified for bats. Combe Pool SSSI • <u>Habitat loss- agree.</u> We are satisfied that the works to facilitate the replacement boundary fencing and the measures proposed to minimise/ mitigate/ compensate habitat loss will mean that impacts will not be significant. | Water quality: The Applicant's response to RW.1.10 of the ExQ1 (REP3-046) demonstrates that there are sufficient water quality measures in place and detail available. The delivery of these measures will be secured through Requirement 9 of the draft DCO (REP3-004). Noise: The Applicant has updated ES Appendix 8.16 (Assessment of Noise Impacts on Ecological Features) (REP3-028) and resubmitted this document at Deadline 3. Lighting: ES Chapter 8 (Biodiversity) (REP3-012) has been updated and resubmitted at Deadline 3 to include an assessment of |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Natural England | Applicant's Response |
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| | | | <ul style="list-style-type: none"> <u>Invasive Species- agree</u> We are satisfied that the measures proposed to mitigate the risk of spread of Rhododendron and Himalayan Balsam will mean that impacts will not be significant. <u>AQ (dust)- agree</u> We are satisfied with the assessment (APP-027) and mitigation proposed (APP-109 & APP-110) and agree that there will be no likely significant effects from dust. <u>Water quality- disagree.</u> Currently, there is insufficient information and detail provided to enable us to have confidence in the efficacy of the proposed mitigation and in the absence of additional detail we cannot currently agree that the impacts will not be significant. <u>Noise- disagree</u> Currently, their assessment lacks sufficient information regarding evidence-based reasoning. Natural England advise that there is insufficient information on noise contour maps for affected areas and how noise may affect notified features. This information will help evidence and inform the mitigation measures. It is not clear how cumulative impacts have been assessed. <u>Lighting-disagree</u> Currently further clarification is required on measures to prevent impacts on the SSSI. Combe Pool SSSI and Herald Way Marsh SSSI <u>AQ (NOx, NH3, N dep) -disagree.</u> Natural England has advised that currently based on the assessment provided (APP-090) additional clarification was required regarding potential impacts of Air Quality on Combe Pool and Herald Way Marsh SSSI. | <p>lighting impacts on Coombe Pool SSSI. The assessment concludes a neutral (not significant) effect on birds using the pool from construction lighting. The effect of construction lighting on the woodland bird assemblage is assessed as slight adverse (not significant).</p> <p>The Scheme does not include any lighting of the A46 mainline and as such no impacts to the SSSI from operational lighting are anticipated.</p> <p>ES Chapter 8 (Biodiversity) (REP3-012) has been updated and was resubmitted at Deadline 3.</p> <p>Air quality: The Applicant has updated ES Appendix 8.15 (Assessment of Air Quality Impacts on Ecological Features) (REP3-026) to address these comments and resubmitted this at Deadline 3.</p> <p>Bat license: Bat surveys are still being undertaken and the need for a licence will continue to be discussed with Natural England.</p> |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Natural England | Applicant's Response |
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| | | | <p>Natural England understand that additional clarification from the Applicant, will be provided via an Air Quality Appendix which will fully address this matter.</p> <p>Clarification of the notified features of the SSSIs and sensitivity of these features to air quality impacts will provide evidence to conclude any likely significant effect for this impact pathway</p> <p>Licensing of Protected Species</p> <p>It is the Applicant's role to ascertain whether a mitigation license is required. Natural England has provided a Letter of no Impediment for Badgers (APP-089).</p> <p>Natural England is currently discussing bat surveying, mitigation and the potential requirement for a Bat License with the Applicant.</p> <p>We therefore advise that parts of the assessment comply with the National Networks National Policy Statement but other parts currently do not as there is a lack of information/assessment presented in the information provided to inform assessment conclusions.</p> | |
