

A46 Coventry Junctions (Walsgrave) Scheme number: TR010066

8.10 Statement of Common Ground with Environment Agency

Planning Act 2008

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

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Deadline 5

Infrastructure Planning

Planning Act 2008

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

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

**STATEMENT OF COMMON GROUND WITH
ENVIRONMENT AGENCY**

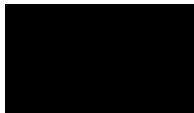
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| Author | A46 Coventry Junctions (Walsgrave) Project Team, National Highways |

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| Rev 2 | 22 August | Deadline 5 – Final signed |

STATUS OF STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1)
National Highways Company Limited and (2) Environment Agency**

Signed



NAME: Emma Winter
POSITION: Project Manager, National Highways
On behalf of National Highways
Date: 13 August 2025

Signed:

NAME:

POSITION: Planning Advisor

On behalf of the Environment Agency

Date: 13 August 2025

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1. Introduction

1.1. Purpose of this document

- 1.1.1. This Statement of Common Ground (SoCG) has been prepared in respect of the A46 Coventry Junctions (Walsgrave) Scheme (the “Scheme”) following the application made by National Highways (the “Applicant”) to the Secretary of State for Transport, via the Planning Inspectorate (the “Inspectorate”) for a Development Consent Order (DCO) under section 37 of the Planning Act (the “2008 Act”). A detailed description of the Scheme can be found in Chapter 2 of the Environmental Statement (ES) (**APP-024**).
- 1.1.2. This SoCG does not seek to replicate information which is available elsewhere within the application documents. All application documents are available on the Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/a46-coventry-junctions-walsgrave/>
- 1.1.3. This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.

1.2. Parties to this Statement of Common Ground

- 1.2.1. This SoCG has been prepared between (1) National Highways as the Applicant and (2) the Environment Agency.
- 1.2.2. National Highways (previously known as Highways England) became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain, and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations, including in respect of the application, to be conferred upon or assumed by National Highways.
- 1.2.3. The Environment Agency is a non-departmental public body, established in 1996 and sponsored by the United Kingdom government’s Department for Environment, Food and Rural Affairs (Defra), with responsibilities relating to the protection and enhancement of the environment in England (and until 2013 also Wales). The Environment Agency is the principal flood risk management operating authority. It has permissive power (but not the legal obligation) to

manage flood risk from designated Main Rivers and the sea. Other responsibilities of the EA include regulating major industry and waste, treatment of contaminated land, water quality and resources, fisheries, inland river, estuary and harbour navigations and conservation and ecology.

1.2.4. The Environment Agency's regulatory, licensing and advisory powers and duties derive (inter alia) from key Acts and Regulations, including:

- Environment Act 1995;
- Environmental Permitting (England & Wales) Regulations 2016;
- Water Resources Act 1991;
- Flood and Water Management Act 2010;
- Salmon and Freshwater Fisheries Act 1975 and Keeping and Introduction of Fish Regulations 2015;
- The Planning Act 2008 (the PA2008) and secondary legislation made under the PA2008;
- The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017; and
- Habitats Regulations.

1.2.5. The Environment Agency regulates certain activities that have the potential to harm the environment and people. It decides if relevant environmental permits and other consents and licences should be issued and, if so, what conditions should be applied. It monitors compliance with the permit / licence conditions and takes enforcement action if appropriate.

1.2.6. The Environmental Permitting (England and Wales) Regulations 2016 require operators of certain facilities, which could harm the environment or human health, to obtain permits from the Environment Agency in addition to the DCO.

1.2.7. The Environment Agency's environmental permits cover:

- Industry regulation;
- Waste management (waste treatment, recovery or disposal operations);
- Discharges to surface water;
- Groundwater activities;
- Radioactive substances activities;
- Flood risk activities (for example – placing structures in, under or over a main river and development close to main rivers and flood defences)

- 1.2.8. The Environment Agency is a prescribed consultee for the Application under Sections 42(1)(a) and 56(2)(a) of the PA 2008.
- 1.2.9. Collectively National Highways and the Environment Agency are referred to as 'the parties'.

1.3. Terminology

- 1.3.1. In Table 3-1 in Section 3, Issues of this SoCG, the terminology is as follows:
- "Agreed" indicates area(s) of agreement
 - "Under Discussion" indicates area(s) of current disagreement where resolution remains possible, and where parties continue discussing the issue(s) to determine whether they can reach agreement by the end of the examination
 - "Not Agreed" indicates a final position for area(s) of disagreement where the resolution of the divergent positions will not be possible, and parties agree on this point
- 1.3.2. It can be assumed that any matters not specifically referred to in the Issues section of this SoCG are not of material interest or relevant to the Environment Agency and therefore have not been subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Environment Agency.

2. Record of Engagement

- 2.1.1. A summary of the meetings and correspondence that has taken place between National Highways and the Environment Agency in relation to the application is outlined in **Table 2-1** below.

