

A46 Coventry Junctions (Walsgrave) Scheme Number: TR010066

8.24 Applicant's Comments on Submissions Received at Deadline 4

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

Planning Act 2008

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

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

**APPLICANT'S COMMENTS ON SUBMISSIONS
RECEIVED AT DEADLINE 4**

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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 24 July 2025. This document is submitted at Deadline 5 of the Examination.

2. List of Submissions

Ref No.	Representation By:	Submission:
REP4-026	Historic England	Historic England's Response to the Examining Authority's First Written Questions
REP4-027	Natural England	Natural England's Response to the Applicant's Submissions at Deadline 3

3. Applicant's responses to the Deadline 4 submissions

Historic England REP4-026

Ref	Representation recorded comments	Applicant's Response
AS.1.1		
1	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. <i>We have not raised an objection to the assessment of alternatives and option selection and note the rejection of more damaging options in respect of the grade II* registered park and garden.</i>	The Applicant notes this comment.
DCO.1.6		
2	A23, Protective work to buildings Are the measures stipulated in this article acceptable? <i>We note the safeguards under A23 (9) and have no objection on that basis.</i>	The Applicant notes this comment.

Natural England REP4-027

Ref	Representation recorded comments	Applicant's Response
Combe Pool Site of Special Scientific Interest (SSSI)		
1	<p><u>Water quality</u></p> <p>No further information has been provided at deadline 3 in regard to water quality impacts, however we are continuing to discuss this issue with National Highways.</p>	<p>The Applicant has been consulting with Natural England and has provided a technical note that details the methodology that would be undertaken for construction works adjacent to Coombe Pool SSSI. The methodology set out in the technical note is included in Appendix A of this submission for reference.</p>
2	<p><u>Noise (Source 2.2.7 REP3-028).</u></p> <p>The latest submissions have provided some further information on the noise impacts. Construction noise will result in noise levels above 3dB even with a 2m noise barrier (see Table 1 below) which will impact on breeding waterbirds, wintering waterbirds (including Shoveler) and woodland breeding and wintering within Combe Pool SSSI. There will be an increase in noise levels above 3dB for a portion of the SSSI and a decrease of -1.0dB or less during operation. The modelled background noise levels at the closest edge of the lake to the Order boundary in the do minimum scenario for 2028 will be 61.5dB and 64dB for 2028 if the scheme goes ahead.</p>	<p>Construction noise:</p> <p>Paragraph 8.10.14 of the updated Environmental Statement (ES) Chapter 8 (Biodiversity) (REP3-012) at Deadline 3, details the inclusion of further mitigation through the use of monitoring conducted by an Ornithological Specialist (OS). The OS will conduct monthly site visits during construction works over the sensitive winter periods (including winter passage) from October to February and during the breeding season from March to August. The OS will deliver toolbox talks to the onsite teams to provide advice or guidance should any works be found to cause disturbance and/or need to be stopped.</p> <p>As detailed in paragraph 8.10.16 of ES Chapter 8 (Biodiversity) (REP3-012), the monitoring will be undertaken each month during the breeding or wintering (including winter passage) periods where the SSSI would experience exceedances of baseline noise levels >3dB. This is in consideration of the qualifying features of the SSSI, including both breeding and wintering assemblages. This monitoring will record any disturbance events caused by the works or otherwise, and note the circumstances in which any action had to be taken to stop works. The circumstances at which works would be stopped have been outlined in paragraphs 8.10.7 to 8.10.9 of ES Chapter 8 (Biodiversity) (REP3-012). The Applicant as part of the Second Iteration Environmental Management Plan (EMP) will produce an Ornithological Noise Monitoring at Coombe Pool SSSI Method Statement, that will provide full details of the monitoring mitigation and will be secured through Commitment BD10 of the REAC (REP4-012), compliance with which is secured through Requirement 4 of the draft DCO (REP4-004).</p>