| BY.1.8 | Natural England Environment Agency Coventry City Council Warwickshire County Council | <p>Management Measures. What are your views on the Outline Landscape and Ecology Management Plan (Appendix B.4, [APP-109]) regarding: (i) Ecology strategy and principles (ii) REAC Ecology (iii) Biodiversity net gain (iv) monitoring specifications.</p> <p>What are your views on the management measures BD1 through to BD9 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]?</p> | <p>Natural England is generally satisfied with the OLEMP (App-109) and management measures BD1 through to BD9 (APP-110) subject to some further clarification (see answer to BY.1.2).</p> <p>However, some of the references to sections of the REAC in section 4.5.2 of the OLEMP (APP-109), need to be revised as they either do not relate to an applicable reference i.e. G12 or do not relate to the relevant topic. Clarification is therefore required.</p> <p>It should be noted that Natural England's comments are limited to topics within our remit as set out in Advice Note 11, Annex C</p> | The Applicant has updated the First Iteration EMP (REP3-032) Appendix B.4 Outline Landscape and Ecology Management Plan (OLEMP) to correct reference the commitments in the REAC (REP3-034), and has resubmitted the First Iteration EMP (REP3-032) at Deadline 4. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Natural England | Applicant's Response |
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| | | Would the dDCO [REP1-002], Table 1 of the Register of Environmental Actions and Commitments [APP-110], and Appendix B.4 [APP-109] adequately secure all measures required to reduce the environmental impacts of material assets and waste? | <p>– Natural England and the Planning Inspectorate.</p> <p>Please see answer to question GS.1.5.</p> | |
| DCBY.1.9 | Natural England | Habitats Regulations Assessment Confirm whether you are satisfied with the conclusions of the Habitats Regulations Assessment report? (Refer to Tables 4- 1 and 4-2 of Appendix 8.12 Habitats Regulations Assessment Report [APP087]). | Natural England is satisfied with the conclusions of the Habitats Regulations Assessment report (APP087). | The Applicant notes this comment. |
| BY.1.10 | The Applicant Natural England | <p>Habitats Regulations Assessment The Joint Nature Conservation Committee Standard Data Form (and website information) for the River Mease SAC lists the following which have not been considered within the applicants HRA report [APP-087]: Annex I habitats present as a qualifying feature (but not a primary reason for selection of this site) Water courses of plain to montane levels with the Ranunculus fluitans and Callitriche Batrachion vegetation Annex II species present as a qualifying feature (but not a primary reason for site selection) • White-clawed (or Atlantic stream) crayfish • Otter To the applicant – Can you confirm the status of</p> <p>these three qualifying features in relation to the HRA report [APP-087] and why they have not been included?</p> <p>To Natural England – Can you confirm if you consider whether there is any potential for likely significant effects on these qualifying features, and if the HRA [APP-087] requires these to be included within</p> | <p>We advise that the HRA (APP-087) should list all the qualifying features set out in page 2 of the River Mease SAC Citation, PDF, 40.3 kB and any potential impacts to the site's Conservation Objectives</p> <p>In this instance we do not consider there to be any likely significant effects on the qualifying features of the River Mease SAC. This is because the proposal site is not in or near the River Mease catchment and is approximately 30km from the SAC. We therefore advise that there are unlikely to be impact pathways which would affect this site.</p> | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Natural England | Applicant's Response |
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| | | the assessment? | | |
| Climate | | | | |
| CE.1.7 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Assessment and mitigation Do you agree with the applicant's conclusions regarding the likely significant effects on greenhouse gases? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. (Refer to ES Section 14.11 Assessment of likely significant effects (construction and operation) [APP-036]). Do you consider the Applicants approach to the assessment and mitigation of greenhouse gas emissions to comply with the relevant parts of the National Networks National Policy Statement? | Natural England has no comment to make on these questions as they do not fall within our remit as set out in Advice on working with public bodies in the infrastructure planning process, Annex C: Natural England and the Planning Inspectorate. | The Applicant notes this comment. |