Table-2-1: Record of Engagement

| Date | Form of correspondence | Key topics discussed and key outcomes |
|-------------------|---|--|
| 22 September 2022 | Meeting between the Applicant and Environment Agency | The Applicant and the Environment Agency had an initial meeting in advance of the commencement of the preliminary design stage to update the Environment Agency on the Public Route Announcement and the Scheme and environmental assessment from the Options Selection Stage. |
| 17 October 2023 | Meeting between the Applicant and Environment Agency | The Applicant and the Environment Agency had an initial meeting to discuss the Scheme and the Flood Risk Assessment. Environment Agency agree flood risk methodology. |
| 24 October 2023 | Letter from Applicant to Environment Agency | To notify Environment Agency of the statutory consultation and the Applicant's duty to consult Environment Agency under Section 42(1)(a) of the Planning Act 2008. |
| 16 November 2023 | Meeting between the Applicant and Environment Agency | The Applicant and the Environment Agency had a meeting to discuss biodiversity, Water Framework Directive (WFD) and works within watercourses. |
| 17 November 2023 | Meeting between the Applicant and Environment Agency | The Applicant and the Environment Agency had a meeting to discuss Material Assets and Waste which included discussions on contaminated land. |
| 29 November 2023 | Email from the Environment Agency to the Applicant | Environment Agency acknowledgement and confirmation of meeting minutes from 16 November 2023. |
| 05 December 2023 | Email from the Environment Agency to the Applicant | Environment Agency review hydrology for scheme with comments. |
| 22 December 2023 | Email and Technical Note from the Applicant to the Environment Agency | The Applicant issued a Technical Note to the Environment Agency detailing the proposed approach to contaminated land on site. |
| 23 January 2024 | Email from the Environment Agency to the Applicant | Environment Agency acknowledgement and confirmation of meeting minutes from 17 November 2023. Environment Agency provided comment on the Contaminated Land Technical |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|------------------|---|--|
| | | Note and comments regarding the Waste Strategy. |
| 08 February 2024 | Email from the Environment Agency to the Applicant | Environment Agency accept hydrology and give comment to hydraulic modelling. |
| 29 February 2024 | Meeting between the Applicant and Environment Agency | The Applicant and the Environment Agency had a meeting to discuss the design of the scheme, Biodiversity Net Gain (BNG) and the Combe Pool Site of Special Scientific Interest (SSSI), protected species and the use of the Brinklow Road site compound as the main site compound. |
| 2 April 2024 | Email from the Applicant to the Environment Agency | The Applicant issued the minutes from the meeting in the 29 February 2024 and informed the Environment Agency in a delay in issuing some drawings related to aspects of the Scheme design. |
| 15 April 2024 | Email from the Environment Agency to the Applicant | Environment Agency acknowledgement and confirmation of meeting minutes from 29 February 2024. |
| 25 April 2024 | Email and technical note from the Applicant to the Environment Agency | The Applicant re-issued the contaminated land technical note to the Environment Agency to include addressing previous comments received from the Environment Agency. |
| 20 May 2024 | Email from Environment Agency to the Applicant with letter response attached. | The Environment Agency provided comments on the contaminated land technical note. |
| 29 May 2024 | Email from the Applicant submitting the hydraulic model for 2 nd Environment Agency review | The Applicant submitted the hydraulic model to the Environment Agency for review. |
| 14 June 2024 | Email from the Applicant to the Environment Agency | <p>The Applicant sent the Material Assets and Waste technical note for Environment Agency review and comment, following the meeting held on the 17 November 2023.</p> <p>The Applicant issued to the Environment Agency the relevant exploratory hole log for the available ground investigation and associated location plan. The HazWasteOnline (HWOL) summary.</p> <p>Disposal routes identified for types of hazardous material.</p> |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|-------------------|---|---|
| 25 June 2024 | Email from Environment Agency to the Applicant with letter response attached. | Environment Agency give comment to 2 nd hydraulic model review. |
| 01 July 2024 | Email from Environment Agency to the Applicant with letter response attached. | Letter from the Environment Agency following review of the contaminated land technical note acknowledging no further comments at that time. |
| 4 July 2024 | Email from the Applicant to the Environment Agency | Query from the Applicant to the Environment Agency regarding an additional model run related to climate change scenarios that was identified in the hydraulic modelling comments. |
| 12 July 2024 | Email from the Environment Agency to the Applicant | Environment Agency confirmation that an additional hydraulic model run not required. Environment Agency stated that additional checks note that the proposed 1000-year scenario shows increasing flooding by the reservoir. |
| 05 September 2024 | Email from the Applicant to the Environment Agency | Issue via file transfer of the Flood Risk Assessment (FRA) for review by the Environment Agency. |
| 26 September 2024 | Email from Environment Agency to the Applicant with letter response attached. | Environment Agency accept the FRA and hydraulic modelling. Floodplain compensation identified by the Environment Agency as being required as a result of the modelling in very small areas. |
| 9 October 2024 | Meeting between the Applicant and Environment Agency. | Meeting held between the Applicant and Environment Agency to discuss floodplain compensation, flood risk activity permits and reservoir flood risk. |
| 9 October 2024 | Email from the Applicant to the Environment Agency | Minutes issued for meeting held on 9 October 2024. Suggested text to include in the FRA explaining why floodplain compensation is not required issued to the Environment Agency for comment. |
| 9 October 2024 | Email from the Environment Agency to the Applicant | Environment approve suggested wording explaining why floodplain compensation is not required. Environment Agency raise query about the clay proposed for the bund. |