Ref	Representation recorded comments	Applicant's Response									
		<p>The proposed mitigation to reduce construction noise has been chosen in accordance with the mitigation hierarchy outlined in DMRB LA104 and in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM).</p> <p>As a result of the proposed temporary noise barrier during construction and the provision of OS monitoring, as detailed above and in paragraphs 8.10.12 – 8.10.20 of ES Chapter 8 (Biodiversity) (REP3-012), the previously reported large adverse (significant) residual effect has been reduced to slight adverse (not significant), as detailed in Table 8-24 of ES Chapter 8 (Biodiversity) (REP3-012).</p> <p>Operational Noise: With regards to the assessment of operational noise on grey heron, and wintering and breeding waterbirds, it should be noted that the area of the lake itself impacted by noticeable noise change of >3db is 0.01ha. Given the very small area of the lake impacted by noticeable change, ES Chapter 8 (Biodiversity) (REP3-012) Table 8-24 reports no significant effects on the Coombe Pool SSSI during operation and therefore no mitigation measures are proposed.</p>									
3	<p>Table 1: Summary of Construction impacts</p> <table> <tr> <th>Coombe Pool SSSI- feature affected</th><th>Months with increase in noise levels above 3dB</th><th>Source</th></tr> <tr> <td>Breeding birds</td><td>Day March 2027, August 2027, Day March 2028, Night June 2028</td><td>Table 3 REP3-028</td></tr> <tr> <td>Wintering birds</td><td>Night September 2026, Day November 2026, Day December 2026, Day January 2027, Day February 2027, Day September 2027, Day October 2027, Night December 2027,</td><td>Table 4 REP3-028</td></tr> </table>	Coombe Pool SSSI- feature affected	Months with increase in noise levels above 3dB	Source	Breeding birds	Day March 2027, August 2027, Day March 2028, Night June 2028	Table 3 REP3-028	Wintering birds	Night September 2026, Day November 2026, Day December 2026, Day January 2027, Day February 2027, Day September 2027, Day October 2027, Night December 2027,	Table 4 REP3-028	<p>Construction noise: As detailed in the Applicant's response to point 2 above, the mitigation proposed for construction noise in ES Chapter 8 (Biodiversity) (REP3-012) paragraphs 8.10.12 – 8.10.20 provides effective and proportionate mitigation in accordance with the mitigation hierarchy outlined in DMRB LA104 and in accordance with the CIEEM.</p> <p>This includes monitoring by an ornithological specialist who would cease works should significant disturbance impacts occur with regards to qualifying species of the SSSI. The circumstances at which works would be stopped have been outlined in paragraphs 8.10.7 to 8.10.9 of ES Chapter 8 (Biodiversity) (REP3-012). The Applicant, as part of the Second Iteration EMP, will produce an Ornithological Noise Monitoring at Coombe Pool SSSI Method Statement, that will provide full details of the monitoring mitigation and has been secured through Commitment DB10 of the REAC (REP4-012), compliance with which is secured through requirement 4 of the draft DCO (REP3-004).</p>
Coombe Pool SSSI- feature affected	Months with increase in noise levels above 3dB	Source									