| CE.1.14 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | Management Measures What are your views on the Outline Carbon Management Plan (Appendix B.8, [APP-109]) regarding: - Approach - Carbon Management Process - Monitoring and Reporting What are your views on the management measures C1 through to C3 (related to climate) set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP-110]? What are your views on the mitigation measures to minimise the carbon emissions from construction and operation? (Refer to Section 14.10 of ES Chapter 14 [APP-036]). Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP- 110] adequately secure all measures | Natural England has no comments to make on these questions as they do not fall within our remit as set out in Advice on working with public bodies in the infrastructure planning process, Annex C: Natural England and the Planning Inspectorate. Natural England has no comments to make on these questions as they do not fall within our remit as set out in Advice on working with public bodies in the infrastructure planning process, Annex C: Natural England and the Planning Inspectorate. | The Applicant notes this comment. |

| Ref no. | Question to | ExA's Questions | Interested Party Response – Natural England | Applicant's Response |
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| | | required to reduce the environmental impacts on climate? | | |
| Geology and Soils | | | | |
| GS.1.1 | Natural England • Environment Agency • Coventry City Council • Rugby Borough Council • Warwickshire County Council | <p>Assessment and mitigation</p> <ul style="list-style-type: none"> Do you agree with the applicant's conclusions regarding the likely significant effects on geology and soils relating to human health, controlled waters and agricultural soils? If you do, provide an explanation; if you do not, indicate the areas of disagreement with the findings and how this may influence the overall conclusions. <p>(Refer to ES Section 9.11 Assessment of likely significant effects [APP-031]). Do you consider the Applicants approach to the assessment and mitigation of land use and land contamination and instability to comply with the relevant parts of the National Networks National Policy Statement?</p> | <p>Yes, we agree with the Applicant's conclusions regarding likely significant effects, considering the permanent loss of 11.1 ha of best and most versatile (BMV) agricultural land (Grades 1 and 3a), temporary loss of 0.4ha of BMV land (Grades 1 and 3a), and the mitigation measures proposed. However, we note that details of the ALC grades of permanent and temporary agricultural land take in table 9-13 do not match the details in Table 9-15 and section 9.11.4.</p> <p>In terms of BMV land we are satisfied with the Applicant's approach to assessment and mitigation complies with the relevant parts of the National Networks National Policy Statement.</p> <p>It should be noted that Natural England's comments are limited to topics within our remit as set out in Advice Note 11, Annex C – Natural England and the Planning Inspectorate.</p> | The Applicant confirms that there was an error in ES Chapter 9 (Geology and Soils) (REP1-008). The error has been corrected, and the chapter has been resubmitted at Deadline 4. |
| GS.1.5 | Natural England Environment Agency Coventry City Council Rugby Borough Council Warwickshire County Council | <p>Management Measures What are your views on the management measures GS1 through to GS5 set out in Table 1 of the First Iteration Environmental Management Plan Appendix A, Register of Environmental Actions and Commitments [APP- 110]? Would the dDCO [REP1-002], and Table 1 of the Register of Environmental Actions and Commitments [APP-110] adequately secure all measures required to reduce the environmental impacts of material assets and waste?</p> | <p>We are satisfied with the management measures GS1 to GS5 (Table 1, APP-110).</p> <p>The dDCO (REP1-002) and Table 1 of the Register of Environmental Actions and Commitments (APP-110) should adequately secure all the measures required to reduce environmental impacts in terms of BMV land and soils.</p> <p>It should be noted that Natural England's comments are limited to topics within our remit as set out in Advice Note 11, Annex C – Natural England and the Planning Inspectorate.</p> | The Applicant notes this comment. |

Applicant's comments on other submissions received at Deadline 3 – TBC

| Ref | Representation recorded comments | Applicant's Response |
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| Hinckley and Bosworth Borough Council Deadline 3 submission REP3-048 | | |
| X | Thank you for your consultation on this application. Apologies for the delay in replying. I can confirm that Hinckley and Bosworth Borough Council have no comments to make. | The Applicant notes this comment. |