| 9 October 2024 | Email from the Applicant to the Environment Agency | Applicant provided explanation to the Environment Agency as to why the clay liner is required on the embankment alongside Coombe Pool. |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|------------------|---|---|
| 9 October 2024 | Email from the Applicant to the Environment Agency | Applicant informed the Environment Agency that the Applicant believes a flood risk activity permit is not required and the reasons why. The Applicant requested confirmation from the Environment Agency. |
| 10 October 2024 | Email from the Applicant to the Environment Agency with letter attachment | Sharing of relevant potential issues forming part of the Potential Main Issues for the Examination document for comments to be sent back to the Applicant by 25 October 2024. |
| 18 October 2024 | Email from Environment Agency to the Applicant with letter response attached. | Environment Agency confirmed that they agree no floodplain compensation is required. Confirmed that the submitted hydraulic model is an acceptable representation of flood risk. Environment Agency confirm that a Flood Risk Activity Permit is necessary for activities within the 1% Annual Exceedance Probability (AEP) flood extent. |
| 24 October 2024 | Email from the Environment Agency to the Applicant and attachment | Response received from the Environment Agency in relation to the Principles Main Issues for Examination request. Included flood risk, Biodiversity, Invasive non-native species, groundwater and contaminated land, water quality and the Water Framework Directive, Environmental Permitting Regulations (2016) requirements and material assets and waste. |
| 7 November 2024 | Meeting between the Applicant and Environment Agency | Meeting with Environment Agency to discuss their comments on the Principles Main Issues for Examination. |
| 14 November 2024 | Email from the Applicant to the Environment Agency | Minutes of meeting on 7 November 2024 issued. The following documents issued by file transfer for information: Chapter 2 - The Scheme Chapter 8 – Biodiversity Chapter 9 - Geology and Soils Chapter 10 - Material assets and waste Chapter 13 - Road Drainage and the Water Environment Appendix 4.1 Scoping Opinion Response Appendix 13.2 Water Framework Directive Compliance Assessment 6.2 Environmental Statement - Figure 2.4 Environmental Masterplan Figure 2.1 Location Plan Figure 2.2 Order Limits |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|------------------|--|---|
| | | <p>Figure 2.3 Environmental Constraints</p> <p>Figure 2.5 Temporary Works.</p> <p>Figure 8.1 Designated Sites, Priority Habitats, Ancient Woodland and Veteran Trees</p> <p>Figure 8.2 Ecological Constraints</p> <p>Figure 8.3 Proposed Construction Mitigation Noise Barrier - December 2026 Daytime</p> <p>Figure 9.1 Study Area</p> <p>Figure 9.2 Potential Sources</p> <p>Figure 9.3 Controlled Water Receptors</p> <p>Figure 10.1 Regional Plan.pdf Figure 13.1 Surface Water Features, Licensed Abstractions, Consented Discharges and Fluvial Flood Risk</p> <p>Figure 13.2 WFD Surface Waterbody Catchments</p> <p>Figure 13.3 Pluvial Flood Risk</p> <p>Figure 13.4 Aquifer and Environmental Designations</p> <p>Figure 13.5 Groundwater Bodies</p> <p>Figure 13.7 Susceptibility to Groundwater Flooding</p> <p>Figure 13.6 Groundwater Abstractions</p> <p>First Iteration Environmental Management Plan</p> <p>EMP Appendix A Register of Environmental Actions and Commitments</p> <p>EMP App B.4 OLEMP</p> <p>Pre-commencement Plan</p> <p>Consents and Agreements Position Statement</p> <p>2.3 Works plans</p> <p>2.6 General Arrangements</p> <p>2.7 Drainage plans</p> <p>A46 Coventry Junctions (Walsgrave) DCO - Master Order - Clean Copy - 06.11.24(31976859.3)</p> |
| 20 November 2024 | Email from the Environment Agency to the Applicant | Acknowledgement and confirmation of minutes by the Environment Agency (for meeting held on 7 November 2024). |
| 5 December 2024 | Email from the Environment Agency to the Applicant | Request for Biodiversity Net Gain Report to be provided to the Environment Agency. |
| 5 December 2024 | Email from the Applicant to the Environment Agency | Issuing of Biodiversity Net Gain Report to Environment Agency (as pdf to email attachment). |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|------------------|--|---|
| 5 December 2024 | Email from the Environment Agency to the Applicant | Request for Otter and Water Vole report to be provided to the Environment Agency. |
| 5 December 2024 | Email from the Applicant to the Environment Agency | <p>The following documents of the Environmental Statement issued by file transfer for information:</p> <p>Appendix 8.3 Breeding Bird and Barn Owl Report.PDF Appendix 8.4 Barn Owl Survey Report.pdf Appendix 8.5 Bat Roost Appendix 8.6 Bat Activity Appendix 8.7 Bat Crossing Point Appendix 8.8 Bat Hibernation Appendix 8.9 Great Crested Newt Appendix 8.10 Otter and Water Vole Report.PDF Appendix 8.11 Wintering Bird Appendix 13.3 Water Quality Appendix 13.4 Groundwater Appendix 13.5 Hydromorphological Appendix 13.6 Drainage Strategy Appendix 4.2 Major Accidents and Disasters.PDF Figure 2.4 Environmental HE604820-OIL-EGN-00-RP-LB-00001-P02.pdf (Assessment of Noise Impacts on Ecological Features - Appendix 8.16)</p> |
| 10 December 2024 | Meeting between the Applicant and Environment Agency | Meeting with Environment Agency to discuss the approach to the SoCG, anticipated DCO examination programme and overview of flood risk. |
| 13 December 2024 | Email from the Applicant to the Environment Agency | Applicant informed the Environment Agency that the DCO application had been accepted by the Planning Inspectorate and that the Applicant had received section 51 advice which will result in amendments to the FRA. |
| 17 December 2024 | Email from the Environment Agency to the Applicant | Environment Agency acknowledged the section 51 advice email sent by the Applicant. |
| 18 December 2024 | Email from the Applicant to the Environment Agency | Applicant informed the Environment Agency of request to disapply consents (for flood risk permitting activities). Applicant requested |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|------------------|--|--|
| | | Environment Agency's standard wording for protective provisions. |