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	<table border="1" data-bbox="320 196 1106 288"> <tr> <td data-bbox="320 196 584 225"></td><td data-bbox="595 196 846 225">Day February 2028</td><td data-bbox="857 196 1106 225"></td></tr> <tr> <td data-bbox="320 233 584 288">Woodland breeding and wintering birds</td><td data-bbox="595 233 846 288">22 months approximately</td><td data-bbox="857 233 1106 288">2.1.24 REP3-028</td></tr> </table> <p data-bbox="320 323 1308 600">From the information provided it appears that the construction noise impacts will not be fully mitigated, and a residual impact remains. We therefore advise that the proposal should include the provision of a permanent noise barrier to mitigate for residual operational noise impacts on breeding and wintering birds. Traffic is predicted to continue to increase over time (Source: National road traffic projections 2022) and it is likely that noise levels within the SSSI will also continue to increase for the operational stage of this road scheme. Low woodland breeding and wintering bird numbers have already been identified, which the Applicant partly attributes to the proximity of the existing road (2.1.24 REP3-028).</p> <p data-bbox="320 635 1308 999">The effects of noise on birds includes but is not limited to the following: increased susceptibility to disturbance by other stimuli (i.e. visual), interference with or masking of acoustic signals (e.g. territorial bird song and alarm calls) affecting pair bonding and territoriality, reduced detectability of prey and predators, displacement from otherwise suitable habitat and reduced population density. Reductions in population density due to proximity to noise¹ and possible effects on demography are well documented². There is some evidence that birds can become habituated to certain types of noise, but different species have differing sensitivities³. this does not mean that they are not being affected by the noise⁴. Habituation does not mean that birds are unaffected and they can experience physiological changes due to increased levels of stress and reduced breeding productivity⁵.</p>		Day February 2028		Woodland breeding and wintering birds	22 months approximately	2.1.24 REP3-028	<p data-bbox="1319 196 2139 284">This mitigation, along with associated proposed measures is anticipated to reduce the frequency, magnitude and duration of any disturbance events.</p> <p data-bbox="1319 319 2139 440">The mitigation proposed will reduce the significant effect from large adverse (significant) to slight adverse (not significant), as reported in the ES Chapter 8 (Biodiversity) (REP3-012) submitted at Deadline 3.</p> <p data-bbox="1319 475 1547 504">Operational noise</p> <p data-bbox="1319 539 2139 687">To clarify, the construction noise and operational noise are separately assessed in the ES. ES Chapter 8 (Biodiversity) (REP3-012) Table 8-24 reports no significant effects on the Coombe Pool SSSI as a result of operational noise, therefore embedded mitigation is not required.</p> <p data-bbox="1319 722 2139 1086">A permanent noise barrier is not proposed as it would require additional construction activities, foundations and new access tracks (to maintain the barrier during operation). These additional construction activities will increase the construction noise levels beyond what has been assessed in ES Chapter 8 (Biodiversity) (REP3-012). In addition, the required foundations and access track would likely impact the Coombe Pool SSSI as a result of excavations that would be required within root protection zones. Furthermore, the provision of a maintenance access track would result in the footprint of the Scheme encroaching into the flood zone area and triggering the requirement for flood compensation, which would likely require alterations to the Order Limits.</p> <p data-bbox="1319 1121 2139 1216">Finally, the inclusion of a permanent noise barrier could change the setting of the Grade II* Registered Park and Garden of Coombe Abbey and likely result in greater environmental effects than were</p>
	Day February 2028							
Woodland breeding and wintering birds	22 months approximately	2.1.24 REP3-028						