| 19 December 2024 | Email from the Applicant to the Environment Agency | <p>Email to notify that the updated FRA report and accompanying new Annex G which was submitted to the Planning Inspectorate yesterday has been sent via file transfer to the Environment Agency.</p> <p>Spreadsheet tracker of queries from Coventry City Council on flood risk and our responses sent to Environment Agency along with list of documents that have been sent to Coventry City Council relating to their flood risk queries.</p> |
| 19 December 2024 | Email from the Environment Agency to the Applicant | <p>Acknowledgement and confirmation of minutes by the Environment Agency (for meeting held on 10 December 2024) and receipt of the updated FRA report.</p> <p>Environment Agency clarified in relation to item 5.1 of the minutes that the model of the reservoir that the EA has they are unable to share. Environment Agency advised that the model is not held locally and the National team hold the model and they do not allow it to be shared due to it being classified as "sensitive information".</p> <p>Environment Agency provided availability for a meeting to discuss flood risk.</p> |
| 27 December 2024 | Email from the Environment Agency to the Applicant | <p>Environment Agency provided draft wording for protective provisions with a note that this is due to change imminently.</p> <p>Advised that all requests to disapply legislation should be in writing from the developer. The request should include the specific legislation the developer is seeking to disapply and a risk assessment, which should demonstrate that the activity is low risk. If a risk assessment has not been provided, the Environment Agency can advise.</p> |
| 14 January 2025 | Letter | <p>Applicant issued letter and notices pursuant to section 56 of the Planning Act 2008 to notify the Environment Agency of the accepted application. The following was provided:</p> <ul style="list-style-type: none"> • A copy of a section 56 notice, providing formal notification of acceptance of the application • A Location Plan • A copy of the accepted application on USB. |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|------------------|---|---|
| | | The Environment Agency was notified of the deadline for representations to be made to the Planning Inspectorate. |
| 15 January 2025 | Meeting between the Applicant and Environment Agency | <p>Environment Agency confirmed their Reservoir Specialist has no concerns over the risk of flooding from the reservoir as a result of the Scheme.</p> <p>Brought to the Environment Agency's attention the changes to FRA as a result of the Planning Inspectorate's section 51 advice.</p> <p>Disapplication of legislation and Protective Provisions: Environment Agency to confirm required contents of letter the Environment Agency require to notify them of the Applicants intention to disapply legislation. Environment Agency to confirm requirements for risk assessment.</p> |
| 23 January 2025 | Email from the Environment Agency to the Applicant (with attachments) | Environment Agency provided their updated wording for Protective Provisions and an explanatory note. |
| 30 January 2025 | Email from Applicant to Environment Agency | Emailing sending draft SoCG for comment. |
| 03 February 2025 | Email from the Environment Agency to the Applicant. | The Environment Agency acknowledges the meeting minutes from the 15.01.2025. |
| 06 February 2025 | Meeting between the Applicant and the Environment Agency | Meeting to discuss protective provisions and Flood Risk Activity Permit (FRAPS), Environmental Statement review, BNG and watercourses, flood risk and the SoCG. |
| 18 February 2025 | Email from the Applicant to the Environment Agency | Meeting minutes for the meeting held 06.02.2025 emailed to the Environment Agency. |
| 26 February 2025 | Email from the Applicant to the Environment Agency | The Applicant confirms they will be applying for a FRAP outside of the DCO and the Consents and Agreements position statement (APP-107) would be updated to reflect this. |
| 27 February 2025 | Email from the Environment Agency to the Applicant | The Environment Agency provided the Relevant Representation (RR). |
| 28 February 2025 | Email from the Environment Agency to the Applicant | The Environment Agency advised the Applicant that formal response submitted to the Planning Inspectorate that if the applicant is to apply for a frap, then relevant document would require amendments. |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|---------------|---|---|
| 04 March 2025 | Meeting between the Applicant and Environment Agency | To discuss SoCG and Relevant Representations |
| 22 April 2025 | Meeting between the Applicant, the Environment Agency and Coventry City Council | The Environment Agency attended the meeting virtually. A discussion was held around the reservoir flood risk section of the FRA. The Environment Agency reiterated their position that they agree with the findings of the FRA in terms of fluvial and reservoir flood risk. |
| 05 May 2025 | Email from Applicant to the Environment Agency | The Applicant sent the draft Relevant Representation responses to the Environment Agency for comment. |
| 15 May 2025 | Online meeting between the Applicant and the Environment Agency | Meeting to discuss the SoCG. |
| 15 May 2025 | Email from the Applicant to the Environment Agency | Email sending the SoCG for agreement ahead of Deadline 1 submission. |
| 16 May 2025 | Email from the Environment Agency to the Applicant | Request for date when Applicant response to Relevant Representations can be provided to the Environment Agency |
| 16 May 2025 | Email from the Applicant to the Environment Agency | Applicant provided the Applicants response to Relevant Representations |
| 16 May 2025 | Email from the Environment Agency to the Applicant | Query from Environment Agency as to whether it is the ISH-1 questions only that the Environment Agency need to submit at deadline 1. Confirmation that the Environment Agency will provide written representation at Deadline 2 after the Applicants comments submitted at Deadline 1 to our RR have been reviewed. |
| 16 May 2025 | Email from the Environment Agency to the Applicant | Environment Agency provided updated SoCG and confirmation that the Environment Agency agree with the wording in the SoCG dated 16/05/2025 at 12:50pm (for inclusion in the SoCG). |
| 16 May 2025 | Email from the Applicant to the Environment Agency | Applicant confirmed documents required to be submitted at Deadline 1 and provided a section on the Rule 8 letter related to Deadline 1. |
| 16 May 2025 | Email from the Environment Agency to the Applicant | Acknowledgement that Environment Agency will submit the ISH – 1 questions response at Deadline 1 and will await Applicants response to the RR and reply at Deadline 2. |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|-------------|--|--|
| 16 May 2025 | Email from the Applicant to the Environment Agency | Minutes issued from meeting on 15 May 2025 |
| 16 May 2025 | Email from the Environment Agency to the Applicant | Acknowledgement by Environment Agency of minutes from meeting on 15 May 2025. |
| 21 May 2025 | Email from the Applicant to the Environment Agency | Informing the Environment Agency of changes made to the SoCG since the previous version sent on the 16 May 2025 and request for Environment Agency to review the changes and request for emails to confirm agree to changes. |
| 22 May 2025 | Email from the Environment Agency to the Applicant | Confirmation that the Environment Agency agree with the contents of the version dated 210525 of the SoCG for Deadline 1. |
| 22 May 2025 | Email from the Applicant to the Environment Agency | Acknowledged Environment Agency's confirmation of SoCG acceptance and suggested a meeting to discuss green engineering. |
| 22 May 2025 | Email from the Environment Agency to the Applicant | Environment Agency requested green engineering meeting before 11 June due to availability. |
| 22 May 2025 | Email from the Applicant to the Environment Agency | Applicant confirmed meeting to be before 11 June and suggested dates. Applicant requested any Environment Agency guidance on scour protection and green engineering. Applicant requested to receive a copy of the Environment Agency's response to the ExA questions at ISH1 when submitted at Deadline 1. |
| 23 May 2025 | Email from the Environment Agency to the Applicant | Dates for meeting provided by Environment Agency and confirmation the Environment Agency will issue Deadline 1 ISH responses directly to Applicant. |
| 27 May 2025 | Email from the Applicant to the Environment Agency | Confirmation of date for meeting to discuss green engineering |
| 28 May 2025 | Email from the Environment Agency to the Applicant | Environment Agency confirmed meeting date and provided a copy of response to the ISH1 questions submitted at Deadline 1. |
| 28 May 2025 | Email from the Environment Agency to the Applicant | Confirmation of the agenda for the green engineering meeting and order of items to discuss. |
| 28 May 2025 | Email from the Applicant to the Environment Agency | Confirmation of the order of items to discuss at green engineering meeting |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|--------------|--|--|
| 29 May 2025 | Email from the Environment Agency to the Applicant | Request for the Applicant to call the Environment Agency |
| 29 May 2025 | Call between the Applicant and Environment Agency | Discussion on purpose and need for green engineering meeting. |
| 29 May 2025 | Email from the Applicant to the Environment Agency | Applicant outlined potential requirements from Environment Agency for Deadline 2 and 3. |
| 5 June 2025 | Meeting between the Applicant and Environment Agency | Meeting to discuss scour protection and green engineering opportunities. |
| 10 June 2025 | Email from the Applicant to the Environment Agency | To advise Environment Agency that the Examiners questions had been published. |
| 10 June 2025 | Email from the Environment Agency to the Applicant | Acknowledgement from Environment Agency that notification was received that the Examiners questions had been published. |
| 17 June 2025 | Email from the Environment Agency to the Applicant | Request to send to the Environment Agency the National Networks National Policy Statement. |
| 17 June 2025 | Email from the Applicant to the Environment Agency | Applicant provided web link to NPS NN and explanation of its purpose. Applicant highlighted Table 13-2 and Table 9-2 of the Environmental Statement submitted which presented the Applicants position of meeting the requirements of the NPS NN. |
| 17 June 2025 | Email from the Environment Agency to the Applicant | Acknowledgement of receipt of NPS NN information. |
| 17 June 2025 | Email from the Environment Agency to the Applicant | Request for Applicant to confirm that the written representation for deadline 2 should be submitted via email to the Planning Inspectorate |
| 25 June 2025 | Email from the Applicant to the Environment Agency | Advising the Environment Agency of documents submitted at deadline 3 and that selected documents have been sent directly to the Environment Agency via file transfer. Request for a meeting to discuss Deadline 3 submissions and SoCG. |
| 25 June 2025 | Email from the Applicant to the Environment Agency | File transfer of the following documents: <ul style="list-style-type: none"> 6.1 Environmental Statement - Chapter 8 (Biodiversity) - Rev 1 - Tracked changes.pdf |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|--------------|--|---|
| | | <ul style="list-style-type: none"> 6.2 Environmental Statement Figures - Figures 8.1 - 8.3 - Rev 1 - Tracked changes.pdf 6.3 Environmental Statement Appendices - Appendix 8.16 Assessment of Noise Impacts on Ecological Features - Rev 1 - Tracked changes.pdf 6.3 Environmental Statement Appendix 8.16 Assessment of Noise Impacts on Ecological Features - Rev 1 - tracked changes.pdf 6.5 First Iteration Environmental Management Plan - Appendix A Register of Environmental Actions and Commitments - Rev 1 - Tracked changes.pdf 6.5 First Iteration Environmental Management Plan - Rev 2 - Tracked Changes.pdf 8.19 Applicant's Comments on Submissions Received at Deadline 2.pdf 8.20 Applicant's Responses to the Examining Authority's First Written Questions (ExQ1).pdf 8.21 Environmental Statement Addendum - Construction Noise Impacts at Coombe Pool SSSI.pdf 3.1 Draft Development Consent Order - Rev 3 - Tracked changes.pdf |
| 25 June 2025 | Email from the Environment Agency to the Applicant | Request for confirmation as to whether the Applicants documents submitted at Deadline 3 need responding to PINS or are just for reference. |
| 26 June 2025 | Email from the Applicant to the Environment Agency | Applicant confirmed possible requirements for Deadline 4 submissions and requested availability for a meeting. |
| 26 June 2025 | Email from the Applicant to the Environment Agency | Applicant requested word versions of Environment Agency Deadline 3 submissions. |
| 26 June 2025 | Email from the Environment Agency to the Applicant | Environment Agency provided their Deadline 3 response to the ExA's First Questions in word format to the Applicant. |