¹ Reijnen, R., Foppen, R., ter Braak, C. & Thissen, J. 1995a. The effects of car traffic on breeding bird populations in Woodland. III. Reduction of density in relation to the proximity of main roads. J. Appl. Ecol. 32, 187–202

² Habib, L., Bayne, E.M. & Boutin, S. 2007. Chronic industrial noise affects pairing success and age structure of ovenbirds *Seiurus aurocapilla*. J. Appl. Ecol. 44, 176–184.

³ Wright, M.D., Goodman, P. & Cameron, T.C. 2010. Exploring behavioural responses of shorebirds to impulsive noise. Wildfowl, Volume 60 pp. 150–167.

⁴ Fleming, W.J., Dubovsky, J.A., Collazo, J.A., Temple, E.R. & Conomy, J.T. 2001. An overview of studies to assess the effects of military aircraft training activities on waterfowl on Piney Island, North Carolina. Terra Borealis: Effects of Noise on Wildlife Conference. Conference Proceedings Happy Valley-Goose Bay, Labrador, August 22-23. 2000. No2. Institute for Environmental Monitoring and Research. Link to article.

Gill, J.A., Norris, K. & Sutherland, W.J. 2001. Why behavioural responses may not reflect the population consequences of human disturbance. Biological Conservation 97:265-268. Link to article.

⁵ Halfwerk, W., Holleman, L.J.M., Lessells, C.M. & Slabbekoorn, H. 2011. Negative impact of traffic noise on avian reproductive success. Journal Applied Ecology 48:210-219. Link to article.

Ref	Representation recorded comments	Applicant's Response
		<p>previously reported in ES Chapter 6 (Cultural Heritage) (REP4-006).</p> <p>The information provided within the DCO application, and to Natural England evidences that the Scheme would have no significant residual effects on the SSSI during both construction and operation, and further that the Scheme would have beneficial effects during operation, albeit not significant effects. Each of the individual traffic scenarios used to inform the noise assessment (either short-term or long-term) takes into consideration the different volumes of traffic, vehicle speed, %HGV, surface material, and topography/road alignment (where appropriate) representative for that year. Although traffic tends to increase year on year, this growth is not linear and is dependent on a number of factors. Further details are set out within the Transport Assessment (APP-134) of traffic, vehicle speed, percentage of HGVs, surface material, and topography/road alignment (where appropriate) representative for that year.</p>
4	<p><u>Lighting</u></p> <p>In our Relevant and Written representations (RR-010 & PD1-018) we raised a concern regarding vegetation clearance between the road and potential to increase light disturbance impacts as a result on the notified features of Combe Pool SSSI.</p> <p>As no additional information regarding lighting impacts appears to have been submitted at D3 we will continue to discuss this matter with the applicants.</p> <p>In addition, we advise that the potential impacts of lighting on the Combe Hill SSSI are included in the Statement of Common Ground.</p>	<p>ES Chapter 8 (Biodiversity) (REP3-012) has been updated and resubmitted at Deadline 5 to include an assessment of lighting on Coombe Pool SSSI, which will include impacts upon the breeding and wintering waterbirds including grey heron, woodland breeding and wintering birds and fish.</p>
5	<p><u>Works within Combe Pool SSSI.</u></p> <p>The draft DCO includes works within the Combe Pool SSSI. <u>Natural England currently require additional information in order to demonstrate the planned works can go ahead without impact to notified features. In the absence of certainty regarding methodology, we therefore are not able to advise that the project would not require assent once the DCO has been granted</u></p>	<p>The Applicant has consulted with Natural England, and it is noted in the Statement of Common Ground (SoCG) with Natural England (REP4-022) that Article of 52 of the draft DCO (REP3-004) disapplies sections 28E and 28H of the Wildlife and Countryside Act, which are the obligations to get consent from Natural England to carry out operations in a SSSI. Therefore, the Applicant confirms that SSSI assents are not required.</p>
<u>Combe Pool SSSI and Herald Way Marsh SSSI</u>		
6	<p><u>AQ (NOx, NH3, N dep)</u></p> <p>We have reviewed the latest submissions from the National Highways on Air</p>	<p>This response is noted by the Applicant.</p>

Ref	Representation recorded comments	Applicant's Response
	<p>quality. Natural England can concur with their assessment and conclusions that there would be no significant effect on Combe Pool SSSI and Herald Way Marsh SSSI in regard to ammonia and NOx. In terms of nitrogen deposition, some of the reasoning behind the Applicant's conclusions is unconventional, however we do concur with their conclusions that there would be no significant effect on Combe Pool SSSI and Herald Way Marsh SSSI for other reasons based on our professional experience.</p>	
<u>Licensing Protected Species</u>		
7	<p>We note and welcome the amendment to include to a Protected Species Method Statement in Requirement 8 of Schedule 2 in the dDCO (REP1-002).</p>	<p>This response is noted by the Applicant.</p>
8	<p><u>GCN</u> Based on current survey data National Highways do not consider a great crested newt (GCN) Licence necessary. However, a GCN license maybe required following additional surveys conducted as part of any routine preconstruction surveys or because of any delays to construction may change the GCN status of the site and the need for a licence will be reassessed.</p>	<p>This response is noted by the Applicant.</p>