| Date | Form of correspondence | Key topics discussed and key outcomes |
|----------------|--|---|
| 1 July 2025 | Email from the Environment Agency to the Applicant | Environment Agency provided dates available for meeting and requested outline agenda. |
| 2 July 2025 | Email from the Applicant to the Environment Agency | Issue of minutes from scour protection and green engineering meeting held on 5 June 2025. |
| 9 July 2025 | Email from the Applicant to the Environment Agency | Applicant issued updated draft SoCG to Environment Agency for comment. |
| 14 July 2025 | Email from the Environment Agency to the Applicant | Environment Agency provided comments and agreements on the remaining issues in the SoCG for Deadline 4. |
| 17 July 2025 | Email from the Environment Agency to the Applicant | Environment Agency confirm the meeting minutes on 05 June 2025 and requested drawings that were discussed in the meeting. |
| 05 August 2025 | Email from the Applicant to the Environment agency | The Applicant emailed the Environment Agency to update them on the new examination timeline. The Applicant also sent the SoCG for final review and signature. |
| 06 August 2025 | Email from the Applicant to the Environment Agency | The Applicant sent over A46 Walsgrave DF4 drainage design drawings for Environment Agency review and comment. |
| 07 August 2025 | Email from the Environment Agency to the Applicant | Environment Agency confirms receipt of drawings and sought clarification on deadline for commenting on drainage drawings. |
| 07 August 2025 | Email from the Environment Agency | The Environment Agency sent back the signed SoCG with no objections. |
| 13 August 2025 | Email from the Applicant to the Environment Agency | The Applicant provided a deadline for comments to the drainage drawings. |
| 14 August 2025 | Email from the Environment Agency to the Applicant | Environment Agency acknowledges the deadline for comment on drainage drawings, and stated that the responses will be handed in on time. |

2.1.2. It is agreed that this is an accurate record of key meetings and other forms of consultation and engagement undertaken between (1) National Highways and the (2) Environment Agency in relation to issues addressed in this SoCG.

3. Issues

3.1. Issues agreed, not agreed or under discussion

3.1.1. **Table 3-1** below details the issues which have been agreed, not agreed or are under discussion between (1) National Highways and the (2) Environment Agency.

3.1.2. At Examination Deadline 5 there are 13 matters in total, of which 13 are agreed and no items remain under discussion.

Table 3-1: Issues

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|--|-----------------------|--------------------------------|--|--|--------|--------------|
| Draft DCO and other consents and agreements | | | | | | |
| 1 | Protective Provisions | Draft DCO (PD1-003) | The Environment Agency welcome the Applicant's decision to apply for a flood risk activities permit following determination of the DCO. No requirement is needed for the inclusion of protective provisions. This has been confirmed following the Applicant's submission of the Consents and Positions Statement. | The Applicant will apply for a FRAP following determination of the DCO, therefore there is no requirement to disapply the relevant legislation nor include protective provisions for the Environment Agency. The Applicant has updated the Consents and Agreements Position Statement (APP-007) to make this clear and has submitted this at Deadline 1. | Agreed | 15 July 2025 |
| Biodiversity | | | | | | |
| 2 | Biodiversity Net Gain | ES Appendix 8.1 (Biodiversity) | The most recent version of the BNG metric should be used. | The Applicant has used the most recent metric (the | Agreed | 22 May 2025 |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|-----|-----------------------|---|---|---|--------|-------------|
| | | Net Gain Report) (APP-076) | | statutory metric) available at the time of writing. | | |
| 3 | Biodiversity Net Gain | ES Appendix 8.1 (Biodiversity Net Gain Report) (APP-076) | Best practice for extending culverts would be to provide +10% for watercourses. | <p>Whilst no mandatory requirement for BNG applies for Nationally Significant Infrastructure Projects (NSIPs) such as this Scheme, the Applicant is committed to delivering 10% BNG for terrestrial habitats on site.</p> <p>Appendix 8.1 Biodiversity Net Gain Report of the Environmental Statement (APP-076) presents the approach to BNG for the Scheme.</p> <p>The ditch in the location of the western dumbbell roundabout affected by the Scheme is considered to be dry and therefore not considered to meet the criteria of a "watercourse" under BNG.</p> <p>Existing watercourses have been included in the baseline, however as there is no impact to watercourses no BNG is required for watercourse.</p> | Agreed | 22 May 2025 |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|-----|--|---------|---|---|--------|--------------|
| 4 | Biodiversity: Potential Increase to otter road mortality. | | <p>The Environment Agency recommend mitigation against road mortality, such as the fitting of mammal ledges to bridges, to facilitate mammal commuting during flooding.</p> <p>The Environment Agency accept that mammal passes cannot be retrofitted to existing culverts.</p> <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>The Applicant's position is presented in the Applicant's response to BY.1.3 of the Examining Authority's First Written Questions (REP3-044) submitted at deadline 3. To summarise the Scheme does not include new culverts or new bridges. The Applicant is unable to retrofit mammal ledges to existing culverts without further environment impacts. There are no works proposed to existing culverts.</p> <p>Mortality during operation would not be considered an impact of the Scheme, but rather an 'increase in mortality during operation' as the A46 carriageway is already present crossing Smite Brook. The culvert is not anticipated to become any less suitable for otter passage or to result in otters attempting to cross the A46 carriageway any more frequently than they may already. As such an increase in otter mortality is not considered an impact of the Scheme.</p> | Agreed | 24 June 2025 |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|----------------------------------|--|---|--|--|--------|-------------|
| | | | | As there is no identified impact upon otter with regards to increased mortality due to individuals crossing the A46 due to the Scheme there is no requirement to mitigate through provision of ledges within the culvert and/or mammal underpasses. | | |
| 5 | Invasive non-native species and biosecurity measures | First Iteration EMP (APP-109). | Works risk the introduction and spread of Invasive non-native species (INNS). The Environment Agency recommend that the presence of INNS is considered and that appropriate biosecurity measures are put into place, in addition to the production of an INNS management plan. | Mitigation measures to prevent the spread of INNS and for biosecurity are detailed within the First Iteration EMP (APP-109). The Applicant acknowledges the need for an INNS management plan which will include appropriate biosecurity measures. This will be produced for the Second Iteration EMP and secured through requirement 4 of the draft DCO (PD1-003). | Agreed | 22 May 2025 |
| Material Assets and Waste | | | | | | |
| 6 | Groundwater and Contaminated Land | | Excavated waste not deemed for re-use during the construction or considered surplus will need to be | A Ground Investigation has been undertaken and the findings used to inform the assessment for Geology & | Agreed | 22 May 2025 |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|--|---|--|--|---|--------|-------------|
| | | | <p>moved to an authorised site so it can be processed for disposal or recovery</p> <p>Visual inspections should be made by staff associated with the project for when unexamined areas within the landfill area are to be excavated, as to determine, in part, the classification of this waste. Consideration will need to be made as to whether the waste is hazardous or non-hazardous.</p> | <p>soils. This is detailed within ES Chapter 9 (Geology and Soils) (APP-031).</p> <p>It is not anticipated that excavation will be required within the historical landfills. This is presented in ES Appendix 10.1 (Management of Historical Landfill Wastes (APP-095).</p> | | |
| 7 | Re-use of contaminated material | | The use of CL:AIRE DowCoP for the re-use of material on site will require the submission to the relevant bodies for approval. | <p>The Applicant agrees and will use the (Definition of Waste Code of Practice) Dow CoP process where it becomes applicable.</p> <p>At present this is not anticipated to be required as contaminated land would not be impacted by the works.</p> | Agreed | 22 May 2025 |
| Road Drainage and the Water Environment | | | | | | |
| 8 | Flood Risk Assessment: Fluvial flood risk | ES Appendix 13.1 (Flood Risk Assessment) (AS-012) | The Environment Agency have reviewed ES Appendix 13.1 (Flood Risk Assessment) (AS-012) regarding impacts associated with fluvial risk. The | The Applicant accepts the Environment Agency's agreement to the FRA and this is included within Appendix A of the FRA (AS-012). | Agreed | 22 May 2025 |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|-----|-----------------------|--|--|--|--------|--------------|