A46 Walsgrave Methodology for works adjacent to Coombe Pool SSSI

1. General

- a) There will be no storage of materials on the site adjacent to the SSSI.
- b) All plant will be stored as far as possible from the SSSI at the end of each shift to reduce the risk of pollution incidents arising from vandalism.
- c) Suitable spill equipment will be utilised during the works in accordance with the Octavius pollution prevention guidance. Further details of this will be included in the detailed RAMS for the works.
- d) A suitable boom for use of spills on water will be stored on site with operatives trained in its use.

2. Earthworks

- e) Site visit to be completed by an ecologist before works commence.
- f) A Permit to Clear existing trees and vegetation will be issued by an ecologist with a watching brief specified if required. This permit system may need to be completed in phases to allow creatures to move. This requirement will be assessed when the Permit to Clear is issued.
- g) Existing trees and vegetation will be cleared using appropriate plant by qualified persons. Plant will be identified in the method statement and the Permit to Clear.
- h) Tree root protection zones will to be protected by fencing and signage where required. Ground protection/mats may also be required to prevent damage to the soil structure and tree roots if tree roots remain in the area that needs tracking.
- i) Topsoil will be stripped from the slope of the existing bund and stockpiled using a 13t excavator and 9t dumper or similar
- j) The topsoil will be stockpiled outside of the SSSI boundary and a minimum of 8m from any watercourses / Coombe Pool. Topsoil and subsoils will be stored separately. Storage locations will be determined by the ecological clerk of works and included on the Permit to Clear and the method statement.
- k) Tree root removal will be undertaken where required, preference will be given to pollarding or coppice where practicable.
- l) Existing bund to be excavated to design profile using Excavator (max 35t) and Articulated Dump Truck. Excavator to work from NH side of excavation – refer to the attached sketch.
- m) Temporary works are unknown at this stage – assumed a stepped 1:1 batter. This will not encroach into the SSSI.
- n) New bund to be constructed using excavator (max 35t) and sheep's foot roller - refer to the attached sketch.
- o) The general fill on embankments and bunds will be Class 2A/2B. The SSSI face of the bund will require an impermeable liner with 600mm Class 2D (silty cohesive material) north of the Smite Brook culvert only.

- p) The proposed slope designed at 1:3 slope so no mitigation measures are required to manage soil slippage on the clay slope.
- q) The top of the bund and the SSSI face of the bund will be landscaping with species rich grassland which requires no topsoil, but 300mm subsoil. The A46 face of the bund will be landscaped with amenity grass, which requires 150-300mm topsoil and 300mm subsoil.
- r) The imported material will be received as required and placed and compacted on the bund within that shift or stockpiled on National Highways land outside the SSSI to reduce the risk of silt pollution.
- s) The topsoil will then be reinstated on the A46 face of the bund.

3. Reinstating fence

- t) The existing post and rail fencing will be replaced with a similar system (max length 100m)
- u) All machinery will work from within National Highways land.
- v) All waste material, including offcuts will be removed at the end of each shift
- w) New materials will be stored away from the SSSI on National Highway land.
- x) Track matting will be installed to operate the 2.7t excavator if required by ground conditions.
- y) Where removal of existing SSSI fence is required operatives will use a 2.7t mini excavator (located in NH land to loosen the posts) & remove the rails from the posts, all of these materials will be removed from site for disposal. If existing concrete foundation remains in situ when the post is removed, this will be left.
- z) Operatives will use a mini excavator & auger to excavate footings to the correct size and then add post mix (or similar) to the footing until the correct levels have been achieved
- aa) When sufficient posts have been installed operatives will manually attach the rails to the posts at the correct spacings & stagger