| | | | Environment Agency have agreed to the FRA. | | | |
| 9 | Coombe Pool Reservoir | ES Appendix 13.1 Flood Risk Assessment (AS-012) | <p>The reservoir Coombe Pool is owned and operated by Coventry City Council. The Environment Agency cannot therefore offer specific advice on its operation or the impact that this Scheme will have on its function.</p> <p>The Environment Agency is aware of an increase in flood risk in a reservoir breach scenario. Reservoir breach scenarios are inherently unlikely. However, it is likely that should a breach occur different areas, and potentially additional properties may be at risk. The Environment Agency have provided the models on reservoir breach to Coventry City Council. The Environment Agency is aware of ongoing discussions with other stakeholders.</p> <p>The Environment Agency's reservoir specialist has expressed no concerns</p> | <p>The Applicant acknowledges the Environment Agency's position to raise awareness of the increase in flood risk from a reservoir breach at Coombe Pool.</p> <p>The FRA (AS-012) outlines that there is a marginal betterment in flood risk as a result of the Scheme as the levels of the hard top on the carriageway increase, which would form a slightly higher barrier to flow in the pre and post scenarios, as any topsoil on the existing bund would be rapidly eroded.</p> <p>The Applicant notes that the reservoir Coombe Pool is upstream of the Scheme. Therefore, there should be no impact on the operation or function of the reservoir.</p> <p>The Applicant agrees that a reservoir breach is inherently unlikely.</p> <p>Coombe Pool, classified as a reservoir under the Reservoirs Act 1975, must be regularly checked and</p> | Agreed | 16 July 2025 |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|-----|-------|---------|---|---|--------|------|
| | | | <p>regarding the Scheme and considers it no different from any other scheme within a reservoir floodplain.</p> <p>The Environment Agency are satisfied with the assessment of reservoir risk that has been undertaken for the scheme and detailed within the FRA (AS-012).</p> <p>The Environment Agency advise that any alterations to the reservoir will have to be signed off by a reservoir engineer as part of the requirements specified under the Reservoirs Act 1975. The reservoir flood risk (breach) is a residual risk to the scheme and properties downstream of the reservoir. This residual risk existed before the scheme.</p> | <p>maintained to ensure a safe standard by its owner (Coventry City Council) as required by law (Reservoirs Act 1975). Under the Reservoirs Act the Environment Agency is responsible for managing and implementing reservoir safety regulations in England, and for enforcing safety requirements if needed.</p> <p>The Applicant notes that the Environment Agency's Long Term Risk of Flooding Maps show that reservoir floodplains cover significant areas of England and there is no precedent set for detailed analysis of the residual risk of reservoir flooding.</p> <p>Coventry City Council agreed to the findings and conclusion of the FRA (AS-012) in Issue Specific Hearing 1 (ISH1) (Recording Part 2 - 08 May 2025 (EV4-004)).</p> <p>The Environment Agency have agreed to the FRA as</p> | | |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|-----|--|--|---|---|--------|--------------|
| | | | | <p>detailed in Appendix A of the FRA (AS-012).</p> <p>The Applicant continues to liaise with the Environment Agency regarding responsibilities under the Reservoirs Act 1975.</p> | | |
| 10 | Smite Brook and River Sowe Hydraulic Model | ES Appendix 13.1 (Flood Risk Assessment) (AS-012) | The Environment Agency have reviewed the baseline and post development hydraulic model prepared in support of the FRA and consider that it adequately represents the flood risk associated with the scheme. | The Applicant acknowledges the Environment Agency's position that the baseline and post development hydraulic model adequately represents the flood risk associated with the Scheme. | Agreed | 22 May 2025 |
| 11 | Proximity to watercourses and floodplains, and the requirement for flood risk activity permits | <p>ES Appendix 13.1 (Flood Risk Assessment) (AS-012)</p> <p>Consents and Agreements Position Statement (APP-007)</p> | <p>The Environment Agency notes that the nearest main river watercourse to the proposals is the River Sowe to the west of the Scheme.</p> <p>A Flood Risk Activity Permit is required for any activities conducted on the floodplain of a main river if planning permission is not in place. In the context of Flood Risk Activity Permitting, a Nationally Significant Infrastructure Project (NSIP)</p> | <p>Noted by the Applicant</p> <p>The Applicant has updated the Consents and Agreement Position Statement (APP-007) to clarify that a Flood Risk Activity Permit will be sought separately. The updated Consents and Agreement Position Statement (APP-007) was submitted at Deadline 1.</p> | Agreed | 17 June 2025 |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|-----|-------------------------|--|--|--|--------|-------------|
| | | | <p>does not meet the definition of planning permission. Consequently, a Flood Risk Activity Permit is necessary for activities within the 1% Annual Exceedance Probability (AEP) flood extent.</p> <p>The Environment Agency notes that the draft DCO (PD1-003) does not disapply these regulations, and the Applicant has updated the Consents and Agreements Position Statement (APP-007) to apply for Flood Risk Activity Permits where required. The Environment Agency would welcome early engagement regarding any permitting. The Environment Agency has no further comments.</p> | | | |
| 12 | Floodplain compensation | ES Appendix 13.1 (Flood Risk Assessment) (AS-012) | The applicant has confirmed that there will be no earthwork volume gain within the design flood extent. On this basis, we do not require Flood plain compensation work to be undertaken. | The Applicant acknowledges that floodplain compensation is not required. | Agreed | 22 May 2025 |

| Ref | Issue | Doc Ref | Environment Agency's Position | The Applicant's Position | Status | Date |
|-----|-------------------------------------|---|--|---|--------|--------------|
| 13 | Flood risk/Biodiversity: Culverting | Consents and Agreements Position Statement (APP-007) | <p>The Environment Agency acknowledges that no new permanent culverts are proposed as part of the Scheme and that alternatives are not required.</p> <p>Temporary culverting would be subject to Flood Risk Activities Permitting or Ordinary Watercourse Consent requirements as appropriate.</p> | <p>Noted by the Applicant.</p> <p>The Scheme does not include new culverts. A temporary culvert may be required during construction of a small (typically dry) ditch for access purposes. An ordinary watercourse consent will be obtained from the relevant Lead Local Flood Authority at the appropriate time. This, along with details of the expected permitting arrangements required for the Scheme, is set out in updated Appendix A of the Consents and Agreements Position Statement (APP-007) submitted at Deadline 1.</p> | Agreed | 17 June 2025 |